



## Determination of the Competition Authority

**Determination No. M/04/006 of the Competition Authority, dated 26<sup>th</sup> February 2004, under Section 21 of the Competition Act, 2002**

**Notification No. M/04/006 – Proposed acquisition by Abbott Laboratories of all of the issued shares of TheraSense.**

### **Introduction**

1. On 26<sup>th</sup> January 2004 the Competition Authority, in accordance with Section 18 (1) of the Competition Act, 2002 (“the Act”) was notified, on a mandatory basis, of a proposal whereby Abbott Laboratories (“Abbott”) would acquire all the issued shares of TheraSense, Inc (“TheraSense”) which it does not already own.

### **The Parties**

2. Abbott is a US-registered multinational corporation which is engaged in the discovery, development, manufacture and sale of a broad and diversified line of health care products and services. In Ireland, Abbott sells pharmaceutical products, medical hospital products, medical diagnostics and medical nutritionals.
3. TheraSense develops, manufactures and sells glucose monitoring systems designed to reduce the pain of testing for people with diabetes. TheraSense did not have any sales in the Republic of Ireland in 2003 or 2002. It did, however, have sales in Northern Ireland of between €[ ] and €[ ] in 2003.

### **Analysis**

4. There is overlap in the products manufactured by both parties. Abbott’s medical diagnostic sales division also produces glucose monitoring systems for diabetes patients. However, the transaction does not give rise to competitive overlap in the State given that TheraSense does not have any sales into the State. Moreover the small share of TheraSense in the UK (including Northern Ireland) in this sector – c.[0-5]%, coupled with the sufficiency of competitors in the blood glucose monitoring sector in Ireland ensures that the proposed transaction does not give rise to competition concerns.

### **Determination**

The Competition Authority, in accordance with Section 21(2) of the Competition Act, 2002, has determined that, in its opinion, the result of the proposed acquisition will not be to substantially lessen competition in markets for goods and services in the State and, accordingly, that the acquisition may be put into effect.



## **Determination of the Competition Authority**

**For the Competition Authority**

**Edward Henneberry  
Member of the Competition Authority**

**26<sup>th</sup> February 2004**