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M.9205 – IBM/RED HAT

SECTION 1.2

Description of the concentration

The Transaction concerns the proposed acquisition of sole control by IBM of Red Hat.

IBM is active worldwide in the development, production, and marketing of a wide variety of information technology (“IT”) solutions, namely software, computer systems, storage devices, microelectronics, and services, including consulting and IT infrastructure services. Among its diverse software activities, IBM develops and sells software for cloud environment workloads.

Red Hat is a global provider of open source software solutions, using a community-powered approach to develop and offer reliable and high-performing solutions that meet customers’ needs in hybrid cloud environments.

The Parties are both active in the development of certain categories of software, in particular middleware, containers, and server operating systems.

The Parties consider that the Transaction will help facilitate a secure, open, hybrid cloud computing model that will allow enterprises to select, workload by workload, where best to run them and store associated data—on-premises or in the private and public clouds—and to move freely both between those architectures and between different providers of those different architectures