

***Case No COMP/M.3785 -
TPG / APAX / TIM
HELLAS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/05/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.05.2005

SG-Greffe(2005) D/202268

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject: Case No. COMP/M.3785 – TPG / APAX / TIM Hellas
Notification of 15.04.2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Communities No. C101 of 27.04.2005, page 22.**

1. On 15.04.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the US undertaking TPG Advisors IV, Inc. (TPG) and the British undertaking APAX Europe VI (APAX), controlled by the Guernsey-based company Hirzell, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the Greek undertaking TIM Hellas Telecommunications S.A. (TIM Hellas) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for TPG: private equity fund
- for APAX: pan-European investment fund

¹ OJ L 24, 29.1.2004 p. 1.

- for TIM Hellas: supplier of mobile telecommunications products and services to end-users in Greece
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 c), of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
 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
Neelie KROES
Member of the Commission

² Official Journal C 56 of 05.03.2005..