

ACQUISITION BY TOBII AB (PUBL) OF SMARTBOX ASSISTIVE TECHNOLOGY LIMITED AND SENSORY SOFTWARE INTERNATIONAL LIMITED

Directions issued on 16 July 2020 pursuant to Article 7 of the Tobii AB (publ) and Smartbox Enforcement Order 2019 made by the Competition and Markets Authority pursuant to section 84 of the Enterprise Act 2002

On 1 October 2018, Tobii AB (publ) (“**Tobii**”) completed its acquisition of Smartbox Assistive Technology Limited and Sensory Software International Limited (the last two together “**Smartbox**”) (the “**Merger**”).

On 8 February 2019, the Competition and Markets Authority (the “**CMA**”) made a reference to its chair in accordance with section 22(1) of the Enterprise Act 2002 (the “**Act**”) for the constitution of a Group under Schedule 4 of the Enterprise and Regulatory Reform Act 2013 to investigate and report on the completed acquisition by Tobii of Smartbox.

On 15 August 2019, the CMA published its final report, concluding that:

- a) the completed acquisition by Tobii of Smartbox has resulted in the creation of a relevant merger situation;
- b) the creation of that situation has resulted or may be expected to result in a substantial lessening of competition (“**SLC**”).

On 19 December 2019, the CMA made the Tobii AB (publ) and Smartbox Enforcement Order 2019 (the “**Enforcement Order**”) pursuant to section 84 of the Act for the purpose of remedying, mitigating or preventing the SLC specified in the final report and any adverse effects which have resulted from, or may be expected to result from, the SLC specified in the final report and in performance of its duty under section 41 and in exercise of its powers under section 84(1), (2) and (3), section 86(1) to (5), section 87 and paragraphs 2, 11, 13, 19, 20C, 21, 22 of Schedule 8 to the Act.

The CMA now issues written directions under Article 7 of the Enforcement Order extending the Initial Divestiture Period to [X] (or as otherwise amended with the prior written approval of the CMA).

Kip Meek

Remedies Implementation Group Chair

16 July 2020