



COMPETITION COMMISSION OF INDIA
(Combination Registration No. C-2017/03/493)

2nd May, 2017

Notice under Section 6 (2) of the Competition Act, 2002 given by Integra LifeSciences Holdings Corporation.

CORAM:

Mr. Devender Kumar Sikri
Chairperson

Mr. Sudhir Mital
Member

Mr. U.C. Nahta
Member

Mr. G.P. Mittal
Member

Legal Representative: Chandhiok & Associates

Order under Section 31(1) of the Competition Act, 2002

1. On 16th March, 2017 the Competition Commission of India (hereinafter referred to as the “**Commission**”) received a notice from Integra LifeSciences Holdings Corporation (“**Integra/Acquirer**”). The notice was filed pursuant to execution of Final Binding Offer dated 14th February, 2017 entered into between Integra and DePuy Synthes, Inc. (“**DePuy**”). (Hereinafter, Integra and DePuy are collectively referred to as “**Parties**”).



COMPETITION COMMISSION OF INDIA
(Combination Registration No. C-2017/03/493)



Fair Competition
For Greater Good

2. The proposed combination relates to acquisition by Integra of certain neurosurgical business assets of the Codman Neurosurgery Business (“CNS/Target Business”) of DePuy (“Proposed Combination”) by way of an asset sale.
3. The notice has been filed under sub-section 2 of section 6 of the Competition Act, 2002 (“Act”), read with section 5(a) of the Act.
4. Integra, a U.S. based medical technology company develops, manufactures and sells medical devices, *inter-alia*, used in orthopaedics, neurosurgery, plastic surgery, burn care wound care and reconstructive surgery. It has been stated in the notice that Integra has no subsidiary in India and does not manufacture any products in India.
5. DePuy, a Delaware Corporation, is a subsidiary of Johnson & Johnson and is engaged in the business of manufacturing orthopaedic and neurological devices. CNS consists of certain assets of a business division of DePuy. It has been stated in the notice that DePuy, including CNS does not manufacture or sell any products in India directly or through a subsidiary. However, Johnson & Johnson Private Limited, an affiliate company in which DePuy holds a minority stake has sales in India including minimal sales through CNS.
6. The Commission observed that the Parties have horizontal overlap in relation to one product i.e. reusable bipolar forceps in India and noted that combined market share of Parties in relation to reusable bipolar forceps is insignificant in India. The Commission also observed that there are numerous competitors like Aesculap (B. Braun), Erbe, B.Martin, Medtronic, Kirwan, Mizuho Medical, ProMed Instruments, ConMed and Eschmann, *etc.* selling reusable bipolar forceps in India.
7. The Commission noted that Parties do not have any vertical relationship in India with respect to CNS.
8. Considering the facts on record, details provided in the notice given under sub-section (2) of Section 6 of the Act and assessment of the proposed combination on the basis of factors stated in sub-section (4) of Section 20 of the Act, the Commission is of the opinion that proposed combination is not likely to have an appreciable adverse effect on competition in India and therefore, the Commission, hereby, approves the same under sub-section (1) of Section 31 of the Act.



COMPETITION COMMISSION OF INDIA
(Combination Registration No. C-2017/03/493)



*Fair Competition
For Greater Good*

9. This order shall stand revoked if, at any time, the information provided by the Parties is found to be incorrect.
10. The information provided by the parties shall be treated as confidential in terms of and subject to provisions of Section 57 of the Act.
11. The Secretary is directed to communicate to the parties accordingly.