



Republic of Serbia
**COMMISSION FOR PROTECTION
OF COMPETITION**

Number: 6/0-02-754/2016-5

Date: November 29, 2016

Belgrade

Pursuant to Article 37(2) of the Law on Protection of Competition (“Official Gazette of the RS”, number 51/09 and 95/13), Article 192(1) of the Law on General Administrative Procedure (“Official Gazette of the FRY”, number 33/97, 31/01 and “Official Gazette of the RS”, number 30/10), and Article 2(1/6) of the Tariff on the level of compensation for activities within the competence of the Commission for Protection of Competition (“Official Gazette of the RS”, number 49/11), deciding under the notification on concentration entered under number 6/0-02-754/2016-1, submitted on November 3, 2016, by company Fresenius Medical Care Beteiligungsgesellschaft mbH, with registered seat at the address Else-Kroener-Strasse 1, 61352 Bad Homburg v.d.H., Germany, via plenipotentiary attorneys Miroslav Stojanović, Maja Stanković, Marina Bulatović and Igor Nikolić from the Law office Wolf Theiss, with registered seat at the address BC Ušće, 6 Mihajla Pupina Boulevard, New Belgrade, on November 29, 2016, the President of the Commission for Protection of Competition enacts the following

DECISION¹

I Concentration of undertakings in summary procedure **IS APPROVED** created by acquisition of exclusive control on the part of company Fresenius Medical Care Beteiligungsgesellschaft mbH, with registered seat at the address Else-Kroener-Strasse 1, 61352 Bad Homburg v.d.H., Germany, company registration number HRB 3938, over company Xenios AG, with registered seat at the address Im Zukunftspark 1, 74076 Hajlbron, Germany, company registration number HRB 743620, and its affiliated companies by acquiring 100% of capital shares of this company.

II IT IS ESTABLISHED that the applicant of notification on concertation has executed the payment in the amount of EUR 25,000.00 (in words: twenty-five thousand Euro) to the foreign-currency account of the Commission for Protection of Competition maintained with the National Bank of Serbia, which represents determined amount of the fee as compensation for issuing the decision on approval of concentration in summary procedure.

¹ The act contains protected data. Protected data are marked using symbol [...] or in the range that the Commission finds to be an appropriate manner of protection.