EUROPEAN COMMISSION
DG Competition

Case M.9469 - ISQ / DOMIDEP

Only the English text is available and authentic.

REGULATION (EC) No 139/2004
MERGER PROCEDURE

Article 6(1)(b) NON-OPPOSITION
Date: 27/09/2019

In electronic form on the EUR-Lex website under document number 32019M9469

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EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying party

Subject: **Case M.9469 - ISQ / DOMIDEP**
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 1 August 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which I Squared Capital Advisors (US) LLC ("ISQ", USA) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Domidep SAS and its subsidiaries ("Domidep", France) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for ISQ: an independent global infrastructure investment manager that focuses on the energy, utilities, telecoms and transport sectors in global high-growth economies, including North America and Europe;

   – for Domidep: operates retirement homes in France and Belgium. It provides elderly dependent people with all-inclusive accommodation services and personalised support.

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

4. For the reasons set out in the Notice on a simplified procedure, 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.

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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 Publication in the Official Journal of the European Union No C 266, *08.8.2019*, p. 3.

4 OJ C 366, 14.12.2013, p. 5.

For the Commission

(Signed)
Johannes LAITENBERGER
Director-General