



ΚΥΠΡΙΑΚΗ ΔΗΜΟΚΡΑΤΙΑ



ΕΠΙΤΡΟΠΗ ΠΡΟΣΤΑΣΙΑΣ
ΤΟΥ ΑΝΤΑΓΩΝΙΣΜΟΥ

Decision CPC: 2/2022

Case Number: 08.05.001.021.075

**THE CONTROL OF CONCENTRATIONS BETWEEN ENTERPRISES LAW
No. 83(I)/2014**

**Notification of a concentration concerning the acquisition by Telefonaktiebolaget
LM Ericsson of the voting rights of the Vonage Holdings Corp. through the Ericsson
Muon Holding Inc.**

Commission for the Protection of Competition:

Mrs. Loukia Christodoulou	Chairperson
Mr. Andreas Karidis,	Member
Mr. Panayiotis Oustas,	Member
Mr. Aristos Aristidou Palouzas,	Member
Mr Polinikis Panayiotis Charalambides	Member

Date of decision: 19 January 2022

SUMMARY OF THE DECISION

On the 20th of December 2021, the Commission for the Protection of Competition (hereinafter the “Commission”) received on behalf of Telefonaktiebolaget LM Ericsson (hereafter “Ericsson”) 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 the acquisition of the voting rights of the Vonage Holdings Corp. (hereafter the "Target" or 'Vonage) through the Ericsson Muon Holding Inc. by Ericsson.

The parties involved in transaction are the following:

Ericsson is a company duly registered in accordance with the laws of the Kingdom of Sweden. Ericsson is a global information and communication technology provider, based in Sweden. In particular, owns a portfolio in communications infrastructure, services and software in the telecommunications sector and other sectors. It is listed on the NASDAQ Stockholm and on the NASDAQ New York.

Ericsson Muon Holding Inc. is a special purpose vehicle without prior business activities, which was established for the purposes of the Proposed Transaction. This company is controlled by Ericsson.

Vonage company duly registered in accordance with the laws of the State of Delaware of the U.S.A. Vonage Holdings Corp. is a cloud-based business communications provider. More specifically, it offers a range of business communication solutions, including application programming interfaces («APIs»), integrated communications and contact center solutions through a cloud-based platform, known as VCP. Its main offering is VCP, i.e., a communication platform with product/service offerings that fall into the categories of Communications Platform as a Service ("CPaaS"), Unified Communications as a Service ("UCaaS") and Contact Centers as a Service ("CCaaS").

The transaction is based on the Plan of a merger Agreement dated 22/11/2021, (hereafter the "Agreement") between Ericsson, Ericsson Muon Holding Inc. and Vonage.

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.

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 transaction was of major importance under the Law.

The Commission, for the purposes of evaluating this concentration, defined the relevant product/service markets as (a) the supply of CPaaS services and (b) the supply of CCaaS services. For the purposes of the present case, the geographic market of the above relevant markets was defined as that of the Republic of Cyprus.

According to the undertaking concerned, this concentration leads to a horizontal overlap and or vertical relationship between the activities of the parties. Therefore, the Commission concluded that there is no affected market.

There are no other markets which the notified concentration may have a significant impact.

Considering the above, the Commission concludes that there is no affected market based on Annex I 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 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