



ΚΥΠΡΙΑΚΗ ΔΗΜΟΚΡΑΤΙΑ



ΕΠΙΤΡΟΠΗ ΠΡΟΣΤΑΣΙΑΣ
ΤΟΥ ΑΝΤΑΓΩΝΙΣΜΟΥ

Decision CPC: 52/2020

Case Number: 8.13.020.28

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

**Notification of a concentration concerning the acquisition by Caterpillar Inc. of the
Oil & Gas division, of The Weir Group PLC**

Commission for the Protection of Competition:

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|---------------------------------------|-------------|
| 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: 27 November 2020

SUMMARY OF THE DECISION

On the 18th of October 2020, the Commission for the Protection of Competition (hereinafter the “Commission”) received on behalf of Caterpillar Inc. (hereafter “Caterpillar”) 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 Caterpillar of the Weir Oil & Gas business division of The Weir Group PLC (hereafter the “Target”).

Caterpillar Inc., is a company duly registered in accordance with the laws of the State of Delaware of the U.S.A. Caterpillar Inc., manufactures construction and mining equipment, diesel and natural gas engines, industrial gas turbines and diesel-electric locomotives.

Target in this proposed transaction is the Oil & Gas division, of The Weir Group PLC. The Target comprises two business units which are primarily focused on onshore activity at the wellsite: (i) pressure pumping equipment & services; and (ii) pressure control equipment & services. The Target provides products and services which support oilfield services including drilling, well completion, and production operations.

The transaction is based on the «Share and Asset Purchase Agreement » dated 4/10/2020, (hereafter the “Agreement”). According to the Agreement, Caterpillar will acquire the Target from The Weir Group PLC.

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 the supply of pressure pumping equipment/services and the sub-market of flow iron equipment. For the purposes of the present case, the geographic market is defined as that of the Republic of Cyprus.

According with the undertaking concerned, this concentration leads to a horizontal overlap in the above market.

According to the parties, the post transaction combined market share in Cyprus will be 0-5%. Therefore, the Commission concluded that there is no affected market.

In addition, there is no vertical relationship 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.

In addition, based on notification date, there is no any other markets, in which is possible to arise anti-competitive effects according to Annex I.

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