V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.8633 — Lufthansa/certain Air Berlin assets)

(Text with EEA relevance)

(2017/C 379/08)

1. On 31 October 2017, 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:

— Deutsche Lufthansa AG ('Lufthansa', Germany),

— NIKI Luftfahrt GmbH ('NIKI', Austria), belonging to the Air Berlin Group,

— Luftfahrtgesellschaft Walter mbH ('LGW', Germany), also belonging to the Air Berlin Group.

Lufthansa acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of parts of the Air Berlin Group, namely of the whole of NIKI and LGW.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Lufthansa: holding company of a group of airlines, notably active in passenger air transport, and operating hubs in Frankfurt, Munich, Brussels, Zurich and Vienna,

— for NIKI: NIKI is a point-to-point carrier focusing on leisure travellers. It operates out of German, Austrian and Swiss airports and serves mainly touristic destinations in and around the Mediterranean (such as the Balearic Islands, the Greek Islands) as well as the Canary Islands,

— for LGW: Until 28 October 2017, LGW operated aircraft wet-leased to Air Berlin, serving short-haul routes into Düsseldorf and Berlin, primarily as a feeder for Air Berlin's operations. LGW is intended to serve as a vehicle to continue to operate the flight programme currently served by Air Berlin under a wet-lease agreement with the Lufthansa Group established in December 2016. Prior to the Transaction, a slot package for the winter season 2017/2018 as well as for summer 2018 season (including slots at airports Berlin-TXL, DUS, FRA and MUC) is intended to be transferred to LGW for use by the Lufthansa Group.

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.

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.8633 — Lufthansa/certain Air Berlin assets

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

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

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