



EUROPEAN COMMISSION
DG Competition

***Case M.9754 - KII /
INFOR***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 16/03/2020

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EUROPEAN COMMISSION

Brussels, 16.3.2020
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PUBLIC VERSION

To the notifying party

**Subject: Case M.9754 – KII/INFOR
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 12 February 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Koch Industries, Inc. (“KII”, United States), acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Infor, Inc. (“Infor”, United States), currently jointly controlled by Koch Industries Inc. and Golden Gate Private Equity, Inc. by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for KII: privately held corporation that owns a diverse group of companies involved in refining and chemicals, process and pollution control equipment and technologies, minerals, fertilizers, commodity trading and services, polymers and fibers, glass, forest and consumer products, electronic components, ranching, printing and packing, enterprise software and investments.
 - for Infor: international provider of enterprise resource planning software and related services globally.
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

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 56, 19.2.2020, p. 11.

paragraph 5(b) and 5(d) 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)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.