EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying party:

Subject: **Case M.8956 - BIOGEN / SAMSUNG BIOLOGICS / BIOEPIS JV**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 17 August 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Biogen Inc. ("Biogen", USA) and Samsung BioLogics Co. Ltd. ("Samsung BioLogics", South Korea), a company controlled by the Samsung Group (South Korea), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Samsung Bioepis Co Ltd. ("Bioepis", South Korea), currently solely controlled by Samsung BioLogics by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for Biogen: a biopharmaceutical company active in research, development and provision of therapies for serious neurological and neurodegenerative diseases worldwide.

   – for Samsung BioLogics: a company active in the development and manufacturing of biopharmaceutical products worldwide.

   – for Samsung Group: a conglomerate active in a wide array of industries, including electronics, shipbuilding, engineering and insurance.

   – for Bioepis: active in the development of biosimilar medicines. Bioepis is a joint venture between Samsung BioLogics and Biogen.

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1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 Publication in the Official Journal of the European Union No C 297, 23.08.2018, p. 6.

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3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Johannes LAITENBERGER
Director-General

4 OJ C 366, 14.12.2013, p. 5.