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EN

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⁽¹⁾ Text with EEA relevance

I

(Information)

COUNCIL

Notifications by the Czech Republic concerning visa reciprocity ⁽¹⁾

(2005/C 163/01)

24 May 2005
Ref. no.: 3647/2005

The Permanent Representation of the Czech Republic to the EU presents its compliments to the Council of the EU and has the honour to express its appreciation for the Council of the EU once again for its continued cooperation and support on various matters related to the everyday conduct of duties of the Permanent Representation. In view of the amicable and working atmosphere existing between the Council of the EU and the Permanent Representation, the latter wishes to use this opportunity to bring to the attention of the European Commission the following issue.

The Czech Republic has decided to officially notify the countries which despite of the fact the Czech Republic being the Member State of the EU since 1 May 2004 still apply the unilateral visa regime to the Czech citizens and where the intensive bilateral negotiations as well as the meetings held on the EU level did not bring any effective results.

By this note on the basis of the Article 1, par. 4, letter a) of the Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visa when crossing the external borders and those nationals are exempt from that requirement the Czech Republic notifies Brazil as the country which unilaterally applies the visa regime to the nationals of the Czech Republic.

As the visa reciprocity issue is considered to be a very sensitive problem on political level the Czech Republic believes that on the basis of solidarity clause provided for by the above mentioned Regulation the appropriate measures will be taken immediately to assure that all EU citizens on one side and the citizens of Brazil on the other side will enjoy the same equal and reciprocal regime when crossing the respective borders.

The Permanent Representation of the Czech Republic to the European Union avails itself of this opportunity to renew to the Council of the EU the assurances of its highest consideration and friendship.

Mr. Javier SOLANA

*Secretary-General/High Representative
General Secretariat of the Council of the European Union
Council of the European Union*

Mr. Luc FRIEDEN

*Minister for Justice, Minister for the Treasury and the Budget, Minister for Defence
Luxemburg*

Franco FRATTINI

*Vice President
Commissioner for Justice, Liberty and Security*

⁽¹⁾ The Permanent Representatives Committee agreed, at its meeting of 21 June 2005, to publish these notifications, in conformity with Article 1, paragraph 4, point (a) of Regulation (EC) No. 539/2001 of 15 March 2001 (OJ L 81, 21.3.2001, p.1), as modified by Regulation (EC) No. 851/2005 of 2 June 2005 (OJ L 141, 4.6.2005, p. 3).

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The Permanent Representation of the Czech Republic to the EU presents its compliments to the Council of the EU and has the honour to express its appreciation for the Council of the EU once again for its continued cooperation and support on various matters related to the everyday conduct of duties of the Permanent Representation. In view of the amicable and working atmosphere existing between the Council of the EU and the Permanent Representation, the latter wishes to use this opportunity to bring to the attention of the European Commission the following issue.

The Czech Republic has decided to officially notify the countries which despite of the fact the Czech Republic being the Member State of the EU since 1st May 2004 still apply the unilateral visa regime to the Czech citizens and where the intensive bilateral negotiations as well as the meetings held on the EU level did not bring any effective results.

By this note on the basis of the Article 1, par. 4, letter a) of the Council Regulation (EC) no. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visa when crossing the external borders and those nationals are exempt from that requirement, the Czech Republic notifies Brunei as the country which unilaterally applies the visa regime to the nationals of the Czech Republic.

As the visa reciprocity issue is considered to be a very sensitive problem on political level the Czech Republic believes that on the basis of solidarity clause provided for by the above mentioned Regulation the appropriate measures will be taken immediately to assure that all EU citizens on one side and the citizens of Brunei on the other side will enjoy the same equal and reciprocal regime when crossing the respective borders.

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The Czech Republic has decided to officially notify the countries which despite of the fact the Czech Republic being the Member State of the EU since 1 May 2004 still apply the unilateral visa regime to the Czech citizens and where the intensive bilateral negotiations as well as the meetings held on the EU level did not bring any effective results.

By this note on the basis of the Article 1, par. 4, letter a) of the Council Regulation (EC) no. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visa when crossing the external borders and those nationals are exempt from that requirement, the Czech Republic notifies Canada as the country which unilaterally applies the visa regime to the nationals of the Czech Republic.

As the visa reciprocity issue is considered to be a very sensitive problem on political level the Czech Republic believes that on the basis of solidarity clause provided for by the above mentioned Regulation the appropriate measures will be taken immediately to assure that all EU citizens on one side and the citizens of Canada on the other side will enjoy the same equal and reciprocal regime when crossing the respective borders.

The Permanent Representation of the Czech Republic to the European Union avails itself of this opportunity to renew to the Council of the EU the assurances of its highest consideration and friendship.

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Luxemburg*

Franco FRATTINI

*Vice President
Commissioner for Justice, Liberty and Security*

COMMISSION

Euro exchange rates ⁽¹⁾

4 July 2005

(2005/C 163/02)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,1894	SIT	Slovenian tolar	239,45
JPY	Japanese yen	132,67	SKK	Slovak koruna	38,310
DKK	Danish krone	7,4524	TRY	Turkish lira	1,6008
GBP	Pound sterling	0,67645	AUD	Australian dollar	1,5876
SEK	Swedish krona	9,4740	CAD	Canadian dollar	1,4784
CHF	Swiss franc	1,5484	HKD	Hong Kong dollar	9,2462
ISK	Iceland króna	78,18	NZD	New Zealand dollar	1,7536
NOK	Norwegian krone	7,8815	SGD	Singapore dollar	2,0149
BGN	Bulgarian lev	1,9560	KRW	South Korean won	1 235,97
CYP	Cyprus pound	0,5735	ZAR	South African rand	8,1584
CZK	Czech koruna	30,013	CNY	Chinese yuan renminbi	9,8441
EEK	Estonian kroon	15,6466	HRK	Croatian kuna	7,3250
HUF	Hungarian forint	247,15	IDR	Indonesian rupiah	11 733,43
LTL	Lithuanian litas	3,4528	MYR	Malaysian ringgit	4,521
LVL	Latvian lats	0,6961	PHP	Philippine peso	66,815
MTL	Maltese lira	0,4293	RUB	Russian rouble	34,2790
PLN	Polish zloty	4,0168	THB	Thai baht	49,296
RON	Romanian leu	3,6009			

(¹) Source: reference exchange rate published by the ECB.

