



EUROPEAN COMMISSION  
DG Competition

***Case M.9039 - BAIN CAPITAL / VISTA / APTEAN PUBLIC  
SECTOR / SUPERION / TRITECH***

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: 17/08/2018

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## EUROPEAN COMMISSION

Brussels, 17.08.2018  
C(2018) 5586 final

PUBLIC VERSION

### To the notifying parties:

**Subject: Case M.9039 – BAIN CAPITAL / VISTA / APTEAN PUBLIC SECTOR / SUPERION / TRITECH  
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 25 July 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which funds managed by Bain Capital Investors, L.L.C ("Bain Capital", United States) and funds managed by Vista Equity Partners Management, LLC ("Vista", United States), acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the 'public sector' business of Aptean Parent Company Sarl. ("Aptean Public Sector", United States), Superion, LLC ("Superion", United States), and TriTech Software Systems, Inc ("TriTech", United States) by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Bain Capital: a U.S. based private equity investment firm that invests in companies on a worldwide basis across most industries, including information technology, healthcare, retail and consumer products, communications, financial and industrial/manufacturing,
  - for Vista: a U.S. based private equity firm that is focused on investments in software, data and technology-enabled businesses,

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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 270, 01.08.2018, p. 4.

- for Apteau Public Sector, Superion and TriTech: U.S. based providers of enterprise software.
- 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.<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.