EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9877– PRO DIAGNOSTIC GROUP / FUTURELIFE / DISCARE CZ 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 3 August 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Pro Diagnostic Group, a.s ("PDG", Slovakia), controlled by Ribera Salud Infraestructuras, S.L.U. (Spain) and Pro Partners Holding, a.s. (Slovakia), and FutureLife a.s. ("FutureLife", Czechia), ultimately controlled by Mr. Zbyněk Průša, acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of the undertaking DISCARE a.s. (''JV'', Czechia). The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.[3]

2. The business activities of the undertakings concerned are:

   – for PDG: it operates 12 diagnostic imaging centres in private health facilities in Slovakia in the Magnetic Resonance Imaging, X-Ray, Computed Tomography / Positron Emission Tomography and Ultrasonography modalities;

   – for FutureLife: active in the provision of healthcare services and laboratories. The FutureLife group companies mainly operate healthcare clinics providing services in the field of assisted reproduction in central Europe. Some group companies also operate outpatient and inpatient clinics specialized in medical care in areas such as rheumatology, andrology, venous surgery, gastroenterology, urology, treatment of Crohn's disease and other inflammatory bowel diseases, and plastic surgery;

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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 261, 10.8.2020, p. 2.

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– for the JV: it will operate a diagnostic imaging centre offering X-Ray and Magnetic Resonance Imaging services in Prague.

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(a) and 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)
Olivier GUERSENT
Director-General

4 OJ C 366, 14.12.2013, p. 5.