### EU Competition

#### EU – Phase I merger notifications

<table>
<thead>
<tr>
<th>Companies</th>
<th>Sector</th>
<th>Further Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telefonica UK/Vodafone UK/Everything Everywhere/JV</td>
<td>Activities auxiliary to financial services and insurance activities; advertising and market research; financial service activities, except insurance and pension funding; information service activities; telecommunications.</td>
<td>Click here</td>
</tr>
<tr>
<td>Remondis/Sortiva/Stam Papier Recycling</td>
<td>Remondis: an international water and environmental service company with 500 branches across the world, active within the field of collection, separation and sorting of paper, cardboard and other waste flows. Sortiva: waste management services in the Netherlands, handling waste management services in every stage of their waste management chain. Stam: collects, separates and sorts paper and cardboard and to a very limited extent also other waste flows.</td>
<td>Click here</td>
</tr>
<tr>
<td>Samsung Group/Corning Group</td>
<td>Samsung: subsidiary, SMD, engages in the manufacture and sale of flat panel display systems for cellular phones, digital cameras and portable media players. Corning Group: holding company, Corning Japan, holds subsidiaries companies manufacturing and selling TFT-LCD glass products for use in displays and selling other Corning products in Japan.</td>
<td>Click here</td>
</tr>
<tr>
<td>APMT/Bolloré/Congo Terminal</td>
<td>Not yet specified.</td>
<td>Click here</td>
</tr>
<tr>
<td>MNV/Raba</td>
<td>MNV: special purpose company limited by shares entrusted by law with the holding, management and utilisation of assets owned by the Hungarian state such as passenger transport, agriculture, IT services, and electricity generation and supply. Raba: public company listed on the Budapest Stock Exchange, whose three strategic business units produce axles for vehicles exceeding 6 tonnes, vehicle components and military off-road trucks.</td>
<td>Click here</td>
</tr>
<tr>
<td>Groupe Auchan/Magyar Hipermart</td>
<td>Not yet specified.</td>
<td>Click here</td>
</tr>
</tbody>
</table>
EU – Key merger clearances

<table>
<thead>
<tr>
<th>Companies</th>
<th>Sector</th>
<th>Further Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anglo American/De Beers</td>
<td>Anglo American: the exploration, mining, processing and supplying of various natural resources such as platinum group metals, rough diamonds (solely through its existing shareholding in De Beers), copper, iron ore, metallurgical coal, nickel and thermal coal. De Beers: the exploration, mining, processing, valuation and supply of rough diamonds worldwide.</td>
<td>Click here</td>
</tr>
<tr>
<td>Sun Capital/Elix</td>
<td>Sun Capital: private equity investment firm. Elix: producer of acrylonitrile-butadiene-styrene and styrene-acrylonitrile.</td>
<td>Click here</td>
</tr>
</tbody>
</table>

Alliance One appeals against ruling confirming liability for infringement of Agroexpansion
On 10 March 2012, details were published of an appeal brought by Alliance One International, Inc against a judgment of the General Court, which had confirmed Alliance One's liability for Agroexpansion's participation in the Spanish raw tobacco cartel. Read more.

General Court judgments on final three appeals against industrial bags cartel decision
On 6 March 2012, the General Court handed down judgments on the appeals by UPM-Kymmenne Oyj, FLS Plast A/S and FLSmidth & Co A/S against the European Commission's decision fining them for their participation in an illegal cartel in the plastic industrial bags market. The General Court found that the Commission had failed to establish that UPM-Kymmenne had participated in a single and continuous infringement and, accordingly, reduced the fine imposed on UPM-Kymmenne from €65.5m to €50.7m. The General Court also found that the Commission had failed to establish that FLS Plast and FLSmidth had decisive influence over their subsidiary Trioplast Wittenheim during 1991 and the Commission had therefore been wrong in attributing liability for the subsidiary's infringement that year. Their fine was also reduced. Read more about UPM-Kymmenne Oyj, FLS Plast A/S and FLSmidth & Co A/S.

Commission decision approving the acquisition of Myllykoski Group by UPM-Kymmenne
On 6 March 2012, the European Commission published the full text of its July 2011 decision to approve unconditionally the acquisition of Myllykoski Group by UPM-Kymmenne under Article 8(1) of the EU Merger Regulation. Read more.

