

***Case No COMP/M.5435 -
NEXANS / SEI /
OPTICABLE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/01/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16/01/2009
SG-Greffe (2009) D/144
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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.5435 - Nexans/ SEI/ Opticable
Notification of 04/12/2008 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 319,
13/12/2008, p.25.**

1. On 04/12/2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Sumitomo Electric Industries Ltd ("SEI", Japan) and Nexans group ("Nexans", France) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control over Opticable ("Opticable", Belgium) currently solely controlled by Nexans, by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for SEI: manufacture and sale of electric wires, harness and cables, as well as optical fibres and telecom fibre optic cables for terrestrial applications;
 - for Nexans: active in the cable industry offering extensive range of cables and cabling systems in the infrastructure, industry, building and local area network markets. As a complementary activity it also provides fibre optic cables;

¹ OJ L 24, 29.1.2004, p. 1.

- for Opticable: manufacture and sale of fibre optic cables for terrestrial applications in Europe.
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 139/2004.
 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 by)
Philip LOWE
Director General