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Our ref: IM-71146
Contact officer: Sam Campbell / Will Sommers
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25 March 2021

Dear interested party,

Request for submissions: Dye & Durham's proposed acquisition of GlobalX

The Australian Competition and Consumer Commission (**ACCC**) is seeking your views on the proposed acquisition of GlobalX Information Pty Ltd (**GlobalX**) by Dye & Durham Corporation (**D&D**) (the **proposed acquisition**).

D&D (which acquired SAI Global's Property Division in January 2021) and GlobalX provide information search and broking services Australia-wide, and jurisdiction specific conveyancing software solutions and lodgement services, including manual search, mortgage and lodgement services. Further details regarding the acquisition can be found at **Attachment A**.

The ACCC's investigation is focused on the impact on competition. In particular, we are seeking your views on:

- whether D&D and GlobalX compete closely in the supply of:
 - information search and broking services;
 - conveyancing software solutions and lodgement services; and
 - manual search, mortgage and lodgement services;
- the ability of customers to switch between alternative suppliers for each of the above services; and
- the impact on price, innovation and service levels if the proposed acquisition proceeds.

Further issues you may wish to address are set out in **Attachment B**.

This matter is public and you can forward this letter to anybody who may be interested.

The legal test which the ACCC applies in considering the proposed acquisition is in section 50 of the *Competition and Consumer Act 2010*. Section 50 prohibits acquisitions that are likely to have the effect of substantially lessening competition in a market.

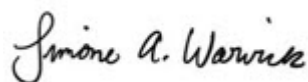
Please provide your response by **5pm on 15 April 2021**. Responses may be emailed to mergers@acc.gov.au with the title: *Submission re: D&D/GlobalX - attention Sam Campbell / Will Sommers*. If you would like to arrange a time to discuss the matter with ACCC officers, or have any questions about this letter, please contact Sam Campbell on (03) 9290 1870 or Will Sommers on (03) 9910 9444.

Updates regarding the ACCC's investigation will be available on the ACCC's Public Mergers Register at ([ACCC mergers register](#)).

Confidentiality of submissions

The ACCC will not publish submissions regarding the proposed acquisition. We will not disclose submissions to third parties (except our advisors/consultants) unless compelled by law (for example, under freedom of information legislation or during court proceedings) or in accordance with s155AAA of the *Competition and Consumer Act 2010*. Where the ACCC is required to disclose confidential information, the ACCC will notify you in advance where possible so that you may have an opportunity to be heard. Therefore, if the information provided to the ACCC is of a confidential nature, please indicate as such. Our [Informal Merger Review Process Guidelines](#) contain more information on confidentiality.

Yours sincerely



Simone Warwick
General Manager (A/g)
Merger Investigations Branch

Attachment A

The proposed transaction

D&D proposes to acquire 100% of the issued share capital in GlobalX.

Dye & Durham

D&D is an international provider of cloud-based software and technology solutions to legal and business professionals including lawyers and conveyancers. D&D acquired SAI Global's Property Division in January 2021.

In Australia, D&D – through SAI Global – is an information broker supplying information services to corporate clients. D&D also provides conveyancing software solutions (Iceridge and Conveyancing Manager) and property settlement related services. Iceridge is a recently launched platform, and includes access to certificate searching and is integrated with PEXA.

GlobalX

GlobalX is an information broker offering information search services and manual services, including through the search platform GlobalX Terrain.

GlobalX also provides end-to-end conveyancing software solutions (including IDSecure VirtualVOI, and SignMe) and legal practice management (LPM) software (including Open Practice and Matter Centre).

Attachment B

1. Please provide a brief description of your business or organisation, including any commercial relationship/s you have with either of D&D (including SAI Global Property Division) or GlobalX.

Information broking services

Questions for all market participants

2. Please discuss the closeness of competition between D&D and GlobalX for the supply of information broking services.
3. Please identify and describe other suppliers and the extent to which they compete with D&D and/or GlobalX in the supply of information broking services.
4. Please also identify and describe any especially vigorous or effective competitors in the market, including in terms of price discounting, promotional activity, product innovation or new technologies.

Questions for customers

5. Please identify and describe the types of information services you procure in Australia and identify your current suppliers.
6. Please describe how you procure information services — for example, through formal tender or other methods — including typical contract duration and ability to terminate arrangements.
7. Please comment on the importance of procuring all information search services and/or e-conveyancing services from a single supplier.
8. Please discuss whether 'add-on' services, such as eContract or data visualisation services, are significant when deciding between suppliers.
9. Please identify and describe the alternative suppliers capable of servicing your needs.

Questions for competing information brokers

10. Please discuss how the data you collect is packaged and sold to your customers.
11. Please discuss the extent to which your organisation competes with D&D and/or GlobalX in the supply of information broking services.
12. Please comment on your ability to expand supply of information broking services, in response to the combined D&D/GlobalX attempting to increase prices or decrease their service levels.
13. Please outline your views on barriers to entry and expansion in the relevant market/s, having regard to factors including but not limited to the following:
 - a. economies of scale and the minimum efficient scale of market entry;
 - b. costs and timeframe for market entry;
 - c. any regulatory barriers;

- d. access to key data inputs; and
- e. examples of recent market entry and exit.

Other possible competitive overlaps

- 14. Please discuss the closeness of competition between D&D and GlobalX for the supply of any of the following:
 - a. conveyancing software solutions and lodgement services in Australia;
 - b. LPM software in Australia; and
 - c. manual search, mortgage and lodgement services in each state or Territory.
- 15. For any of 14 (a)-(c) for which you consider there is close competition between the parties, please identify competing suppliers and any particularly vigorous or effective competitors.

Vertical integration

- 16. Please provide your views on:
 - a. whether a combined D&D/GlobalX could bundle or tie its services together (including information services, conveyancing software, LPM software, and manual property services);
 - b. the extent to which a combined D&D/GlobalX could be integrated with PEXA in future;
 - c. any barriers for competitors of D&D/GlobalX to integrate with PEXA or access PEXA's services; and
 - d. whether customers would have the ability to bypass supply of any of the products or services from the combined D&D/GlobalX by either self-supplying or sponsoring the entry of another supplier.

Any additional information

- 17. Please provide any additional information or comments relevant to the ACCC's consideration of the proposed acquisition.