

Prior notification of a concentration**(Case COMP/M.3720 — BAES/AMS)**

(2005/C 38/10)

(Text with EEA relevance)

1. On 7 February 2005, 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 BAE SYSTEMS plc ('BAES', UK) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the UK operating branch of AMS NV ('AMS'), which is currently jointly-controlled by BAES and Finmeccanica SpA ('Finmeccanica', Italy).

2. The business activities of the undertakings concerned are:

- BAES is an international manufacturer of defence and commercial aerospace systems, including military aircraft, surface ships, submarines, radar, avionics, communications, electronics and weapons systems,
- AMS is active in the land and naval defence electronics markets, and in the air traffic control and air traffic management systems civil markets,
- Finmeccanica is active principally in the defence and aerospace sectors, such as the design, manufacture and support of aircraft, helicopters, satellites, missile systems, radar, avionics and communication systems, naval systems and armoured vehicles.

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.3720 — BAES/AMS, to the following address:

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

(¹) OJ L 24, 29.1.2004, p. 1.