



BEFORE THE
COMPETITION COMMISSION OF PAKISTAN

FIRST PHASE REVIEW

IN THE MATTER OF ACQUISITION OF 0% SHAREHOLDING OF M/S. OBS
PAKISTAN (PRIVATE) LIMITED BY MR. MUNIS ABDULLAH FROM M/S. OBS
HEALTHCARE (PRIVATE) LIMITED, MR. TARIQ MOINUDDIN KHAN AND
OTHERS

CASE: 1033/Merger-CCP/19

Commission

Ms. Vadiyya S. Khalil
Chairperson

Muhammad Saleem
Member



ORDER

1. On 25th April 2019 the Competition Commission of Pakistan ("**Commission**") received a pre-merger application ("**Application**") of a proposed acquisition pursuant to Section 11 of the Competition Act, 2010 ("**Act**") read with Regulation 6 of the Competition (Merger Control) Regulations, 2016 ("**Merger Regulations**") where Mr. Munis Abdullah ("**Acquirer**" or "**Applicant**") intends to acquire % shareholding in M/s. OBS Pakistan (Private) Limited ("**Target**") from M/s. OBS Healthcare (Private) Limited, Mr. Tariq Moinuddin Khan and Others (collectively the "**Sellers**"), by way of share purchase. All the requisite information/documents pertaining to the application was completed by the applicant on May 9, 2019.
2. The Commission has examined the Application as well as all the documents attached therewith, the market scenario, and its observations on the basis of independent research/investigation in the relevant market. The Phase I competition assessment of the intended acquisition has resulted in the following findings:
 - i. The business activities of the undertakings concerned are:
 - a. For the Acquirer: a business individual
 - b. For Target: engaged in the import, manufacture and sale of pharmaceutical products.
 - ii. The proposed transaction is an acquisition of % shareholding in the Target by the Acquirer from the Sellers. Currently the Target is active in Pakistan and is engaged in the relevant product market of "**Importing, manufacturing and selling of pharmaceutical products**" having a geographic market identified as of "**Pakistan**". Currently the Target holds % of the market share and post-transaction, the market position is unlikely to change
 - iii. The transaction is not likely to result in the creation or strengthening of a dominant position in the relevant market. The intended merger does not meet the presumption of dominance as determined under Section (2) (1) (e) read with Section 3 of the Competition Act 2010 ("**Act**").
3. In conclusion, the proposed transaction is not likely to substantially lessen competition through the creation or strengthening of a dominant position in the relevant market. The proposed transaction is hereby authorized under Section 31 (1) (d) (i) of the Act.
4. It is so ordered.

Vadiyya S. Khalil

(Vadiyya S. Khalil)
Chairperson

M. Saleem

(Dr. Muhammad Saleem)
Member

Islamabad the 16th MAY, 2019.

