

***Case No COMP/M.3963 -
PHILIPS / LUMILEDS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/11/2005

***In electronic form on the EUR-Lex website under document
number 32005M3963***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24/11/2005

SG-Greffe(2005) D/206314

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.3963 – Philips/Lumileds
Notification of 17/10/2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 263, dated 22/10/2005, page 42.**

1. On 17.10.2005, the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 by which the undertaking Koninklijke Philips Electronics N.V. (“Philips”, the Netherlands), through its subsidiary Philips Lumileds Holding B.V. or another fully owned subsidiary, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Lumileds Lighting LLC (“Lumileds”, USA), being up to the present a company jointly controlled by Philips and Agilent LED International Inc. (“Agilent”, USA) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for Philips : design, manufacture and sale of a wide range of electronic products, including lighting products;
 - for Lumileds : development, manufacture and sale of Light Emitting Diodes (“LEDs”).

¹ 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 (d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004.
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