

Prior notification of a concentration
(Case COMP/M.4321 — Siemens/Bayer Diagnostics)

(2006/C 240/05)

(Text with EEA relevance)

1. On 26 September 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 German undertaking Siemens AG ('Siemens', Germany) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Bayer Diagnostics, the Diagnostic division of Bayer Healthcare, a business unit of Bayer AG ('Bayer', Germany) by way of combined purchase of shares and assets.

2. The business activities of the undertakings concerned are:

- for Siemens: diversified company active in various manufacturing, technology and services business activities, including medical systems. Within the latter, active in-vitro diagnostics through its subsidiary Diagnostic Products Corporation;
- for Bayer Diagnostics: development, manufacture and sales of in-vitro diagnostic systems for hospitals, medical laboratories and physicians' offices.

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 (fax No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M. 4321 — Siemens/Bayer Diagnostics, 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.