

***Case No COMP/M.4981 -
AT&T / IBM***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 14/12/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14-XII-2007

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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

Dear Sirs,

**Subject: Case No. COMP/M.4981 – AT&T / IBM
Notification of 13 November 2007 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹ Publication in the Official Journal of the European Union N° C 278, 21 November 2007, p.12**

1. On 13.11.2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking AT&T Corp. ("AT&T", USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of part of the undertaking International Business Machines Inc. ("IBM", USA) by way of purchase of assets.
2. The business activities of the undertakings concerned are:
 - for undertaking AT&T : international voice and data communication services
 - for undertaking IBM : Information Technology (IT) services and equipment; computer software, and services.

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 c 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