

***Case No COMP/M.3449 -  
GLAXOSMITHKLINE /  
SANOFI-SYNTHELABO  
(ASSETS)***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 25/05/2004

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

Brussels, 25.05.2004

SG-Greffe(2004) D/202171

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**To the notifying party**

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

**Subject: Case n° COMP/M.3449-GlaxoSmithKline/Sanofi-Synthélabo (assets)  
Notification of 19.04.2004 pursuant to Article 4 of Council Regulation (EEC)  
No. 4064/89<sup>1</sup>, as last amended by Regulation (EC) No 1310/97<sup>2</sup>  
Publication in the Official Journal of the European Union No. C 111,  
30.04.2004, page 2**

1. On 19.04.2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertaking GlaxoSmithKline plc ("GSK", UK) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of parts of the undertaking Sanofi-Synthélabo SA ("Sanofi", France) by way of purchase of assets.
2. The business activities of the undertakings concerned are:
  - for GSK: Pharmaceuticals, vaccines, over-the-counter medicines and health-related consumer products;

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<sup>1</sup> OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

<sup>2</sup> OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.

- for Sanofi: Human pharmaceuticals and more specifically, two injectable anti-coagulants, namely Arixtra® and Fraxiparine®, together with associated assets and rights used for the development, manufacture, sale and marketing of these products including the production facility located in Notre Dame de Bondeville (France).
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 b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>3</sup>.
  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

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<sup>3</sup> OJ C 217, 29.07.2000, p. 32.