

***Case No COMP/M.7082 - EVO/ PKO/ eSERVICE JV***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004  
MERCER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION

Date: 06/12/2013

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EUROPEAN COMMISSION

Brussels, 6.12.2013  
C(2013) 9024 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

Dear Madam/Sir,

**Subject: Case No COMP/M.7082 - EVO/ PKO/ eSERVICE JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 11 November 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which EVO Payments International LLC ("EVO", USA) ultimately controlled by EVO Holdco, Inc. (USA) and Madison Dearborn Partners, LLC (USA), and Powszechna Kasa Oszczędności Bank Polski S.A. ("PKO", Poland) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over Centrum Elektronicznych Usług Płatniczych S.A. ("eService", Poland) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
  - for EVO: activities in the field of electronic transaction payment processing and related services in the USA, Canada and the EEA;
  - for PKO: activities in the field of banking and financial services, including retail, corporate and investment banking, brokerage services, leasing, factoring, investment and pension funds and housing development services;

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<sup>1</sup> 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.

- for eService: activities in the field of processing of card payments made at Point of Sale terminals (POS) or through the Internet, prepaid mobile phones, top-ups sales via POS terminals and provides cash withdrawal services.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraphs 5(a) and 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
  4. 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.

*For the Commission*  
*(signed)*  
*Alexander ITALIANER*  
*Director General*

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<sup>2</sup> OJ C 56, 5.3.2005, p. 32.