

***Case No COMP/M.7293 - ALLERGOPHARMA/  
STALLERGENES/ LABORATORIOS LETI/ JV***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION

Date: 18/07/2014

***In electronic form on the EUR-Lex website under document  
number 32014M7293***



EUROPEAN COMMISSION

Brussels, 18.07.2014  
C(2014) 5298 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case M.7293 – ALLERGOPHARMA/ STALLERGENES/  
LABORATORIOS LETI / JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup>**

1. On 26.06.2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Allergopharma GmbH & Co. KG ("Allergopharma", Germany), a wholly-owned subsidiary of Merck KGaA ("Merck" Germany), Stallergenes S.A. ("Stallergenes", France), indirectly controlled by Ares Life Science L.P. ("ARES", Luxembourg), and Laboratorios LETI, S.L. Unipersonal ("LETI", Spain), a wholly-owned subsidiary of LETI Pharma, S.L. ("LETI Pharma", Spain) acquire within the meaning of Article 3(1)(b) of the Merger Regulation, joint control over NewCo GmbH ("NewCo", Germany), a newly created company, by way of purchase of shares.

---

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.

Publication in the Official Journal of the European Union No C 209, 04.07.2014, p.2.

Commission européenne, DG COMP MERGER REGISTRY, 1049 Bruxelles, BELGIQUE  
Europese Commissie, DG COMP MERGER REGISTRY, 1049 Brussel, BELGIË

Tel: +32 229-91111. Fax: +32 229-64301. E-mail: [COMP-MERGER-REGISTRY@ec.europa.eu](mailto:COMP-MERGER-REGISTRY@ec.europa.eu).

2. The business activities of the undertakings concerned are:
- Allergopharma: active in the fields of allergen immunotherapy, allergy diagnostics and allergy prevention and has operations in 25 countries, with a main focus in Germany;
  - Stallergenes: a global healthcare company specialised in the diagnosis and treatment of allergies which is present in 20 countries and distributes its products in 75 countries;
  - LETI: a biopharmaceutical company active in the fields of the treatment and diagnosis of allergies, pharmaceutical skincare, in-vitro diagnostics and vaccines. It has production sites in Madrid (Spain) and subsidiaries in Portugal and Germany.
  - NewCO: will develop mobile environmental exposure chambers for carrying out studies on new preparations for the treatment of allergies, will obtain all the validations and permits that are necessary for their operation and will then market the chambers.
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 139/2004.<sup>3</sup>
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*

---

<sup>3</sup> OJ C 366, 14.12.2013, p. 5.