



EUROPEAN COMMISSION
DG Competition

Case M.10362 – KKR/CD&R/CLOUDERA

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 10/08/2021

***In electronic form on the EUR-Lex website under
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EUROPEAN COMMISSION

Brussels, 10.08.2021
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PUBLIC VERSION

KKR & Co. Inc.
30 Hudson Yards
New York, NY 10001
United States of America

Clayton, Dubilier & Rice Fund XI,
L.P.
375 Park Avenue
New York, NY 10152
United States of America

**Subject: Case M.10362 – KKR/CD&R/Cloudera
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 16 July 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which KKR & Co. Inc. (“KKR”, United States of America) and Clayton, Dubilier & Rice, Fund XI, L.P. (“CD&R”, United States of America) intend to acquire, within the meaning of Article 3(1)(b) of the Merger Regulation, joint control of the whole of Cloudera, Inc. (“Cloudera”, United States of America) by way of contract.³
2. The business activities of the undertakings concerned are:
 - for KKR: a global investment firm that offers alternative asset management and capital markets and insurance solutions,

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 293, 23.7.2021, p. 8.

- for CD&R: a private equity investment firm which originates, structures and acts as a lead equity investor in management buyouts, strategic minority equity investments and other strategic investments,
 - for Cloudera: a provider of multi-function data management and analytics software, including flow management, streams management, data engineering, data warehousing, streaming analytics, operational databases and machine learning.
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(b) 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.