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China clears sale of Motorola unit to NSN

By Kathrin Hille Published: April 21 2011 10:10 | Last updated: April 21 2011 10:10

Nokia Siemens Networks is set to complete its acquisition of Motorola's network infrastructure business next week after China's antitrust regulator approved the deal

Zhang Zhiqiang, head of greater China at NSN, told the Financial Times that the Chinese ministry of commerce had on Wednesday given the deal its "unconditional approval". The ministry could not be reached for comment.

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The long-delayed deal will fuel competition among the global leaders of the telecoms network infrastructure industry by bringing NSN closer to Huawei, which in turn is breathing down the neck of Ericsson, the world's largest network gear vendor.

The delay in approval and the impact on the transaction highlights the growing role Chinese regulators are playing in global deals, even when the deal is not focused on the domestic Chinese market.

The green light for the \$975m deal follows an agreement last week in which Motorola and Huawei, the world's second-largest network gear vendor, settled their disputes over intellectual property rights.

After Huawei lost out to NSN in bidding for the Motorola unit last summer, Motorola sued the Chinese firm in a US court, accusing it of alleged theft of trade secrets.

Later last year, NSN said it would have to delay closure of the deal because the Chinese ministry of commerce, the last of nine antitrust regulators worldwide, had yet to approve the deal.

In January, Huawei sued Motorola and NSN over technology it developed for Motorola, which it argued should not be unconditionally transferred to NSN. A US court quickly ordered NSN and Motorola to respond to Huawei's demands.

Under last week's settlement, Huawei and Motorola dropped their lawsuits against each other. Huawei also agreed that its technology used by Motorola could be transferred to NSN for certain uses for a fee.

Following that agreement, NSN and Motorola lowered the price of their acquisition deal from the original \$1.2bn to \$975m.

The price cut was seen as a reflection of the costs incurred by the regulatory delay. Greg Brown, chief executive of Motorola, previously acknowledged that the delay could lead to customer losses and disaffection among the workforce.

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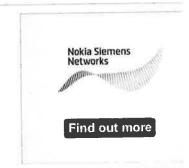
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