

EN

***Case No COMP/M.5413 -
FUJITSU / FUJITSU
SIEMENS COMPUTERS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/12/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19/12/2008
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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.5413 – Fujitsu/Fujitsu Siemens Computers
Notification of 20.11.2008 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 303,
26.11.2008, p.10.**

1. On **20.11.2008**, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Fujitsu Limited ("Fujitsu", Japan) acquires within the meaning of Article 3(1)(b) of the Council Regulation sole control of the whole of the undertaking Fujitsu Siemens Computers (Holding) BV ("Fujitsu Siemens Computers", Netherlands) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Fujitsu: provision of IT products and services;
 - for Fujitsu Siemens Computers: provision of IT products and services, mainly in the EMEA region (Europe, the Middle East and Africa).

¹ OJ L 24, 29.1.2004, p. 1.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No 139/2004 and of paragraph 5(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No 139/2004.

For the Commission
signed
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.