



EUROPEAN COMMISSION
DG Competition

***Case M.9033 -
CLEARLAKE CAPITAL
GROUP / VISTA /
EAGLEVIEW
TECHNOLOGY
CORPORATION***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 03/08/2018

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EUROPEAN COMMISSION

Brussels, 03.08.2018
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PUBLIC VERSION

To the Notifying Parties

Subject: Case M.9033 – CLEARLAKE CAPITAL GROUP / VISTA / EAGLEVIEW TECHNOLOGY CORPORATION
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²

Dear Sir or Madam,

1. On 11 July 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Clearlake Capital Group ("Clearlake", United States) acquires within the meaning of Article 3(1)(b) and of Article 3(4) of the Merger Regulation joint control over the whole of the undertaking Eagleview Technology Corporation ("Eagleview", United States), ultimately controlled by Vista Equity Partners Management LLC ("Vista", United States), by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for Clearlake: private investment fund focusing on investments in software and technology-enabled services, industrials and energy, and consumer;
 - for Vista: private equity firm that is focused on investments in software, data and technology-enabled businesses;
 - for Eagleview: provider of aerial imagery, 3-D measurement software, data analytics, and geographic information system ("GIS") solutions for a wide range of users including government, property and casualty insurance and residential contractors.

¹ 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.

² OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

³ Publication in the Official Journal of the European Union No C 253, 19.7.2018, p. 44.

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 the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
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*

⁴ OJ C 366, 14.12.2013, p. 5.