

Communication pursuant to Articles 3(2), 6(2), 13(3), 20(1), 20(1a) and 23(4) of Commission Regulation (EC) No 802/2004 ⁽¹⁾ implementing Council Regulation (EC) No 139/2004 ⁽²⁾ on the control of concentrations between undertakings, last amended by Commission Implementing Regulation (EU) No 1269/2013 ⁽³⁾

(Text with EEA relevance)

(2014/C 25/04)

Introduction

Articles 3(2), 6(2), 13(3), 20(1) and 20(1a) of Regulation (EC) No 802/2004 require notifications, reasoned submissions, comments on the Commission's objections, commitments offered by the undertakings concerned and the form RM to be submitted to the Commission in the format and with the number of copies specified by the Commission in the *Official Journal of the European Union*.

The Commission hereby specifies, pursuant to Articles 3(2), 6(2), 13(3), 20(1) and 20(1a) of Commission Regulation (EC) No 802/2004, the number and format in which notifications, reasoned submissions, comments on the Commission's objections, commitments offered by the undertakings concerned and the form RM should be delivered.

Article 23(4) of Regulation (EC) No 802/2004 requires that documents or any additional copies of documents submitted to the Commission electronically should be submitted in the format specified by the Commission in the *Official Journal of the European Union* and that submissions sent by electronic mail should be sent to the electronic mail address published by the Commission in the *Official Journal of the European Union*.

The Commission hereby specifies, pursuant to Article 23(4) of Regulation (EC) No 802/2004, the format in which electronic submissions should be sent and the e-mail address to which submissions sent by e-mail should be sent.

Notifications: form CO and short form CO (Annexes I, II to Commission Regulation (EC) No 802/2004)

Reasoned submissions ⁽⁴⁾: form RS (Annex III to Commission Regulation (EC) No 802/2004)

Commitments offered by the undertakings concerned and form RM (Annex IV to Commission Regulation (EC) No 802/2004)

Comments on the Commission's objections

- (1) One signed original on paper.
- (2) Three paper copies of the entire submission. Paper copies may be waived or extra copies may be requested by the case team.
- (3) Two copies of the submission in CD- or DVD-ROM format (the 'medium'). The following specifications shall be adhered to:
 - (a) the files in this medium shall be in non-protected, searchable Portable Document Format (PDF) or in non-protected spreadsheet format and should preferably not exceed 40 MB (megabytes) each in size. The copy of the submission may be contained on several CD- or DVD-ROMs;
 - (b) files should be named in a way which allows easy identification of the section in the Form CO, Short Form CO, Form RS or Form RM they refer to;
 - (c) each file shall bear the number of the proceeding for which the submission is made;

⁽¹⁾ OJ L 133, 30.4.2004, p. 1.

⁽²⁾ OJ L 24, 29.1.2004, p. 1.

⁽³⁾ OJ L 336, 14.12.2013, p. 1.

⁽⁴⁾ Reasoned submissions within the meaning of Article 4(4) and (5) of Council Regulation (EC) No 139/2004.

(d) a list of all files in the medium shall be delivered as a separate file in the medium.

Format of electronic submissions

Any submissions other than the ones mentioned above should adhere to the following rules:

- containers (zip, rar, 7zip, etc.) should be avoided,
- if possible, .pst files should be avoided. If not possible, size should not exceed 500 MB,
- the size of non-searchable Adobe Portable Document Format (PDF) should be limited to 30 MB. Multiple files should not be packed into a single PDF,
- Lotus Notes files should be avoided,
- individual files should not be password protected. If protection is needed, TrueCrypt should be used for encryption.

E-mail address for e-mail correspondence

Correspondence sent by e-mail should be sent to comp-merger-registry@ec.europa.eu

Date of applicability of this communication

The instructions contained in this communication shall be applicable as of the day following its publication.
