

Sheinberg, Samuel I.

To: HSRHelp; HSR Auto Forward List
Subject: RE: Questions related to New HSR Form Requirements

From: Whitehead, Nora
Sent: Wednesday, February 26, 2025 1:22:57 PM (UTC-05:00) Eastern Time (US & Canada)
To: [REDACTED]
Cc: HSRHelp
Subject: RE: Questions related to New HSR Form Requirements

Thanks for your patience. Yes, this is correct.

From: HSRHelp <HSRHelp@ftc.gov>
Sent: Monday, February 24, 2025 1:55 PM
To: HSR Auto Forward List <HSRAutoForwardList@ftc.gov>
Subject: FW: Questions related to New HSR Form Requirements

From: [REDACTED]
Sent: Wednesday, February 19, 2025 9:05 PM
To: HSRHelp@ftc.gov
Subject: RE: Questions related to New HSR Form Requirements

Dear PNO team,

I had an additional question related to the new HSR rules.

On p. 5 of the HSR form Acquiring Person Instructions there are two requests related to "Officers and Directors" where the requests ask with regard to certain officers and directors if they "serve as an officer or director of another entity that derives revenue in the same NAICS codes reported by the target."

Am I correct that the reference to deriving revenue in the same NAICS codes only relates to revenue derived by the U.S. operations of the "target" and the "another entity" consistent with the "Revenues and Overlaps" section of the instructions on pages 10-14 of the Acquiring Person Instructions? In other words, we only would look at the NAICS codes used by the target for its U.S. operations and then see if the "another entity" derived revenue under the same NAICS codes from its U.S. operations?

Thank you.

[REDACTED]