

***Case No COMP/M.6364 -
DCDC HOLDINGS/
UNIVERSAL/ WB/ DCDC
JOINT VENTURE***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 21/09/2011

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EUROPEAN COMMISSION

Brussels, 21/09/2011
C(2011) 6878

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6364 – DCDC HOLDINGS/ UNIVERSAL/ WB/ DCDC
JOINT VENTURE**

Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹

1. On 24.08.2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings AMC Entertainment Inc. ("AMC", USA), Cinemark USA, Inc. ("Cinemark", USA) and Regal Entertainment Group ("Regal", USA) controlled by Anschutz Corporation (USA), (all together "DCDC Holdings"), Universal City Studios LLC ("Universal", USA) controlled by Comcast Corporation ("Comcast", USA), and Warner Bros. Entertainment, Inc. ("WB", USA) controlled by Time Warner Inc. ("Time Warner", USA) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Digital Cinema Distribution Coalition LLC ("DCDC joint venture", USA) by way of purchase of shares in a newly created company constituting a joint venture².
2. The business activities of the undertakings concerned are:

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 257, 01/09/2011, p.10.

- for AMC: motion picture exhibition in the USA;
 - for Cinemark: motion picture exhibition in the USA and Latin America;
 - for Regal and Anschutz Corporation: motion picture exhibition in the USA and private equity investment;
 - for Universal and Comcast: media and entertainment in television networks, filmed entertainment, operation of cable systems in the USA, internet and telephone services;
 - for WB and Time Warner: media and entertainment in television networks, filmed entertainment and publishing;
 - for DCDC joint venture: digital distribution of motion pictures.
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(a) 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.