

***Case No COMP/M.4230 -
KPN / HEINEKEN / ON***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 23/06/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.06.2006

SG-Greffe(2006) D/203266/203267

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

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

Subject: Case No. COMP/M.4230 – KPN/Heineken/ON Notification of 16.05.2006 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹ Publication in the Official Journal of the European Union No. C 126 of 30/05/2006 page 6 — Candidate case for simplified procedure

1. On 16.05.2006 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004, by which Koninklijke KPN N.V. (KPN, Netherlands), and Heineken International B.V. (Heineken, Netherlands) acquire, within the meaning of Article 3(1) (b) of the Council Regulation, joint control of ON (“ON”, Netherlands) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for KPN: provision of telephone and internet services and digital terrestrial services television services;
 - for Heineken: production, distribution and sale of beer and other beverages;
 - for ON exploitation of interactive, “on premise” TV, based on narrowcasting technology, in out of home environments.

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, subparagraph (a) 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)
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32