

[DE] Ownership Changes in the Media Market

IRIS 2008-3:1/31

*Alexander Scheuer
Institute of European Media Law (EMR), Saarbrücken/Brussels*

A number of changes to the ownership structure of German media companies have recently taken place, requiring the approval of the cartel and media concentration authorities.

At the beginning of January 2008, it was announced that the acquisition by Axel Springer AG of the shares owned by Deutsche Telekom AG in the jointly run Internet portal bild.t-online.de had been approved and completed (case no. B 6-237/07). The online portal is accessible at the address bild.de and the publishing company's related activities will be carried out by the firm Bild digital AG & Co. KG. After Axel Springer's takeover of ProSiebenSat.1 Media AG had failed, due to the veto exercised by the *Bundeskartellamt* (Federal Cartel Office - BKartA) and the *Kommission zur Ermittlung der Konzentration im Medienbereich* (Media Concentration Commission - KEK) (see IRIS 2005-9: 8, IRIS 2006-2: 9, IRIS 2006-4: 10, IRIS 2007-10: 9), the complete takeover of the Internet portal forms part of a series of measures designed to create an integrated company in the print, online and TV sectors.

At the same time, the sale of the shares in ProSiebenSat.1 Media AG that were indirectly owned prior to the failed takeover was completed. The KEK did not raise any objections related to the protection of plurality of opinion at its meeting on 8 January 2008. The acquisition of the TV companies Sat.1, N24, kabel eins and ProSieben by the German FreeTV Holding GmbH, a 100% subsidiary of ProSiebenSat.1 Media AG, was also approved without any objections.

Also under the spotlight was the planned change in ownership of Premiere Fernsehen GmbH & Co. KG. Cable network operator Unity Media intends to sell shares in the pay-TV provider to a company linked to Rupert Murdoch's News Corp. Co-operation between Arena or its parent company Unity Media NRW GmbH and Premiere through Arena Sport Rechte und Marketing GmbH was initially tolerated by the BKartA. However, this was on condition that the co-operation ended before the close of the 2008/09 football Bundesliga season, and that the shares in Premiere held by a trustee were sold. The KEK has apparently not yet confirmed whether News Corp's acquisition is admissible under media concentration regulations.

Pressemitteilung von bild.de vom 9. Januar 2008

http://www.bild.t-online.de/BILD/corporate-site/Presse/Aktuelle_20Pressemitteilungen/09-01-2008,geo=3439306.html

Pressemitteilung der KEK vom 8. Januar 2008

http://www.kek-online.de/Inhalte/pm_01_2008_130.pdf

