

Prior notification of a concentration**(Case No. COMP/M.3436 - Continental / Phoenix)**

(2004/C 140/02)

(Text with EEA relevance)

1. On 12/05/2004, the Commission received a 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 undertaking Continental AG acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Phoenix AG by way of a public bid announced on 26/04/2004.

2. The business activities of the undertakings concerned are:

- for Continental AG: Development, production and distribution of tyres, brakes and other parts for automotive use as well as of technical rubber products (e.g. suspension systems, anti-vibration systems, hoses and conveyor belts).
- for Phoenix AG: Development, production and distribution of technical rubber products (e.g. suspension systems, anti-vibration systems, hoses and conveyor belts) and products for noise absorption.

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 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 (fax no. +32/2/2964301 or 2967244) or by post, under reference number COMP/M.3436 - Continental / Phoenix, to the following address:

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

⁽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.