

***Case No COMP/M.6268 -
LUNDBECKFOND
INVEST/ KIRKBI INVEST/
FALCK***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 01/07/2011

***In electronic form on the EUR-Lex website under document
number 32011M6268***



EUROPEAN COMMISSION

Brussels, 01.07.2011
C(2011) 4908

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.6268 – LUNDBECKFOND INVEST/ KIRKBI INVEST/
FALCK
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 01.06.2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Lundbeckfond Invest A/S (Denmark) controlled by Lundbeckfonden (the 'Lundbeck Foundation') and KIRKBI Invest A/S (Denmark) belonging to the KIRKBI Group, which is headed by KIRKBI A/S and controlled by the Kirk Kristiansen family, acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Falck A/S (Denmark) by way of purchase of shares².

2. The business activities of the undertakings concerned are:

- for Lundbeckfond Invest A/S: funding of scientific research, investments in pharmaceutical companies and life science companies more generally
- for KIRKBI Invest A/S: investments in real estate and equity

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

² Publication in the Official Journal of the European Union No C 172, 11.6.2011, p. 18.

- for KIRKBI A/S: holding and investment company with substantial shareholdings in LEGO A/S and Merlin Entertainments as well as investments in real estate
- for Falck A/S: international assistance and emergency company. It consists of four different business areas: assistance, emergency, healthcare and training

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

*For the Commission
(Signed)
Alexander ITALIANER
Director General*

3 OJ C 56, 5.3.2005, p. 32.