Prior notification of a concentration

(Case M.10635 - CVC / HTB / FL)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 218/08)

1. On 20 May 2022, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— CVC Capital Partners SICAV-FIS S.A. ('CVC', Luxembourg),

— Hartenberg Holding, s.r.o. ('HTB', Czech Republic),

— FutureLife, a.s. ('FL', Czech Republic), controlled by HTB.

CVC and HTB will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of FL.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are the following:

— CVC, its subsidiaries and affiliated companies are privately owned entities whose activities include providing investment advice to and/or managing investments on behalf of certain investment funds and platforms. One of CVC's portfolio companies, Mehiläinen, offers In-Vitro-Fertilization ('IVF') treatments in clinics in Finland.

— HTB is a company focused on investments in assets in the Central European Region, primarily Czech Republic, Slovakia and Poland, and is the current sole controlling shareholder of FL.

— FL is active in the provision of reproductive medicine in various countries across Europe, in particular IVF treatment and ancillary services. FL's business in Finland and Estonia will not form part of the proposed concentration, and will be transferred to, and remain solely controlled by, HTB.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.10635 – CVC / HTB / FL

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.

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