SEVERAL FIRMS IN SALE OF ONTEX SHARES IN MABE TO SOFTYS FOR €265M

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Categories: Competition & Antitrust, Deal & transactions
Tags: Alfredo Chávez, Amílcar Peredo, Antitrust, Antonio Del Pino, Barros & Errázuriz, Basham Ringe y Correa, Belgium, Bernardo Reyes, Bernardo Simian Soza, Chantal Kordula, Chile, Cleary Gottlieb, CMPC, cofece, competition, Corporate, Cristina Massa, Daniel Ilan, DLA Piper, Enrique Barros Vial, GC, Gonzalez Calvillo, Hernando Becerra, HL, Hogan Lovells, Honduras, Jeff Tochner, José Víctor Torres, Latham & Watkins, Laurent Legein, M&A, Marijke Spooren, Mexico, Nicaragua, Ontex, Oscar Moreno, René de Vera, sale of shares, slider, Softys, US, William McRae

Several firms have advised on the sale by Ontex Group NV of all of its shares in Grupo P.I. Mabe and Productos Internacionales Mabe, which constituted part of its business in Mexico, for a total net amount of €265 million to Softys.

This transaction was signed on 28 July 2022 and closed on 2 May 2023, and involved the jurisdictions of Mexico, USA (New York), Belgium, Chile, Honduras and Nicaragua.

The firms advising Ontex were Gonzalez Calvillo in Mexico, DLA Piper as Chilean counsel, and Cleary Gottlieb Steen & Hamilton as counsel in Belgium and the US. Advising Softys were Hogan Lovells, as Mexican transactional counsel; Basham Ringe y Correa, as Mexican antitrust counsel; Barros & Errázuriz, as Chilean counsel; and Latham & Watkins, as Belgian and US counsel.

The sale included Ontex's manufacturing plant located in the State of Puebla, Mexico, the brands of the business, as well as exports to certain regional markets. The target business employs around 1,000 production employees and 350 corporate employees.

The Ontex manufacturing facility located in the city of Tijuana, Baja California, Mexico, will remain part of Ontex and will form an integral part of Ontex' operations in the North American region.

The transaction involved unconditional clearance from the Federal Economic Competition Commission (Cofece, in Mexico) following a review of overlaps between Ontex and Softys in personal care products. It also involved a carve-out or separation of Ontex's Tijuana business and antitrust, regulatory, energy and real estate proceedings resulting from the creation of a new Mexican vehicle for Ontex that now operates the Tijuana business.

Ontex is an international supplier of hygiene and personal care products, including baby nappies, feminine hygiene products and adult incontinence products, based in Brussels, Belgium.

Softys, on the other hand, is a Chilean company with a strong presence in Latin America, dedicated to the manufacture and marketing of personal care products and tissue paper, part of Chile-based Empresas CMPC.

For Softys, the acquisition will strengthen its business lines of baby nappies, pants, adult incontinence products and feminine wipes both in Mexico and in the Latin American region, adding important brands to its portfolio such as BBTips, Chicolastic, BioBaby, Affective, Fiore, among others.

Latham & Watkins' corporate team was led by Global Chair of the Latin America practice **Tony Del Pino** (pictured top left), with associate **Francisco Lanusse**. In addition, partner **René de Vera** advised on tax matters and partner **Jeff Tochner**, with associates **Sebastian Moss** and **Dewey Kang**, on intellectual property.

Cleary Gottlieb's M&A team included partners **Laurent Legein** (pictured top centre) and **Marijke Spooren** (pictured top right) and associates **Ruben Foriers**, **Alexia Duquesne**, and **Michiel De Wolf** in the Brussels office, and partner **Chantal Kordula** and law clerk **Daniel Oyolu** in the New York office. Counsel **Andris Rimsa** and associate **Julie De Vrieze** provided antitrust advice. Partner **Daniel Ilan** and associates **Gaia Shen** and **Amy Garland** advised on intellectual property aspects. Partner **William McRae** and associate **Kylie Barza** advised on tax aspects.

Barros & Errázuriz' team comprised partners **Bernardo Simian** and **Enrique Barros**, as well as senior associate **Juan Ignacio Galdámez** and associate **María Hamilton**.

Basham Ringe y Correa's team included partner **Amílcar Peredo** (pictured bottom left), senior associate **León Jiménez** and junior associate **Juan María López Cortina**.

Gonzalez Calvillo advised through its M&A team comprising partners **José Víctor Torres** (pictured bottom centre) and **Bernardo Reyes Retana** (pictured bottom right), counsel **Alberto Bustamante**, associates **Jerónimo Ramos**, **Fernanda Koloffon** and **Diego Hernández**, and trainee **Valeria Camacho**. The competition team included partner **Cristina Massa**, counsel **Patricio Martínez**, and associates **Daniel González** and **Priscila Barba**. In the energy area, partners **Oscar Moreno** and **Hernando Becerra** advised together with associate **Pedro Lladó**. The real estate team participated through partner **Alfredo Chávez** and associate **Haydeé González**. Counsel **Enrique Muñoz** and associate **Georgina Zavala** provided advice on environmental matters.