

***Case No COMP/M.3552 -  
DEUTSCHE POST /  
GUIPUZCOANA***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION  
Date: 24/09/2004

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

Brussels, 24/09/2004

SG-Greffe(2004) D/204269

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.3552 – Deutsche Post/Guipuzcoana  
Notification of 25.8.2004 pursuant to Article 4 of Council Regulation (EC) No.  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No. C 220 of 02/09,  
page 2**

1. On 25.8.2004, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which Deutsche Post AG (“DPAG”, Germany) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Guipuzcoana/DHL (Spain), presently jointly controlled by DPAG and Investgi S.L. (“Investgi”, Spain), by way of purchase of all shares in Investgi.

The business activities of the undertakings concerned are:

- for DPAG: domestic and international postal services and financial services;
- for Guipuzcoana/DHL: postal services in Spain and Portugal;
- for Investgi: management and administrative services to Guipuzcoana/DHL.

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph d of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No139/2004<sup>2</sup>.
3. 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 (EC) No. 139/2004.

For the Commission

(signed)  
Mario MONTI  
Member of the Commission

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<sup>2</sup> 2[1] Available on DG COMP website:  
[http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified\\_tru.pdf](http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf)