



Decision CPC: 15/2021

Case Number: 08.05.001.021.012

THE CONTROL OF CONCENTRATIONS BETWEEN ENTERPRISES LAW

No. 83(I)/2014

Notification of a concentration concerning the acquisition of the share capital of Axios Systems Public Ltd, by the EQT investment funds, via Industrial and Financial Systems, IFS UK Ltd

Commission for the Protection of Competition:

Mrs. Loukia Christodoulou,	Chairperson
Mr. Panayiotis Ousta	Member
Mr. Aristos Aristeidou Palouzas	Member
Mr. Andreas Karydis	Member
Mr. Polynikis-Panagiotis Charalambides	Member

Date of Decision: 22nd of March 2021

SUMMARY OF THE DECISION

On 02/03/2021, the Commission for the Protection of Competition (hereinafter the “Commiss/ion”) received on behalf of Industrial and Financial Systems, IFS UK Ltd (hereinafter “IFS”), a notification of a proposed concentration. The notification was filed according to Section 10 of the Control of Concentrations between Enterprises Law 83(I)/14 (hereinafter the “Law”).

The notification concerns a concentration, according to which, EQT Fund Management S.à.r.l. (hereinafter «EFMS»), via IFS, will acquire the entire share capital of Axios Systems Public Limited Company and its subsidiaries (hereinafter the “Target”).

- IFS is a company duly registered in accordance with the laws of the United Kingdom and belongs to the EQT GROUP.

The IFS Group, to which Industrial and Financial Systems, IFS UK Ltd belongs, develops and provides enterprise software for customers worldwide, who manufacture and distribute products, build and maintain assets and manage service-focused operations.

The EQT Group is a global investment firm that offers to investors a wide range of alternative assets funds and other investment products. The EQT Group also provides capital market solutions for its business, its portfolio companies and other clients. The private equity funds managed by the EQT Group invest in companies in various sectors.

- Axios Systems Public Limited is a duly registered company under the laws of Scotland. It provides IT service management and information technology service management and consulting. The company is a provider of service desk software, IT service management software and IT Asset Management software.

The concentration is based on a Share Purchase Agreement dated 01/03/2021 (hereinafter “Agreement”) between physical persons (hereinafter the “Sellers”) and Industrial and Financial Systems, IFS UK Ltd (hereinafter the “Buyer”). Based on this Agreement, Industrial and Financial Systems, IFS UK Ltd will acquire the 100% of the share capital of the Target.

The Commission, taking into account the facts of the concentration, has concluded that this transaction constitutes a concentration within the meaning of section 6 (1)(a)(ii) of the Law, since it leads to a permanent change of control of the Target Company.

Furthermore, based on the information contained in the notification, the Commission found that the criteria set by section 3 (2) (a) of the Law were satisfied and therefore the notified concentration was of major importance falling within the scope of the Law.

The relevant product/services and geographic market in this case was defined as the market of Enterprise Application Software in the territory of the Republic of Cyprus.

Based on the notification, there is no horizontal overlap between the activities of the EQT funds (including those of their holding companies, which they control solely or jointly) and the Target in Cyprus.

In addition, there is no vertical relationships between the activities of the participating enterprises in Cyprus in the relevant market.

In addition, there are no other markets in which the notified concentration is likely to have significant effects, under the provisions of the Law.

The Commission, on the basis of the factual and legal circumstances, unanimously decided that this concentration does not create or strengthen a dominant position in the affected market and therefore the concentration does not raise serious doubts as to its compatibility with the operation of the competition in the market.

Therefore, the Commission, acting in accordance with section 22 of the Law, unanimously decided not to oppose the notified concentration and declare it as being compatible with the operation of the competition in the market.

Loukia Christodoulou
Chairperson of the
Commission for the Protection of Competition