

Prior notification of a concentration**(Case COMP/M.2478 — IBM Italia/Business Solutions/JV)**

(2001/C 164/04)

(Text with EEA relevance)

1. On 23 May 2001 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the undertakings IBM Italia SpA (IBM Italia), controlled by IBM, and Business Solutions SpA (Business Solutions), controlled by Fiat, acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of the undertakings: SAP Italia, Proxima, Intesa, IBM SAP Services, IBM ACG (all belonging to the IBM group) and of the undertakings: ITS and GSA (belonging to the Fiat group), by purchase of shares in a newly created three companies' structure constituting a joint venture (the JV company).

2. The business activities of the undertakings concerned are:

- IBM Italia: development, production, marketing of IT systems, equipment, computer software and services mainly in the IT area,
- Business Solutions: holding company within the Fiat group for the companies active in the provision of services, including IT, employee temping agencies, and real estate,
- JV company: provision to the Fiat group and to third parties of IT services tailored for automotive and industrial customers.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. 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.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2478 — IBM Italia/Business Solutions/JV, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
Rue Joseph II/Jozef II-straat 70,
B-1000 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.