



EUROPEAN COMMISSION  
DG Competition

***Case M.10934 - VINCI ENERGIES /  
KONTRON IT SERVICE COMPANIES***

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: 16/11/2022

***In electronic form on the EUR-Lex website under document  
number 32022M10934***



EUROPEAN COMMISSION

Brussels, 16.11.2022  
C(2022) 8426 final

**PUBLIC VERSION**

VINCI Energies S.A.  
2169 Boulevard de la Défense  
92000 Nanterre  
France

**Subject: Case M.10934 – VINCI ENERGIES / KONTRON IT SERVICE COMPANIES**  
**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 21 October 2022, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which VINCI Energies S.A. ('VINCI Energies', France), a subsidiary of VINCI S.A. (France), the ultimate parent company of the VINCI Group, will acquire within the meaning of Article 3(1)(b) eight of Kontron AG's IT service companies, including their direct and indirect subsidiaries ('Kontron IT Service Companies'): Amanox Solutions AG (Switzerland), S&T Albania SH.p.k. (Albania), S&T Serbia d.o.o. (Serbia), hamcos IT Service GmbH (Germany), S&T Deutschland GmbH (Germany), S&T Mold srl., (Moldova), CITYCOMP Service GmbH, (Germany) and S&T CEE Holding s.r.o., (Slovakia), by way of purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are the following:
  - VINCI is a global diversified organization active in concessions and infrastructure, building, public works, civil engineering and energy. Within VINCI Group, VINCI Energies, which belongs to the Vinci Group division "Energies", is also active, through its brand line Axians, in the area of IT services. The Axians-network of companies provides IT services, such as cloud & data center

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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 417, 31.10.2022, p. 18.

infrastructures, enterprise networks, digital workspace, business applications & data analytics and cybersecurity.

- Kontron IT Service Companies are primarily active in offering consultancy services on IT infrastructure such as data centers and cloud services and the conception of tailored IT network and security concepts for on-site and cloud infrastructure. Furthermore, the Kontron IT Service Companies offer also the implementation, integration and supply of IT infrastructure and software applications and solutions (such as Enterprise Resource Planning, application software (Customer Relationship Management) or Business Intelligence 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(c) 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)*  
*Olivier GUERSENT*  
*Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.