

***Case No COMP/M.4084 -  
BANCA INTESA / NH  
HOTELES / NH ITALIA***

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: 17/02/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.02.2006

SG-Greffe(2006) D/200735

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.4084 – Banca Intesa / NH Hoteles / NH Italia**

Notification of 17.1.2006 pursuant to Article 4 of Council Regulation (EC) No. 39/2004<sup>1</sup>

Publication in the Official Journal of the European Communities No. C 18, 25.1.2006, page 8.

1. On 17.01.2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Banca Intesa S.p.A. (“Banca Intesa”, Italy) and NH Hoteles S.A. (“NH Hoteles”, Spain), through its subsidiary NH Hoteles Rallye S.A., acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of NH Italia S.r.l. (“NH Italia”, Italy), currently solely controlled by NH Hoteles, by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for Banca Intesa: holding of a banking and finance group;
  - for NH Hoteles: establishment, development and operation of hotels;
  - for NH Italia: establishment, development and operation of hotels.

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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 b, 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> 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).