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M.10054 - KOMBIVERKEHR / HUPAC / DX INTERMODAL JV

SECTION 1.2

Description of the concentration

The proposed concentration concerns the creation of a joint-venture called DX Intermodal controlled by Kombiverkehr Deutsche Gesellschaft für kombinierten Güterverkehr mbH & Co. KG („**Kombiverkehr**“, Germany) and Hupac SA ("**Hupac**", Switzerland). DX Intermodal will develop and operate a data hub for the automated, real-time exchange of data and information which are relevant for all actors in the combined transport chain. The data hub will be available to all actors in the combined transport chain at fair, reasonable and non-discriminatory Terms of Use.

The business activities of the undertakings concerned are:

- DX Intermodal will provide a data hub for integrated, end-to-end real-time transmission of transport-related data and information for users of intermodal transport Services. DX Intermodal will be offering its Services to actors in continental Europe (including Non-EEA countries). An expansion into certain Asian countries (e.g., China, Turkey) may be considered at a later stage, but is currently not envisaged.
- Hupac and Kombiverkehr are operators of combined transport by rail on various routes in Europe mainly between northwestern Europe, the Mediterranean Sea and Eastern Europe. Kombiverkehr is 50% indirectly controlled parent Company of the DB group of companies ("DB"). DB is a state-owned German transport operator and a multinational mobility and logistics group. DB is engaged in, inter alia, the Operation of the German railway infrastructure, passenger transport by rail and bus (in Europe), freight forwarding and logistics (worldwide) and ancillary Services.
- Hupac is currently holding participations in multimodal terminals in Germany, Italy, Switzerland and Belgium.
- Kombiverkehr is currently holding participations in multimodal terminals in Germany and Spain.

The concentration is accomplished by way of purchase of shares in a Company to be newly created which will be forming a joint venture within the meaning of Art. 3(1)(b) and 3(4) EMCR. DX Intermodal will be formed after merger control clearances have been obtained and will be incorporated in Germany.