



EUROPEAN COMMISSION
DG Competition

***Case M.7951 - SHIRE /
BAXALTA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/04/2016

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EUROPEAN COMMISSION

Brussels, 26.4.2016
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PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Sirs,

**Subject: Case M.7951 – SHIRE / BAXALTA
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

1. On 01 April 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Shire plc (Jersey) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Baxalta Inc. (USA) by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - *Shire plc* a Jersey-registered, Irish-headquartered global specialty biopharmaceutical company. Its pharmaceuticals business is divided into four principal business segments: (1) Neuroscience; (2) Gastrointestinal and Internal Medicine; (3) Ophthalmics; and (4) Rare Diseases.

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 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

³ Publication in the Official Journal of the European Union No C125, 08.04.2016, p.7.

- *Baxalta Inc.* a global pharmaceutical company incorporated in Delaware. It specialises in rare diseases and advancing innovative therapies in haematology, immunology and oncology. In particular, Baxalta offers treatments for haemophilia and other bleeding disorders, immune deficiencies, alpha-1 antitrypsin deficiency, burns and shock.
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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
 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 and Article 57 of the EEA Agreement.

For the Commission

(signed)
Johannes LAITENBERGER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.