



EUROPEAN COMMISSION
DG Competition

Case M.10569 - KKR / GIP / CYRUSONE

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 04/02/2022

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

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PUBLIC VERSION

KKR & Co
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United States of America

Global Infrastructure Management,
LLC
1345 Avenue of the Americas, 30th
Floor,
New York, NY 10105,
United States of America

**Subject: Case M.10569 – KKR / GIP / CYRUSONE
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 January 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which KKR & Co. Inc. (“KKR”, USA) and Global Infrastructure Management, LLC (“GIP”, USA) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control over the whole of the undertaking CyrusOne, Inc. (“CyrusOne”, USA) by way of purchase of shares.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 40, 26.01.2022, p. 14.

- for GIP: an independent infrastructure fund manager investing in and managing assets that are mainly in the transportation, energy, waste and water sectors;
 - for CyrusOne: a real estate investment trust that owns, operates and develops enterprise-class, carrier-neutral, multi-tenant and single-tenant data centre properties in the US and Europe.
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.