Prior notification of a concentration

(Case M.9039 — Bain Capital/Vista/Aptean Public Sector/Superion/TriTech)

Candidate case for simplified procedure

(Text with EEA relevance)

(2018/C 270/04)

1. On 25 July 2018, 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:

— Bain Capital Investors, LLC ('Bain Capital', United States),

— Vista Equity Partners Management, LLC ('Vista', United States),

— the 'public sector' business of Aptean Parent Company SARL ('Aptean Public Sector', United States), currently solely controlled by Vista,

— Superion, LLC ('Superion', United States), currently solely controlled by Vista,

— TriTech Software Systems, Inc. ('TriTech', United States), currently solely controlled by Bain Capital.

Bain Capital and Vista acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Aptean Public Sector, Superion and TriTech.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Bain Capital: a U.S. based private equity investment firm that invests in companies on a worldwide basis across most industries, including information technology, healthcare, retail and consumer products, communications, financial and industrial/manufacturing,

— for Vista: a U.S. based private equity firm that is focused on investments in software, data and technology-enabled businesses,

— for Aptean Public Sector, Superion and TriTech: U.S. based providers of enterprise software.

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 the 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.9039 — Bain Capital/Vista/Aptean Public Sector/Superion/TriTech

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

E-mail: COMP-MERGER-REGISTRY@ec.europa.eu

Fax: +32 22964301

Postal address:

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