
From: Mergers
Subject: Google LLC – Mandiant Inc

Dear interested party

As you may be aware, Google LLC (**Google**) proposes to acquire Mandiant, Inc (**Mandiant**). We are seeking your views on this proposal because we understand you have an interest in markets that may be affected.

The Australian Competition and Consumer Commission (**ACCC**) is an independent statutory authority responsible for investigating whether mergers are likely to substantially lessen competition. You can view our public register page [here](#).

Google is a global supplier of software and internet-based services. Mandiant supplies cybersecurity software and services. Both parties are listed on the NASDAQ Stock Exchange and supply a range of products in Australia, including in relation to cybersecurity.

Please see our specific questions below and feel free to also address any other issues you think are relevant. We would be happy to receive your response by email or have a discussion with you over the phone or via Microsoft Teams.

If you would like to comment in writing, please do so by **18 July 2022** by return email. Alternatively, you can call Sophie Musker on 03 9658 6408 or Natalie Ngo on 03 9910 9418, if you prefer to set up a time to discuss or if you need more time to respond.

Questions

1. Please provide a brief description of your organisation, and the reasons for your interest in the proposed acquisition, including any commercial relationships with Google and Mandiant. This will help us to better understand your views.
2. How competitive are the markets for the supply of the following computer-based products in Australia. Please explain your answer:
 - a. Cloud software and platforms
 - b. Cybersecurity software;
 - c. Cybersecurity consulting services, in particular incident response and threats management and detection.
3. Do Google and Mandiant compete in the provision of any of the above product groups? If so, how closely do they compete in terms of price, quality and terms of trade, and who are their other major competitors?
4. Could the proposed acquisition impact competition in markets for the supply of 'Cloud services' in which Google is an active competitor through its Google Cloud brand?
5. Could the proposed acquisition impact competition in other markets in which Google competes through the supply of various products (for example, Android, Chrome, hardware, Gmail, Google Drive, Google Maps, Google Photos, Google Play, Search, YouTube)?
6. Do you have any concerns with the proposed acquisition? Please provide reasons for this view.

Please clearly indicate if any information you provide is confidential. The ACCC treats sensitive information it receives during a merger review as confidential and will not publish your submission. 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, we will notify you in advance where possible so that you have an opportunity to be heard. Our [Informal Merger Review Process Guidelines](#) contain more information on confidentiality.

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

If you have any questions, please let me know.

Kind regards

Natalie Ngo (*she/her*)

Analyst | Merger Investigations | Mergers, Exemptions and Digital Division

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