Prior notification of a concentration
(Case COMP/M.3854 — IPIC/OMV/JV)
Candidate case for simplified procedure

(2005/C 163/03)

(Text with EEA relevance)

1. On 24 June 2005 the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings International Petroleum Investment Company ('IPIC', Abu Dhabi, United Arab Emirates) and OMV Aktiengesellschaft ('OMV', Austria) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking AMI Agrolinz Melamine International GmbH ('AMI', Austria), currently solely controlled by OMV, by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for undertaking IPIC: investments in energy-related companies outside the United Arab Emirates;
 - for undertaking OMV: exploration, production, refining and distribution of mineral oil products;
 - for undertaking AMI: production of chemicals, in particular melamine, fertilizers and wood additives.
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 (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M. 3854 — IPIC/OMV/JV, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

Prior notification of a concentration
(Case COMP/M.3862 — Bilfinger Berger/WIB/JVC)
Candidate case for simplified procedure

(2005/C 163/04)

(Text with EEA relevance)

1. On 22 June 2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which Bilfinger Berger AG ('Bilfinger Berger', Germany) and Westdeutsche Immobilienbank ('WIB', Germany), belonging to the group WestLB AG ('WestLB', Germany), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of JVC ('JVC', Germany) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - for Bilfinger Berger: planning, building and operation of construction projects;
 - for WIB: real estate financing and portfolio management;
 - for JVC: combines Bilfinger Berger and WIB's activities in real estate management services
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 (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.3862 — Bilfinger Berger/WIB/JVC, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.

STATE AID**(Articles 87 to 89 of the Treaty establishing the European Community)****Commission notice pursuant to Article 88(2) of the EC Treaty to other Member States and interested parties****State aid C4/2004 (ex N55/2003) — Environmental protection aid for Wagner GmbH, Saarland (Germany)**

(2005/C 163/05)

(Text with EEA relevance)

By means of the following letter dated 2 February 2005, the Commission notified Germany of its decision to close the procedure initiated under Article 88(2) of the EC Treaty:

'By letter dated 15 January 2003, Germany notified the Commission of its intention to grant aid to Wagner. It provided additional information by letters dated 7 February and 14 February 2003. The Commission asked for additional information by letters dated 27 February, 6 June, 9 September and 10 December 2003, to which Germany replied by letters dated 26 March, 2 April, 28 July, 30 October and 22 December 2003 respectively. A meeting between representatives of the Commission and representatives of Germany took place on 20 October 2003.

By decision of 18 February 2004, the Commission initiated the procedure under Article 88(2) of the EC Treaty in respect of the notified measure. The decision was communicated to Germany by letter dated 19 February. Germany took note of the decision by letter dated 24 March and added that the planned aid would be significantly higher than the notified amount. On the basis of this information, the Commission decided on 7 May to extend the Article 88(2) procedure. This decision was communicated to Germany by letter dated 11 May. Germany took note of the decision by letter dated 8 June. The Commission asked for additional information by letter dated 15 October.

The Commission's decisions were published in the *Official Journal of the European Union* ⁽¹⁾ on 7 April and 21 August 2004. The Commission did not receive any comments from interested parties.

By letter dated 6 December 2004, Germany notified the Commission that the firm had decided not to press ahead with the investment project for which aid had been notified. By letter dated 6 January 2005, Germany confirmed that it was withdrawing its notification.

The Commission notes that, under Article 8 of Council Regulation (EC) No 659/1999, ⁽²⁾ the Member State concerned may withdraw a notification in due time before the Commission has taken a decision on the aid. In cases where the Commission has initiated the formal investigation procedure, it closes that procedure.

Consequently, the Commission has decided to close the formal investigation procedure initiated under Article 88(2) of the EC Treaty in respect of the abovementioned aid, since Germany has withdrawn its notification.'

⁽¹⁾ OJ C 87, 7.4.2004, p. 5, and C 211, 21.8.2004, p. 8.

⁽²⁾ Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 (now Article 88) of the EC Treaty (OJ L 83, 27.3.1999, p. 1).

Information regarding the date from which points 11 to 14, 21, 23 to 26, 33 and 36 of Council Regulation (EC) No 422/2004 of 19 February 2004 amending Regulation (EC) No 40/94 on the Community trade mark shall apply

(2005/C 163/06)

(Text with EEA relevance)

Points 11 to 14, 21, 23 to 26, 32, 33 and 36 of Article 1 of Council Regulation (EC) No 422/2004 of 19 February 2004 amending Regulation (EC) No 40/94 on the Community trade mark shall apply from the same day as the entry into force of Commission Regulation (EC) No 1042/2005 ⁽¹⁾ amending Commission Regulation (EC) No 2868/95 of 13 December 1995 implementing Council Regulation (EC) No 40/94 on the Community trade mark as well as Commission Regulation (EC) No 1041/2005 ⁽²⁾ amending Regulation (EC) No 2869/95 of 13 December 1995 on the fees payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs).

⁽¹⁾ OJ L 172, 5.7.2005, p. 22.

⁽²⁾ OJ L 172, 5.7.2005, p. 4.