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***Case No COMP/M.6304 -
CARLYLE / GORES
BROADBAND***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 10/08/2011

***In electronic form on the EUR-Lex website under document
number 32011M6304***



EUROPEAN COMMISSION

Brussels, 10/08/2011
C(2011)5936

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.6304 – Carlyle / Gores Broadband
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

- (1) On 06.07.2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the Carlyle Group ("Carlyle", United States of America) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Gores Broadband SA ("Gores Broadband", France) by way of purchase of shares².
- (2) The business activities of the undertakings concerned are:
 - Carlyle: global alternative asset manager focusing on aerospace and defense, financial services, infrastructure, telecom and media, consumer and retail, healthcare, real estate, transportation, energy and power, industry, and technology and business services;
 - Gores Broadband: French holding company of Sagemcom SAS, which specializes in broadband terminals and energy solutions, produces printing and imaging

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 208, 14.07.2011, p.09

technologies, residential terminals and set-top-boxes, and products and solutions in the field of energy and telecom;

- (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.