

***Case No COMP/M.5266 -
BERTELSMANN / 3i /
BUY VIP***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 18/09/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.09.2008

SG-Greffe(2008)

D/205538/205539/205540/205541

C(2008)5343

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.5266 - BERTELSMANN/ 3i/ BUY VIP
Notification of 20.08.2008 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 222, 30.8.2008,
p. 18**

1. On 20.08.2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Bertelsmann AG ("Bertelsmann", Germany), 3i Group plc ("3i", UK), Mr. Gustavo García Brusilovsky ("GGB", Spain) and Mr. Gerald Heydenreich ("GH", Latvia) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Buy Vip S.L. ("Buy Vip", Spain) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
 - for Bertelsmann : international media company active in TV, book, magazine and music publishing, media services and book and media clubs,
 - for 3i: private equity house and venture capital company providing management advice and management to investment funds,

¹ OJ L 24, 29.1.2004 p. 1

- for GGB: business consultancy services,
 - for GH: business consultancy services,
 - for Buy Vip: e-commerce (online selling of consumer products in Germany, Italy and Spain).
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,(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)
Lowri EVANS
p.p. Philip LOWE

² OJ C 56, 05.3.2005 p.32