

Prior notification of a concentration**(Case COMP/M.5645 — CPI CEE/Gazit Midas/Atrium European Real Estate)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2009/C 253/12)

1. On 16 October 2009, the Commission received a notification of a proposed concentration pursuant to article 4 of the Council Regulation (EC) No 139/2004 ⁽¹⁾ ('EC Merger Regulation') by which the undertakings CPI CEE Management LLC ('CPI CEE', USA) and Gazit Midas ('Gazit', Jersey) acquire, within the meaning of Article 3(1)(b) of the EC Merger Regulation, joint control of the undertaking Atrium European Real Estate Limited ('Atrium', Jersey) by way of conversion of their convertible bonds and warrants into ordinary equity.

2. The business activities of the undertakings concerned are:

- CPI CEE is administered and advised by Citi Property Investor ('CPI'), a business unit of Citibank international plc. CPI is the global real estate investment management business of Citigroup,
- Gazit Group is a multinational real estate investment company involved in the acquisition, development and management of income-producing properties, mainly supermarket-anchored shopping centres, throughout Europe, North America and Israel,
- Atrium is a public real estate company which owns and develops retail assets, mainly shopping centres, throughout Central and Eastern Europe, the CIS and Turkey.

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. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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 (+32 22964301 or 22967244) or by post, under reference number COMP/M.5645 — CPI CEE/Gazit Midas/Atrium European Real Estate, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.