



EUROPEAN COMMISSION  
DG Competition

***Case M.8375 - HIG CAPITAL / INFINIGATE***

Only the English text is available and authentic.

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

---

Article 6(1)(b) NON-OPPOSITION  
Date: 07/03/2017

***In electronic form on the EUR-Lex website under document  
number 32017M8375***



EUROPEAN COMMISSION

Brussels, 7.3.2017  
C(2017) 1653 final

PUBLIC VERSION

**To the notifying party:**

**Subject: Case M.8375 - HIG CAPITAL / INFINIGATE  
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 7 February 2017, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which H.I.G. Capital L.L.C. ("HIG Capital") (United States of America) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of the undertaking Infinigate Holding AG ("Infinigate") (Switzerland) by way of a purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for HIG Capital: private equity and assets investment;
  - for Infinigate: holding company of the Infinigate Group, which is active as wholesale distributor of IT security products including firewalls, VPN gateways, intrusion detection and prevention systems, encryption, virus protection, e-mail and content security solutions.
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(c) of

---

<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 48, 15.2.2017, p. 11.

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*

---

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