



EUROPEAN COMMISSION  
DG Competition

***Case M.8798 - TA ASSOCIATES / OTPP / FLEXERA  
HOLDINGS***

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: 20/02/2018

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EUROPEAN COMMISSION

Brussels, 20.2.2018  
C(2018) 1156 final

PUBLIC VERSION

To the Notifying Parties

**Subject: Case M.8798 – TA ASSOCIATES / OTPP / FLEXERA HOLDINGS  
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 26 January 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which TA Associates, L.P. (USA) and Ontarios Teachers' Pension Plan Board 'OTPP' (Canada) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the whole of Flexera Holdings LP. (USA). The concentration is accomplished by way of purchase of shares<sup>3</sup>.
2. The business activities of the undertakings concerned are:
  - for TA Associates, L.P.: private equity investments through various funds in selected industries, including business services, consumer, financial services, healthcare and technologies.
  - for OTPP: administration of pension benefits and investment of pension plan assets on behalf of active and retired teachers in the Canadian province of Ontario.
  - for Flexera Holdings LP: provision of software products and services to IoT device manufacturers, software publishers and enterprise customers.
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) 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 39, 02.02.2018, p. 31.

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.