



EUROPEAN COMMISSION
DG Competition

***Case M.10046 - DEUTSCHE TELEKOM /
SK TELECOM / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 10/12/2020

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EUROPEAN COMMISSION

Brussels, 10.12.2020
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PUBLIC VERSION

To the notifying parties

**Subject: Case M.10046 - DEUTSCHE TELEKOM / SK TELECOM / JV
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**

Dear Sir or Madam,

On 18 November 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Deutsche Telekom AG, (“DT”, Germany) and SK Telecom Co., Ltd. (“SKT”, South Korea), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created company constituting a joint venture (the “JV”) by way of purchase of shares.³

1. The business activities of the undertakings concerned are:

- for DT: telecommunications company as well as a provider of information and communication technology (“ICT”), offering fixed-network/ broadband, mobile communications, internet, IPTV products, services and solutions for consumers and business customers,
- for SKT: a telecommunication company, active in ICT and in the development of 5G communication and technology. SKT is ultimately controlled by SK Holdings Co., Ltd., the parent of a family of businesses which have a wide range of activities, including in chemicals, construction, energy, engineering, semi-conductors, telecommunications and trading (“SK Group”),
- for the JV: it will be dedicated to the development of radio frequency repeater technology and the licensing of resulting intellectual property rights to third parties.

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 C 403, 26.11.2020, p.13.

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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
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 and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.