

***Case No COMP/M.5624 -  
NOKIA/SAP/JV***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION

Date: 26/11/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26/11/2009  
SG-Greffe(2009) D/9601, 9602  
C(2009) 9517

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.5624 – Nokia/ SAP/ JV  
Notification of 29.10.2009 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 266,  
07.11.2009, p.12**

1. On 29.10.2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Nokia Corporation ("Nokia", Finland) and SAP AG ("SAP", Germany) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Newco ("JV", Germany) by way of purchase of shares of a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
  - for Nokia: development and supply of mobile handsets, mobile and fixed telecom networks and associated services and Internet-based services;

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

- for SAP: development and distribution of software applications, including their support services; and
  - for JV: product authentication and anti-counterfeit services to business customers and governmental authorities.
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(a) 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 by)  
Philip LOWE  
Director General

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