PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10262 — Facebook/Kustomer)

(Text with EEA relevance)

(2021/C 258/09)

1. On 25 June 2021, 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:

— Facebook, Inc. ('Facebook', USA),

— Kustomer, Inc. ('Kustomer', USA).

Facebook acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Kustomer.

The concentration is accomplished by way of purchase of shares.

The concentration has been referred to the Commission by the Bundeswettbewerbsbehörde, the Austrian Competition Authority, pursuant to Article 22(3) of the Merger Regulation. The referral was subsequently joined by Belgium, Bulgaria, France, Iceland, Ireland, Italy, the Netherlands, Portugal and Romania.

2. The business activities of the undertakings concerned are:

— for Facebook: providing websites and applications for mobile devices offering social networking, consumer communications and photo and video-sharing functionalities, including three messaging channels: Messenger, WhatsApp and Instagram Messaging,

— for Kustomer: offering a customer relationship management (CRM) software as a service specialising in assisting business' customer service agents to manage communications with consumers.

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.

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.10262 – Facebook/Kustomer

[1] OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

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

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