Prior notification of a concentration
(Case COMP/M.4076 — Boston Scientific/Guidant)

(2006/C 55/15)

(Text with EEA relevance)

1. On 23 February 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 (1) by which the undertaking Boston Scientific Corporation (‘Boston Scientific’, USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Guidant Corporation (‘Guidant’, USA), with the exception of Guidant’s interventional cardiology and endovascular devices businesses, by way of purchase of shares.

2. The business activities of the undertakings concerned are:
   — for Boston Scientific: design, development and supply of medical devices;
   — for Guidant: design and development of cardiovascular medical devices.

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.

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 (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4076 — Boston Scientific/Guidant, to the following address:

European Commission
Competition DG
Merger Registry
J-70
B-1049 Brussels