EUROPEAN COMMISSION

DG Competition

Case M.11356 - PLATINUM / BAIN CAPITAL / US LBM

Only the English text is available and authentic.

REGULATION (EC) No 139/2004

MERGER PROCEDURE

Article 6(1)(b) NON-OPPOSITION

Date: 21/12/2023

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EUROPEAN COMMISSION

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PUBLIC VERSION

Platinum Equity, LLC
360 N. Crescent Drive
Beverly Hills
California 90210
United States of America

Bain Capital Investors, LLC
200 Clarendon Street
Boston
Massaschusetts 02116
United States of America

Subject: **Case M.11356 – PLATINUM / BAIN CAPITAL / US LBM**
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 29 November 2023, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which funds controlled by respectively Platinum Equity, LLC ('Platinum', USA) and Bain Capital Investors, LLC ('Bain Capital', USA) will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of BCPE Ulysses Intermediate, Inc. ('US LBM', USA). The concentration is accomplished by way of purchase of shares.[3]

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

   – Platinum ultimately directly and indirectly controls entities that form the Platinum Equity Group which specialises in mergers and acquisitions, and the operation of companies that provide services and solutions to customers in a broad range of businesses, including information technology, telecommunications, logistics,

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, OJ C, C/2023/1456, 08.12.2023.

metal services, manufacturing and distribution. Platinum has operations worldwide,

– Bain Capital is a private equity investment firm that invests in companies across a number of industries, including information technology, healthcare, retail and consumer products, communications, financial services and industrial / manufacturing. Bain Capital has operations worldwide.

3. US LBM is active in the distribution of specialty building materials. US LBM's product portfolio includes windows, doors, millwork, wallboard, roofing, siding, engineered components and cabinetry. US LBM is headquartered in the USA and has no revenues, assets, operations or corporate presence outside North America.

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

5. 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.

For the Commission

(Signed)
Olivier GUERSENT
Director-General

4 OJ C 160, 5.5.2023, p. 1–10.