

***Case No COMP/M.3559 -  
FINMECCANICA /  
AUGUSTA-WESTLAND***

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: 20/09/2004

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

Brussels, 20.09.2004

SG-Greffe(2004) D/204104

**PUBLIC VERSION**

**MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION**

**SIMPLIFIED PROCEDURE**

**To the notifying parties**

Dear Madam and Sir,

**Subject: Case No. COMP/M.3559 - Finmeccanica/AgustaWestland  
Notification of 16.08.2004 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 212,  
24.08.2004, page 8**

1. On 16.08.2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Finmeccanica Società per Azioni ("Finmeccanica", Italy) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of AgustaWestland N.V., ("AgustaWestland", Netherlands), currently jointly controlled by Finmeccanica and GKN plc by way of purchase of shares and assets.
2. The business activities of the undertakings concerned are:
  - for Finmeccanica: active in the aerospace, communications, energy, transport, defense and automation sectors;
  - for AgustaWestland: active in the design, manufacture and maintenance of civil and military helicopters.

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

3. 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>.
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 (EC) No. 139/2004.

For the Commission

(signed)  
Mario MONTI  
Member of the Commission

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<sup>2</sup> 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).