

Consent under the Tobii AB (publ) and Smartbox Enforcement Order 2019 made by the Competition and Markets Authority ('CMA') on 19 December 2019

Completed acquisition by Tobii AB of Smartbox Assistive Technology Limited and Sensory Software International Ltd

We refer to your emails dated 20 and 21 May 2020 requesting that the CMA consents to derogations to the Tobii AB (publ) and Smartbox Enforcement Order 2019 (the "**Enforcement Order**") of 19 December 2019. The terms in the Enforcement Order have the same meaning in this letter.

Under the Enforcement Order, except with the prior written consent of the CMA, Tobii AB (publ) ("**Tobii**") is required to hold separate the Tobii business from the Smartbox and Sensory Software businesses (together "**Smartbox**"), and refrain from taking any action which might prejudice the Effective Divestiture, the CMA's decisions in the Final Report or otherwise impair the CMA's ability to take such action for the purpose of remedying, mitigating or preventing the SLC or any adverse effect which has resulted from, or may be expected to result from, the SLC findings.

After due consideration of your request for derogations from the Enforcement Order, based on the information received from you and in the particular circumstances of this case, Tobii may carry out the following actions, in respect of the specific paragraphs:

Paragraph 4.2(p)

Given recent developments, the CMA understands that it is necessary for Tobii to access certain information relating to the Smartbox business to enable Tobii to [REDACTED]. The CMA also understands that this information will cover the following ("**Relevant Smartbox Information**"):

[REDACTED]

All data requested is from January 2017 to April 2020, and to be updated with actuals to the month prior to closing of the sale of Smartbox. The data is to be provided quarterly for 2017 to 2018, and monthly for 2019 and 2020, except for [REDACTED], which can be quarterly up until March 2020, and monthly from April 2020 and onwards.

Based on the information received from you and in the particular circumstances of this case the CMA grants this derogation subject to the following conditions:

- a) the information shared is limited to the Relevant Smartbox Information (or as amended with the prior written consent of the CMA);

- b) the recipients at Tobii of the Relevant Smartbox Information are limited to the following (or as amended with the prior written consent of the CMA):

[REDACTED]

- c) each recipient listed in (b) above (or as amended with the prior written consent of the CMA) have entered into a confidentiality agreement in a form approved by the CMA.

Kip Meek

Remedies Implementation Group Chair

26 May 2020