

## **COMPLETED ACQUISITION BY Tobii AB of Smartbox Assistive Technology Limited and Sensory Software International LIMITED**

### **Directions issued on 28 February 2019 pursuant to paragraph 17 of the unwinding order imposed by the Competition and Markets Authority on Tobii AB and Smartbox Assistive Technology Limited and Sensory Software International Ltd on 28 February 2019**

On 1 October 2018, Tobii AB (**Tobii**) completed the acquisition of Smartbox Assistive Technology Limited and Sensory Software International Limited (together, **Smartbox**) (the **Merger**). Tobii and Smartbox are together referred to as the Parties.

On 8 February 2019, the CMA referred the Merger for a phase 2 investigation pursuant to section 22 of the Enterprise Act 2002 (the **Act**) (the **Reference**).

On 18 February 2019, the CMA made an interim order (the **Order**) addressed to Tobii and Smartbox in accordance with section 81 of the Act to prevent pre-emptive action, and issued directions under paragraph 13 of the Order for the re-appointment or otherwise continuation of the appointment of the monitoring trustee (the **MT**).

The CMA has reasonable grounds for suspecting that action taken prior to the Interim Order might prejudice the reference concerned or impede the taking of any action by the CMA which might be justified by the CMA's decisions on the Reference (the **Pre-emptive Action**). On 28 February 2019, the CMA made an order in accordance with section 81(2A) of the Act (the **Unwinding Order**) for the purpose of restoring the position to what it would have been had the Pre-emptive Action not been taken or otherwise for the purposes of mitigating its effects.

Now, for the purpose of securing compliance with the Unwinding Order, the CMA issues directions under paragraph 17 of the Unwinding Order, to Tobii to amend the terms of the mandate governing the appointment of the MT, to enable the MT to take any steps which the CMA considers reasonable and necessary for the purpose of ensuring the Parties' compliance with the Unwinding Order (in particular, paragraphs 8 to 11 of the Unwinding Order).

Signed

Kip Meek

Inquiry Chair  
28 February 2019