

***Case No COMP/M.3220 -
EADS / EADS
TELECOM***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 22/08/2003

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22/08/2003
SG (2003) D/231383

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.3220 – EADS/EADS Telecom
Notification of 18 July 2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹
Publication in the Official Journal of the European Communities No. C 179,
30 July 2003, page 5**

On 18 July 2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking European Aeronautic Defence and Space Company EADS N.V. (“EADS”, the Netherlands), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of EADS Telecom SAS (France) by way of acquisition of shares. EADS Telecom is currently jointly controlled by EADS and Nortel Network Limited (Canada).

2. The business activities of the undertakings concerned are :
- EADS: civil and military aircraft, space activities, military systems, telecommunications and defence electronics
 - EADS Telecom: military and civil telecommunication systems and equipment.

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission

Erkki LIIKANEN
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.