Prior notification of a concentration

(Case M.9710 — Bertelsmann / Penguin Random House)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 58/07)

1. On 13 February 2020, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Bertelsmann SE & Co. KGaA ('Bertelsmann', Germany),

— Penguin Random House ('PRH', USA).

Bertelsmann acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of PRH. The concentration is accomplished by way of purchase of shares. Bertelsmann currently holds 75 % of the shares of PRH.

2. The business activities of the undertakings concerned are:

— for Bertelsmann: television and television production, trade publishing, magazine publishing, music rights management services,

— for PRH: media company active in trade publishing.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the 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. The following reference should always be specified:

M.9710 — Bertelsmann / Penguin Random House

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
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([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.