Prior notification of a concentration

(Case M.8991 — Alphabet/ResMed/JV)

Candidate case for simplified procedure

(Text with EEA relevance)

(2018/C 321/06)

1. On 4 September 2018, 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:

— Verily Life Sciences LLC ('Verily', United States), belonging to Alphabet Inc. ('Alphabet', United States),

— ResMed Inc. ('ResMed', United States).

ResMed and Verily acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of a newly created joint venture that will study the health and financial impacts of undiagnosed and untreated sleep apnea and other breathing related sleep disorders, and develop software solutions that enable health care providers to more efficiently identify, diagnose, treat and manage individuals with sleep apnea and other breathing related sleep disorders.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Verily: research organisation, formerly Google Life Sciences. Google is the largest business controlled by Alphabet,

— for ResMed: development, manufacturing, distribution and marketing of medical devices and cloud-based software applications that diagnose, treat and manage respiratory disorders and other chronic diseases.

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.8991 — Alphabet/ResMed/JV

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
1049 Bruxelles/Brussel
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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.