

***Case No COMP/M.5274 -  
NEWSCORPORATION /  
PERMIRA / NDS***

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: 19/12/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19/12/2008  
SG-Greffe(2008) D/208504  
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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.5274 - NEWSCORPORATION / PERMIRA / NDS  
Notification of 20/11/2008 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C 305,  
28/11/2008, p. 90.**

1. On 20/11/2008 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Nuclobel Lux 1 S.à.r.l. and Nuclobel Lux 2 S.à.r.l. (Luxembourg), ultimately controlled by Permira Holdings LLP (United Kingdom), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking NDS (United Kingdom), currently solely controlled by News Corporation (United States of America), by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for Permira Holdings LLP : private equity fund
  - for NDS : provision of technical services to Pay-TV broadcasters
  - for News Corporation: diversified entertainment company with operations in eight media industry segments, including (i) filmed entertainment; (ii) television; (iii) cable network programming; (iv) direct broadcast satellite television; (v) magazines and inserts; (vi) newspapers; (vii) book publishing; and (viii) other businesses.

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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 (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*  
Philip LOWE  
Director General

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<sup>2</sup> OJ C 56, 05.3.2005, p. 32.