

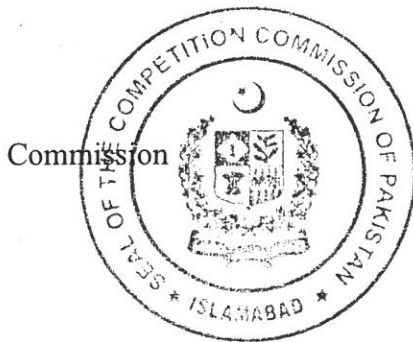


**BEFORE THE
COMPETITION COMMISSION OF PAKISTAN**

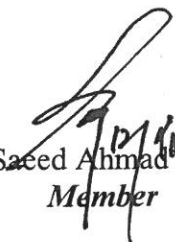
FIRST PHASE REVIEW

**IN THE MATTER OF ACQUISITION OF CERTAIN ASSETS OF M/S. DYNATIS
PAKISTAN (PRIVATE) LIMITED BY M/S. CCL PHARMACEUTICALS (PRIVATE)
LIMITED.**

CASE: 1395/Merger-CCP/2023



Commission


Mr. Saeed Ahmad Nawaz
Member

ORDER

1. On 28th August, 2023 the Competition Commission of Pakistan (hereafter "**Commission**") received a pre-merger application from M/s. CCL Pharmaceuticals (Private) Limited (hereafter "**CCL**" or "**Acquirer**").
2. The Application was made pursuant to Section 11 of the Competition Act, 2010 (hereafter "**Act**") read in conjunction with Regulation 6 of the Competition (Merger Control) Regulations, 2016 (hereafter "**Merger Regulations**").
3. The proposed transaction entails acquisition of certain assets of M/s. Dynatis Pakistan (Private) Limited (hereafter "**DPP**" or "**Target**"), by the Acquirer, pursuant to Resolution of Board of Directors dated May 05, 2023 (hereafter "**Resolution**"). All requisite information/documentation pertaining to the application was completed on 2nd November, 2023.
4. The Commission has examined the Application as well as all the documents attached therewith and the information provided by the concerned undertaking(s). The Phase I competition assessment of the intended transaction has revealed the following facts:

4.1. The business activities of the undertakings concerned are:

4.1.1. Acquirer: A private limited company incorporated in Pakistan. Its principal activity includes manufacturing and sale of all sorts of medicines, drugs and allied activities.

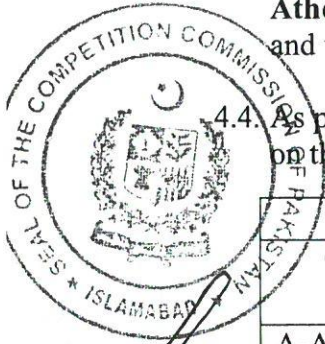
4.1.2. Target: A private limited company incorporated in Pakistan. It is engaged in production, sales and marketing of Pharmaceutical and its related products.

4.2. As submitted in the Application and set out in the Resolution, the transaction relates to acquisition of certain assets (i.e. land, plant, machinery, equipment including trade marks) of DPP by CCL. Total consideration for the proposed acquisition amounts to PKR

4.3. The overall market is manufacturing and distribution of pharmaceutical products. Whereas, the reportable product markets in this case have been identified as "A-Acid A-Flat A-Ulcerants", "Analgesics", "Anti-Epileptics", "Antihistamines Systemic", "Antiprotoz & Anthelmint", "Antithrombotic Agents", "Beta Blocking Agents", "Cough & Cold Preparations", "Drugs Used In Diabetes", "Lipid-Reg/Anti-Atheroma", "Psychoanaleptics", "Renin-Angioten Syst Agent" and "Urologicals" and the relevant geographic market is "Pakistan".

4.4. As per the Application, market share of the brands to be acquired and its market share on the basis of direct and indirect competitors are mentioned below:

Therapeutic Class ("TC") II	Market share		
	Pre-transaction		Post-transaction
	CCL (%)	DPP (%)	CCL (%)
A-Acid A-Flat A-Ulcerants			




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Analgesics			
Anti-Epileptics			
Antihistamines Systemic		Less than %	
Antiprotoz & Anthelmint	Less than %	Less than %	Less than %
Antithrombotic Agents		Less than %	
Beta Blocking Agents			
Cough & Cold Preparations		Less than %	
Drugs Used In Diabetes			
Lipid-Reg/Anti-Atheroma			
Psychoanaleptics			
Renin-Angioten Syst Agent			
Urologicals			

Source: Application

- 4.5. Post-transaction, the Acquirer will absorb the Target's products, increasing its market share by upto %.
5. The proposed transaction will not result in dominance of the Acquirer in the reportable market, post-transaction, as determined under Section 2(1)(e) read with Section 3 of the Act. Therefore, it is hereby authorized under Section 31(1)(d)(i) of the Act..
6. In the subject transaction, matters which may fall outside the scope of the Commission's purview, remain subject to applicable laws.
7. It is so ordered.


 (Mr. Saeed Ahmad Nawaz)
 Member
 Islamabad the 17th December, 2023.

