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PUBLIC VERSION

Kiwa Deutschland GmbH
Grüner Deich 1
20097 Hamburg
Germany

adesso SE
Adessoplatz 1
44269 Dortmund
Germany

Subject: **Case M.11601 – KIWA / ADESSO / JV**
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 July 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which the undertakings Kiwa Deutschland GmbH ("Kiwa", Germany), controlled by SHV Holdings N.V. (the Netherlands), and adesso SE ("adesso", Germany), will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking Kevla GmbH ("Kevla", Germany), by way of purchase of shares in a newly created company constituting a joint venture. ([3])

(2) The business activities of the undertakings concerned are the following:

– Kiwa is a company specializing in testing, inspecting and certifying products according to specified certification standards and is active in Europe, Asia, Africa and the US,

– adesso provides a range of services for the integration of electronic back offices. In addition to vendor-independent consulting, these services include the planning, design, support and implementation of IT projects. It is active in Europe, Asia, Africa and the US.

([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/2024/4512, 10.7.2024.

(3) The business activities of the undertaking Kevla will be the following: Kevla has no operating business prior to the acquisition by Kiwa and adesso. The newly created joint venture will be the operator of a multi-sided digital platform to automate the exchange of compliance documents between companies regardless of their industry sector. Initially, the focus of the activities will be Germany but it may also offer services in other countries.

(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 (b) and (c) 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 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').