

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.10778 – TA ASSOCIATES / CLEARLAKE / KOFAX)

Candidate case for simplified procedure

(Text with EEA relevance)

(2022/C 248/13)

1. On 23 June 2022, 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:

- TA Associates Management L.P. ('TA Associates', U.S.A.),
- Clearlake Capital Group, L.P. ('Clearlake', U.S.A.),
- Kofax Parent Limited ('Kofax' or 'Target', U.S.A.) ultimately controlled by Thoma Bravo, L.P. (U.S.A.).

TA Associates and Clearlake will acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of Kofax.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned:

- for TA Associates: private equity firm, active in business services, consumer, financial services, healthcare and technologies;
- for Clearlake: private investment firm, active in software and technology-enabled services, energy and industrials, food and consumer products;
- for Kofax: provider of intelligent automation software for digital workflow transformation to automate and improve business workflows by simplifying the handling of data and documents.

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 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.10778 – TA ASSOCIATES / CLEARLAKE / KOFAX

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

⁽²⁾ OJ C 366, 14.12.2013, p. 5.

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

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