

***Case No COMP/M.5438 -  
NBC UNIVERSAL / DE  
AGOSTINI  
COMMUNICATIONS /  
IMI INVESTIMENTI /  
CATTLEYA***

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: 02/03/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.03.2009  
SG-Greffe(2009) D/1284  
C(2009) 1552

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.5438 - NBC Universal / De Agostini Communications / IMI Investimenti / Cattleya  
Notification of 27.01.2009 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 29, 05.02.2009, p.24**

1. On 27.01.2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings NBC Universal ('NBC', USA) controlled by General Electric ('GE', USA), De Agostini Communications ('DeAC', Luxemburg) controlled by De Agostini S.p.A. ('DeA', Italy), and IMI Investimenti S.p.A. ('IMI', Italy) controlled by IntesaSanpaolo S.p.A. ('IntesaSanpaolo', Italy) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Cattleya S.p.A. ('Cattleya', Italy) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for NBC Universal: development, production and marketing of entertainment, news and information content;

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<sup>1</sup> OJ L 24, 29.1.2004, p. 1.

- for DeAC: film distribution and audiovisual content production;
  - for IMI: equity investments through both own and collective funds;
  - for Cattleya: film and TV production in Italy.
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<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.