

PRESS RELEASE

The CNMC authorised four merger operations in October

- They were all approved in the first phase, since they do not significantly alter the market.

Madrid, 7 November 2019 - The CNMC (National Commission on Markets and Competition) authorised four merger operations in October, since they did not pose any problems to competition in the markets analysed.

Mergers approved in October

- [C/1064/19 CIRSA/SPORTIUM](#)

On 1 October 2019, the CNMC authorised, in the first phase, the merger involving the acquisition of exclusive control by Cirsa Gaming Corporation, S.A.U. (Cirsa), of Sportium Apuesta Deportivas, S.A. (Sportium)

The operation reported satisfies the requirements contained in the Anti-Trust Law (ATL), as it exceeds the thresholds specified in article 8.1.b) therein.

The economic sector affected is the marketing and operation of gambling and betting activities.

- [C/1065/19 GEOPOST/TIPSA](#)

On 24 October 2019, the CNMC authorised, in the first phase, the merger involving the acquisition of exclusive control by Geo Post S.L. of Transporte Integral de Paquetería, S.A. (Tipsa), Alas Courier, S.L., Madripaq Servicios, S.L., Central De Mensajeros Logística 2008, S.L.U. (Cml) and Andalupaq Express, S.L.U.

The operation satisfies the requirements contained in the ATL, as it exceeds the thresholds specified in article 8.1.b) therein.

The market affected by the merger operation is the commercial courier and parcel segment, and the narrower business parcel market.

- [C/1066/19: BERKSHIRE/ACUMED/OSTEOMED/MICROAIRE/PRECISION EDGE/SK PRODUCTS](#)

Also on 24 October 2019, the CNMC authorised, in the first phase, the merger consisting of the acquisition of exclusive control by Berkshire Hathaway, Inc. (Berkshire) of the following companies: (i) Acumed Llc (Acumed), (ii) Osteomed, Llc

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(Osteomed), (Iii) Microaire Holding Company, Llc (Microaire), (Iv) Precision Edge Holding Company, Llc (Precision Edge) and (V) Sk Products Holding Company, LLC (SK).

The operation satisfies the requirements contained in the ATL, as it exceeds the thresholds specified in article 8.1.a) therein.

The markets affected by this operation are the manufacturing and marketing of orthopaedic and traumatology devices.

- [C/1067/19: ORANGE / SUMA](#)

Finally, on 29 October 2019, the Board authorised the acquisition by Orange Espagne, S.A.U. (Org), a subsidiary of Orange, S.A., of the entire capital of Suma Operador de Telecomunicaciones, S.L.U. (Sot), a subsidiary of Grupo Ingenium Tecnología, SL (Git).

The operation satisfies the requirements contained in the ATL, as it exceeds the thresholds specified in article 8.1.a) therein.

The economic sector involved is telecommunications.

Rules and procedures for overseeing mergers.

The CNMC evaluates those mergers and acquisitions involving companies whose turnover or market share exceed certain thresholds ([Article 8 of the Anti-Trust Law](#)), so as to prevent mergers that significantly impede competition.

According to the Anti-Trust Law, these thresholds are based on:

Whether the resulting company acquires or increases its market share by a certain amount (Art. 8.1 a) of Law 15/2007), generally taken to be 30% of the relevant market (product and geographic).

Whether it exceeds a certain turnover (Art. 8.1 b), such that the sum of the turnover of both in the most recent fiscal year exceeds 240 million, provided that at least two of the participants individually have a turnover of more than 60 million euros in Spain.

The Anti-Trust Law also considers a series of exemptions in the oversight of mergers in certain cases. Once the operation is reported, the CNMC generally has one month to decide whether to approve it (phase I) or initiate a detailed investigation (phase II).

[More information on the merger analysis procedure.](#)
[Access to the CNMC merger list.](#)

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