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Response to the CMA Notice of possible remedies Under Rule 12 of the CMA's rules of procedure for merger, market and special reference group.

Dear Project Manager,

We are pleased that the CMA have concluded that the completed acquisition of Smartbox Assistive Technology Limited and Sensory Software international Limited by Tobii AB is deemed to have created a relevant merger situation that both vertically and horizontally compromises the provision of AAC products in the UK.

Sales@Candle (Scandle) is a commercial company which has been developing a mutually supportive relationship with Smartbox since 2017. Prior to that there was, and continues to be, a positive relationship between Smartbox and our not-for-profit sister company Candle. Scandle have produced a literacy programme for students in the UK who rely on AAC and they have used Grid 3 as the platform for this. The first of the grid sets that were produced were 'Phonics for All' which have been commercially available since 2017 and initially sold through the Smartbox outlets. [✂]. When the Tobii Dynavox acquisition took place in August 2018 the sales of 'Phonics for All' plummeted and there was no commitment given that support for the rest of our literacy programme, which is extensive, would be supported. This led to a very difficult time for our enterprise. We had to look at other platforms that we might be

able to use (such as Mind Express) but it was clear that this alternative would put our development as a company (and consequent offer or resources in the UK AAC market) back by at least 2 years, possibly 4 [✂], even though we are commercial, [our organisation] is keen to be a provider of good quality products that will further the learning needs of students in the UK who rely on AAC.

We have been exceedingly impressed with the way in which Smartbox have conducted themselves throughout the process that the CMA have led. They have retained their loyalty to us as potential re-sellers and partners and have re-assured us of this throughout. Their management structure appears to be very sound and it is to be hoped that any solution that is arrived at will prioritise the conserving of this.

As a commercial company with an altruistic ethos we have learnt much from the Smartbox model of excellent customer service and responsive delivery of products which take on board the needs and stated requirements of the customer.

In considering remedies Scandle is concerned that Smartbox should not be compromised through any sale to competitors nor to private sector individuals nor consortia who might dilute the customer services and resources that Smartbox have made available in the UK, AAC market. We would also be concerned that takeover by competitors or private enterprise might compromise the relationship that we have built up with the company through whom we would hope to make a positive contribution to the needs of AAC users throughout the UK. We are interested to note that there appears to be an option of a situation where no change of ownership takes place. We are not clear how this could be achieved but it would seem to us to be the safest course of action if it can be achieved.

There is a strong and stable management structure at Smartbox which we know we can work with and are very willing, as a partner, to support. Anything that could compromise this should be avoided.

We are committed to continuing to develop our literacy resources through Grid 3 and would support any option that will allow us to do so without obstruction.

Best wishes



Mick Millward

Manager