



ΕΠΙΤΡΟΠΗ ΠΡΟΣΤΑΣΙΑΣ
ΤΟΥ ΑΝΤΑΓΩΝΙΣΜΟΥ

ΚΥΠΡΙΑΚΗ
ΔΗΜΟΚΡΑΤΙΑ

Decision CPC: 44/2020

Case Number: 8.13.020.24

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

**Notification of a concentration regarding the acquisition by Nikita SAS of the
share capital of Amplexor International S.A.**

Commission for the Protection of Competition:

Mrs. Loukia Christodoulou	Chairperson
Mr. Andreas Karidis	Member
Mr. Panayiotis Oustas	Member
Mr. Aristos Aristidou Palousas	Member
Mr. Polynikis-Panayiotis Charalambides	Member

Date of Decision: 27 October 2020

DECISION SUMMARY

The Commission for the Protection of Competition (hereinafter the “Commission”) received notification, with regard to a proposed concentration, on behalf of Nikita SAS (hereinafter «Nikita»). The notification was filed on 30/9/2020, in accordance with Section 10 of Law 83(I)/14 regarding the Control of Concentrations between Enterprises (hereinafter the “Law”).

The concentration is accomplished by way of purchase of shares. Specifically, Nikita shall acquire the share capital of Amplexor International S.A. (hereinafter «Amplexor» or the «Target Company»).

Nikita is a company duly registered under the laws of France and constitutes a holding company within the Acolad group which specializes in the provision of language services (hereinafter “Acolad”).

Acolad operates under the sole control of Acogroup SAS which in turn operates under the joint control of the Funds managed by Qualium Investissement SAS (hereinafter “Qualium”) and Mr. B.d.F., founder and chairman of Acolad.

Qualium is a portfolio management company which is under the joint control of its own administration and Caisse des Depots et Consignation (hereinafter “CDC”). The company manages investment funds that invest in various sectors, such as food, industrial services, health and the automotive industry.

CDC is a public entity duly registered under the laws of France. Its main activities focus on the public service and general interest sectors. However, through its subsidiaries, the company also engages in open market competitive business activities, in fields such as real estate, regional development, environment & energy and capital investment. Through its subsidiary La Poste Group, CDC is also active in the provision of software and consulting services.

The Target in the concentration is Amplexor, a company duly registered under the laws of Luxembourg and a holding company in the Amplexor group. Amplexor specializes in the provision of language services, comprising of tech-enabled language and content solutions on a Business-to-Business (B2B) customer focus, that include translation, editing and post editing services, e.g. for websites and software.

Amplexor also provides software and consulting services. Specifically, the company publishes regulatory information management (RIM) software, mainly to global bioscience companies, and provides information technology (IT) services to businesses such as software implementation, website solutions, search-engine optimization (SEO) and digital marketing services.

The details of the concentration are set forth in the Share Purchase and Transfer Agreement (hereinafter the “Agreement”), by way of which Nikita shall hold 100% of the share capital of Amplexor.

In view of the above, the Commission concludes that the transaction constitutes a concentration within the meaning of Section 6(1)(a)(ii) of the Law, since it leads to a change of control of the Target Company on a lasting basis.

The Commission additionally finds that the criteria set forth by Section 3(2)(a) of the Law are met, and thus the notified concentration is of major importance, falling within the scope of the Law.

For the purposes of assessing the merger, the Commission concluded that the relevant product / service market is defined as the information Technology (IT) services market. The Commission further concluded that the geographic market for the said relevant product markets is the Republic of Cyprus.

The Commission noted that there is a horizontal overlap in the relevant market of Information Technology (IT) services in Cyprus. Specifically, on the basis of the information provided by the participating entities, their combined market share in the relevant market of Information Technology (IT) services adds up to a percentage of [0-5]%, and thus below the statutory threshold of 15%.

The Commission additionally noted that the proposed merger does not give rise to any vertical overlaps in the Republic of Cyprus.

In view of the above, the Commission concluded that, on the basis of Annex I of the Law, the proposed merger will not give rise to any affected markets since the aforementioned overlap arising on a horizontal level will not lead to an affected market in the relevant market of Information Technology (IT) services, considering that the combined market share of the parties does not exceed the 15% threshold.

On the basis of the factual and legal circumstances of the case before it, the Commission unanimously decided that the concentration under consideration neither creates nor strengthens a dominant position, as there is no affected market, and therefore does not raise serious doubts as to its compatibility with the operation of competition in the market.

In conclusion, the Commission, acting in accordance with section 22 of the Law, unanimously decided not to oppose the notified concentration and declares it compatible with the operation of competition in the market.

Loukia Christodoulou

Chairperson of the Commission for the Protection of Competition