



EUROPEAN COMMISSION  
DG Competition

***Case M.8352 - KKR / KSL /  
APPLE LEISURE GROUP***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 01/03/2017

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## EUROPEAN COMMISSION

Brussels, 1.3.2017  
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PUBLIC VERSION

### **To the notifying parties:**

**Subject: Case M.8352 – KKR / KSL / APPLE LEISURE GROUP  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

Dear Sir or Madam,

1. On 06 February 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which KKR & Co. L.P. ("KKR", USA) and KSL Capital Partners IV GP, LLC as general partner of KSL Capital Partners IV, L.P. and its parallel funds (collectively "KSL IV", USA) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of Apple Leisure Group ("ALG", USA) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - KKR: global investment firm, providing asset management services to public and private investors and capital market solutions;
  - KSL IV: the fourth private equity fund sponsored by KSL Advisors, LLC, a USA private equity firm, specialising in investments in travel and leisure enterprises; its affiliate private equity funds primarily invest in the hospitality, recreation, clubs, real estate and travel services sectors.
  - ALG: group of distinct integrated hospitality businesses, active in the North American travel industry and serving travellers and hotel owners; its activities focus on travels from the USA to leisure destinations in Latin America, Mexico and the Caribbean. ALG's integrated businesses include: AMResorts, a provider of

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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.

<sup>2</sup> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 47, 14.02.2017, p. 9.

hotel branding, management and operation assistance under six luxury resort brands; Apple Vacations, a tour operator focused on packaged travel from the U.S.A. to Mexico, the Caribbean, and Central America; Travel Impressions, a tour operator possessing a broad global portfolio of packaged travel services distributed via travel agents; CheapCaribbean.com, an online travel agency specializing in luxury vacation packages and resort accommodations in Mexico and the Caribbean; Amstar DMC, a destination management company active in Mexico, Central America and the Caribbean; Worldstar DMC, a destination management company operating in the Hawaiian islands; and Unlimited Vacation Club, a guest loyalty programme focusing on the AMResorts-branded properties.

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 paragraph 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>4</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 and Article 57 of the EEA Agreement.

*For the Commission*

*(signed)*

*Johannes LAITENBERGER*  
*Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.