EUROPEAN COMMISSION

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PUBLIC VERSION

HPS Investment Partners, LLC
33rd Floor, 40 West 57th Street
New York, 10019
United States of America

Subject: **Case M.11474 – HPS / BERLIN BRANDS GROUP**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]

Dear Sir or Madam,

1. On 19 February 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking HPS Investment Partners, LLC ('HPS', United States of America), controlled by HPS Group, L.P., intends to acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the undertaking Berlin Brands Group Holding GmbH ('BBG', Germany), by way of purchase of shares.[3]

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

   – HPS is a global investment firm,

   – BBG designs and develops consumer goods, in particular electrical appliances and consumer electronics, and sells these products via its own online stores, third-party operated marketplaces and other sales channels.

3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph

1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 OJ C, C/2024/1806, 28.2.2024.

5 (c) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified treatment, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

4 OJ C 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').