European Commission closes investigation into GlaxoSmithKline
The Commission has stated on the DG Competition website that it has administratively closed the Synthon/GSK case. It has been reported by Reuters that the case arose from a complaint by Synthon alleging that GSK had breached Article 101 and/or 102 through agreements delaying the market entry of cheaper generic medicines. Synthon has reportedly withdrawn its complaint. Read more.

UK Competition
CAT refuses BAA permission to appeal against CAT judgment on divestment of Stansted
On 12 March 2012, the CAT published an order refusing BAA permission to appeal against the CAT's judgment which had upheld the Competition Commission's decision to require BAA to divest Stansted airport. The CAT found that BAA did not have a real prospect of success on appeal nor did the case raise a point of public interest. Read more.
Competition Commission issues statement on aggregates, cement and ready-mix concrete market investigation  On 8 March 2012, the Competition Commission (the “CC”) published a statement of issues as part of its market investigation into the aggregates, cement and ready-mix concrete markets. The CC’s statement outlines a proposed approach to market definition and it intends to analyse competition in the relevant markets. The CC has posted on its website a draft administrative timetable with a view to publishing its final report in November 2013. Read more.

OFT publishes full text of decision on anticipated acquisition by Experian of 192business Limited  On 7 March 2012, the OFT published the full text of its clearance decision on Experian plc’s anticipated acquisition of 192business Limited and has decided not to refer the CC as the unilateral, co-ordinated, vertical and conglomerate effects do not raise a realistic prospect of substantially lessening competition. Read more.

State aid

Commission orders recovery of French aid to Sernam  On 9 March 2012, the European Commission announced that it has decided that €642m of state aid granted by France to Sernam, the former road and rail transport services operator of France’s national railway company (SNCF), is unlawful and must be recovered. Read more.

Commission approves French and Italian aid to Eurocopter and Agusta Westland  On 7 March 2012, the European Commission announced that it has decided to approve state aid granted by France and Italy to the helicopter manufacturers Eurocopter and Agusta Westland for the development of a new generation of civil helicopters. Read more.

If you have any questions about this Bulletin please contact

Gillian Sproul
Partner, London
+44 20 3130 3313
gsproul@mayerbrown.com

Mayer Brown is a global legal services organisation advising many of the world’s largest companies, including a significant portion of the Fortune 100, FTSE 100, DAX and Hang Seng Index companies and more than half of the world’s largest banks. Our legal services include banking and finance; corporate and securities; litigation and dispute resolution; antitrust and competition; US Supreme Court and appellate matters; employment and benefits; environmental; financial services regulatory & enforcement; government and global trade; intellectual property; real estate; tax; restructuring, bankruptcy and insolvency; and wealth management.

OFFICE LOCATIONS
AMERICAS: Charlotte, Chicago, Houston, Los Angeles, New York, Palo Alto, Washington DC
ASIA: Bangkok, Beijing, Guangzhou, Hanoi, Ho Chi Minh City, Hong Kong, Shanghai, Singapore
TAUIL & CHEQUER ADVOGADOS in association with Mayer Brown LLP: São Paulo, Rio de Janeiro
ALLIANCE LAW FIRM: Spain (Ramón & Cajal)

Mayer Brown is a global legal services provider comprising legal practices that are separate entities (the “Mayer Brown Practices”). The Mayer Brown Practices are: Mayer Brown LLP and Mayer Brown Europe–Brussels LLP, both limited liability partnerships established in Illinois USA; Mayer Brown International LLP, a limited liability partnership incorporated in England and Wales (authorised and regulated by the Solicitors Regulation Authority and registered in England and Wales number OC 303395); Mayer Brown, a SELAS established in France; Mayer Brown JSM, a Hong Kong partnership and its associated entities in Asia; and Tauil & Chequer Advogados, a Brazilian law partnership with which Mayer Brown is associated. “Mayer Brown” and the Mayer Brown logo are the trademarks of the Mayer Brown Practices in their respective jurisdictions.

© 2012. The Mayer Brown Practices. All rights reserved.