



MEDIA RELEASE

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ACCC will not oppose proposed IPH - Xenith acquisition

The ACCC will not oppose the proposed acquisition of Xenith IP Group Limited (ASX: XIP) by IPH Limited (ASX: IPH).

IPH and Xenith are holding companies of intellectual property (IP) businesses, and the proposed acquisition would combine two of the largest suppliers of IP services in Australia.

The ACCC's investigation of this proposed acquisition examined competition in the supply of Australian IP services, such as patents, trademarks, designs and plant breeder's rights.

"Most customers we consulted did not express concerns," ACCC Commissioner Roger Featherston said.

"Corporate customers who seek patent services rely on the expertise and infrastructure of large IP firms to handle their work in complex technology areas and to manage their volume of patent filings. The merged IPH-Xenith entity would have a market share of about 40 per cent of total patent filings."

"We consider that other firms, including subsidiaries of QANTM and several independent firms, would likely provide sufficient competitive constraint on the new entity," Mr Featherston said.

"Trademark services require less specialist technical expertise than patent services. We believe that other IP firms and commercial law firms provide a competitive constraint because they are a viable alternative."

"We also have no competition concerns regarding designs services or plant breeder's rights services," Mr Featherston said.

On 21 March 2019, the ACCC announced that it [would not oppose the proposed merger of QANTM and Xenith](#).

"The ACCC has assessed QANTM merging with Xenith and IPH acquiring Xenith as alternatives. Our decisions do not apply to any merger of all three of these ASX-listed IP services groups. Any further consolidation in the IP services industry will require further investigation," Mr Featherston said.

Further information is available at the ACCC public register.

Background

Intellectual property services are services associated with the registration, protection, commercialisation, enforcement and management of intellectual property rights.

IPH is an ASX-listed holding company of a group of businesses that supply intellectual property services to Australian and international clients. IPH's IP businesses include Spruson & Ferguson, Pizeys and AJ Park.

Xenith is an ASX-listed holding company of a group of businesses that supply intellectual property services to Australian and international clients. In Australia, Xenith's IP businesses

include Griffith Hack, Shelston IP, Watermark Intellectual Property and Glasshouse Advisory.

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