



ΚΥΠΡΙΑΚΗ ΔΗΜΟΚΡΑΤΙΑ



ΕΠΙΤΡΟΠΗ ΠΡΟΣΤΑΣΙΑΣ
ΤΟΥ ΑΝΤΑΓΩΝΙΣΜΟΥ

Decision CPC: 26/2020

Case Number: 8.13.020.13

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

**Notification of a concentration regarding the acquisition of Freepik Company, S.L.
share capital by EQT Netherlands Management B.V., via EQT Mid Market Europe
Limited Partnership**

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: 23 June 2020

SUMMARY OF THE DECISION

On the 28th of May 2020, the Commission for the Protection of Competition (hereinafter the “Commission”) received on behalf of EQT Netherlands Management B.V., (hereafter the «ENMBV») 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 part of Freepik Company, S.L. (hereafter the «Freepik» or the “Target”) share capital by ENMBV, via EQT Mid Market Europe Limited Partnership (hereafter the «EQT Mid Market Europe»).

EQT Mid Market Europe is duly registered in accordance with the laws of the Netherlands. It is an investment fund that invests mainly in middle market buy-outs in the North Europe.

ENMBV is duly registered in accordance with the laws of the Netherlands. It is an investment fund that manages the EQT Mid Market Europe.

Freepik is duly registered under the laws of Spain. It is active in the provision of online graphic resource management and online advertising services.

The details of the transaction are set forth in two agreements. On the first agreement Picasso Bidco, S.L.U I (hereafter the « Bidco »), an EQT Mid Market Europe subsidiary, will acquire part of the share capital of Freepik. On the second agreement, is a shareholders agreement regarding a company acquired or established by EQT Luxco (hereafter the « Midco»).. As a result of the transaction Midco will become the sole share holder of Bidco.

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)(α) 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 market as (a) the provision of online management of graphic resources, (b) the provision of online non-search advertising services. For the purposes of the present case, the geographic market for all relevant markets was defined as that of the Republic of Cyprus.

According with the undertaking concerned, this concentration does not lead to a horizontal overlap in the relevant markets.

There are no vertical relationships or other markets which the notified concentration may have 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 as there is no 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