

***Case No COMP/M.3899 -  
DANAHER / LEICA MS***

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: 22/08/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.08.2005

SG-Greffe(2005) D/204545

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.3899 – DANAHER / LEICA MS  
Notification of 8.07.2005 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 187 of  
30/07/05, p.2**

1. On 22/07/05, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Danaher Corporation (Danaher, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Leica Microsystems AG (Leica MS, Germany) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for Danaher: Professional Instrumentation (Environmental, Electronic Test, Medical Technology), Industrial Technologies (Motion, Product Identification), and Tools & Components (Mechanics Hand Tools).
  - for Leica MS: High-Precision Optical Instruments and Analysis of Micro-Structures.

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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 c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004<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)*  
Neelie KROES  
Member of the Commission

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<sup>2</sup> OJ C 56, 05.3.2005 p.32