Gemalto N.V and Gemplus International S.A. acknowledge that the contemplated cross-border merger by absorption of Gemplus International S.A. by Gemalto N.V., pursuant to the terms of the merger proposal as published in the Dutch nationally distributed newspaper NRC Handelsblad of November 20, 2007 and in the Luxembourg Mémorial n° 2720 of November 27, 2007, did not become effective on January 1, 2008, due to the fact that the Dutch mandatory law requirements were not fulfilled at that date.