

## PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION POLICY

### COMMISSION

#### **Prior notification of a concentration**

**(Case COMP/M.5208 — Bilfinger Berger/M+W Zander FM)**

#### **Candidate case for simplified procedure**

**(Text with EEA relevance)**

(2008/C 141/14)

1. On 28 May 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking Bilfinger Berger AG ('Bilfinger Berger', Germany) through its subsidiary Bilfinger Berger Facility Services GmbH acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking M+W Zander D.I.B. Facility Management GmbH ('M+W Zander FM', Germany) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Bilfinger Berger: construction engineering, construction on and below the surface nationally and abroad, private exploitation models and services (especially services for industry, power plants and real estate, such as Facility Management),
- for M+W Zander FM: facility management services.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 <sup>(2)</sup> it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.5208 — Bilfinger Berger/M+W Zander FM, to the following address:

European Commission  
Directorate-General for Competition  
Merger Registry  
J-70  
B-1049 Bruxelles/Brussel

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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

<sup>(2)</sup> OJ C 56, 5.3.2005, p. 32.