



ΚΥΠΡΙΑΚΗ ΔΗΜΟΚΡΑΤΙΑ



ΕΠΙΤΡΟΠΗ ΠΡΟΣΤΑΣΙΑΣ  
ΤΟΥ ΑΝΤΑΓΩΝΙΣΜΟΥ

Decision CPC: 38/2018

Case Number: 8.13.018.19

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

**Notification of a concentration concerning the acquisition of the share capital of  
Radisys Corporation by Reliance Industries Ltd, via Integrated Cloud  
Orchestration Inc..**

Commission for the Protection of Competition:

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

Date of decision: 13 August 2018

**SUMMARY OF THE DECISION**

On the 27<sup>th</sup> of July 2018, the Commission for the Protection of Competition (hereinafter the “Commission”) received on behalf of Reliance Industries Ltd (hereafter “Reliance”) 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 by Reliance via Integrated Cloud Orchestration Inc. (hereafter “ICO”) of the share capital of Radisys Corporation (hereafter “Radisys” or the “Target”).

Reliance is a company duly registered under the laws of the Republic of India. It is active in various industries such as energy, petrochemicals, textiles, retail commerce and telecommunications.

ICO is a special vehicle company which is duly registered under the laws of Oregon, U.S.A. and is controlled by Reliance.

Radisys is a company duly registered under the laws of Oregon, U.S.A. and listed at NASDAQ stock exchange. Radisys is active in the network solutions sector.

The transaction is based on the «*Agreement and Plan of Merger*» between Reliance, ICO (buyers) και RadiSys (seller). ICO and RadiSys will merge and RadiSys will be 100% owned by Reliance. According to the said agreement, ICO will merge with RadiSys and it be a subsidiary of Reliance.

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 supply of services equipment for telecommunication networks and solutions and (b) the supply of software support services. For the purposes of the present case, the geographic market was defined as that of the Republic of Cyprus.

According with the undertaking concerned, this concentration does no lead to any horizontal overlap. In addition, 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