

EN

***Case No COMP/M.6712 -
CARLYLE / GETTY
IMAGES***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 05/10/2012

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EUROPEAN COMMISSION

Brussels, 05.10.2012
SG-Greffe
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PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party/ies:

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

Subject: Case No COMP/M.6712 - CARLYLE / GETTY IMAGES
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹

1. On 07.09.2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Griffey Investors, L.P. ("Griffey Investors", United States), ultimately controlled by the Carlyle Group ("Carlyle", United States) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the undertaking Getty Images, Inc. ("Getty Images", United States), by way of purchase of shares.

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.

The business activities of the undertakings concerned are:

- for Carlyle: alternative asset manager;
 - for Getty Images: creation and distribution of digital media content, including visual content such as creative or “stock” imagery, stock footage, editorial imagery, illustrations and related services, as well as music downloads, to business clients².
2. 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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.
 3. 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*

² Publication in the Official Journal of the European Union No C 278, 14.09.2012, p.6

³ OJ C 56, 5.3.2005, p. 32.