

***Case No COMP/M.3907 -
BERTELSMANN /
CHANNEL 5***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/08/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.08.2005

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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

Dear Sir,

Subject: Case No. COMP/M.3907 – Bertelsmann / Channel 5

Notification of 29.07.2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹

Publication in the Official Journal of the European Communities No. C 192, 06.08.2005, page 11

1. On 29.07.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking RTL Group S.A. (“RTL”), belonging to the Bertelsmann AG group (“BAG”), Germany, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Channel 5 Television Group Limited (“Channel 5”), United Kingdom, by way of purchase of shares. Channel 5 is currently jointly controlled by BAG and United Business Media Group.
2. The business activities of the undertakings concerned are:

¹ OJ L 24, 29.1.2004 p. 1.

For RTL: broadcasting and media group, operating predominantly in the areas of free-access television, television production and radio broadcasting;

For BAG: publication of books and magazines, printing, direct and logistics services, book and music clubs, music, TV and radio broadcasting, content and rights and related services in the media sector;

For Channel 5: television broadcasting of free-TV, sale of advertising space, acquisition of TV broadcasting rights and operation of an internet portal.

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, subparagraphs c and d, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004²
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

² Available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf.