
GENERAL NOTICES

NOTICE 1514 OF 2009

COMPETITION COMMISSION

NOTIFICATION TO CONDITIONALLY APPROVE THE TRANSACTION INVOLVING:

ASPEN PHARMACARE HOLDINGS LIMITED

AND

GLAXOSMITHKLINE SOUTH AFRICA (PTY) LIMITED

CASE NUMBER: 2009JUN4474

The Competition Commission hereby gives notice, in terms of Rule 38 (3)(c) of the 'Rules for the Conduct of Proceedings in the Competition Commission, that it has approved the transaction involving the above mentioned firms subject to the conditions set out below.

1. That Glaxo Group Limited and its subsidiaries or affiliates (being GlaxoSmithKline Trading Services Limited; GlaxoSmithKline South Africa (Pty) Ltd; Glaxowellcome GMBH & Co. KG; GlaxoSmithKline Export Limited) shall grant voluntary licences, on a non-exclusive basis, to Adcock Ingram, Cipla Medpro, Ranbaxy, Biotech Laboratories and Feza Pharmaceuticals and also to any other interested generic manufacturer, provided those manufacturers meet GSK's standard criteria relating to product quality and reliability, which criteria shall not be more onerous than the criteria which have been met by Aspen and or the other generic manufacturers listed above; for the manufacture and/or import of *abacavir*, on terms and conditions no less favourable than those granted to Aspen as contemplated in the agreement signed by GSK on 27 August 2009 to Aspen.
2. The offer to grant such voluntary licenses with respect to the manufacture of *abacavir*, must be made within thirty (30) days of date of this Order by the Commission.
3. The merging parties shall submit to the Commission, within thirty (30) days thereafter, notices of acceptance of such offers by the aforementioned generic manufacturers.

Enquiries in this regard may be addressed to Mr. Maarten van Hoven at Private Bag X23, Lynnwood Ridge, 0040. Telephone: (012) 394 3295, or Facsimile: (012) 394 4295.