

Subject: Facebook / Kustomer - Market Inquiries Email - 30 March 2021

Dear interested party

The Australian Competition and Consumer Commission (**ACCC**) is an independent statutory authority responsible for investigating whether mergers are likely to substantially lessen competition.

We are seeking your views on the proposed acquisition of Kustomer, Inc. (**Kustomer**) by Facebook, Inc. (**Facebook**) (the **proposed acquisition**). Facebook, through its three messaging channels (Messenger, Instagram Messaging and WhatsApp) facilitates, among other things, communications between businesses and customers. Kustomer is a supplier of customer relationship management (**CRM**) software (focused on customer service).

We are particularly interested in your views on the below points. We would be happy to receive your response by email, or have a discussion with you over the phone.

Amongst other things, we are seeking to understand:

1. How important Facebook Messenger, Instagram Messaging and WhatsApp are to businesses in communicating with customers.
2. How businesses manage communications with customers, including CRM software or other solutions.
3. The availability of alternatives to Kustomer's CRM solution and how alternative CRM solutions compare based on price, quality and functionality.
4. The importance of being able to integrate a CRM solution with (i) Facebook and (ii) other customer communication technologies (such as email, phone, SMS etc.).
5. The value of the data collected through Kustomer's CRM solution and alternative CRM suppliers and whether the proposed acquisition advantages Facebook in any of its offerings related to the use of data.
6. Any competition concerns relevant to the ACCC's consideration of the proposed acquisition.

To help us understand your views, please provide a brief description of your business or organisation and outline any reasons for your interest in the proposed acquisition, including any commercial relationship/s with either of Facebook or Kustomer.

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

If you would like to make a comment, please do so by **Thursday 22 April 2021** via email to mergers@acc.gov.au addressed to Morgan Woodland and Mark Basile. Alternatively, call me on 02 9230 9194, or call Mark Basile on 03 9290 1855 if you prefer to set up a phone call to discuss.

The ACCC will treat any comments confidentially, and will not publish submissions regarding the proposed transaction. 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.

If you have any questions, please do not hesitate to contact me,

Kind regards

Morgan Woodland