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# CMS European M&A Study 2016

**Eighth Edition** 

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The results of the Study and/or this report and the conclusions presented in the Study and/or this report do not necessarily reflect the views of any member of CMS, the lawyers or the support staff who assisted with preparation of the Study and/or this report. The Study and/or this report evaluated nearly 2,800 M&A transactions. Inevitably, there were many differences between the underlying agreements, and the vast majority of them were negotiated. In order to compare the results, individual provisions were categorised. When categorising the individual provisions, a degree of subjective judgment was necessary. Although certain trends can be deduced from the Study and/or this report, each transaction has individual features which are not recorded in the Study and/or this report and to which no reference is made. As a result, the conclusions presented in the Study and/or in this report.

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# M&A in 2016

2015 was a landmark year for M&A. There were several industry game-changing deals. Each of the first three quarters of 2015 saw European M&A deal value exceeding EUR 170bn culminating in Q4 2015 being the highest ever deal value quarter for Europe (EUR 420bn), and 2015 being a record year for global M&A.

Europe had a record year with deal value up 22% to EUR 990bn although volume was slightly down by 6% to 6,200 deals. There was a significant imbalance between inbound and outbound activity with aggressive US investment fuelling a 54% increase in European inbound M&A but a weak Euro contributing to a 27% decrease in European outbound M&A. 2015 also saw increased activity from private equity and other financial investors, both as buyers and sellers. Europe maintained a healthy 25% share in the global M&A market.

As we move into 2016, we see various grey or black swans. There is the long predicted slowdown of the rate of economic growth in China; the greatest migration to Europe for a century across a fragile Schengen zone; interest rate rises in the US and a clampdown on inversion deals; a US presidential election with the possibility of one of the most divisive candidates in US election history; a more aggressive corporate tax climate; a ground breaking EU in/out referendum in the UK which could change the political face of Europe; and the dark shadow of ongoing terrorist threats.

Yet major strategic moves made in so many industries are bound to elicit a forthright response from competitors. Funding capacity remains strong whilst the low oil price (a great threat to the oil industry itself) provides an advantage to manufacturing industries.

# Opportunities for decisive M&A continue.

Our new CMS European M&A Study 2016 covers nearly 2,800 deals and we focus on the 391 CMS deals in 2015 and the 1,654 CMS deals in the period 2010–2014 by way of comparison. We have also introduced some new features and trust that the Study will assist you in your everyday M&A life.



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# You lead your industry – choose an M&A lawyer who leads theirs

In 2015, CMS advised on more successful M&A deals in Germany, CEE, France and UK – as well as Europe overall – than any other law firm<sup>\*</sup>. In tough times, we know experience counts. So whatever transactions you have ahead in 2016, we hope you'll count on us.

#### \*Rankings by deal count 2015:

- #1
  - Europe (Bloomberg, Thomson Reuters)
- Germany (Bloomberg, Mergermarket, Thomson Reuters)
- CEE (Bloomberg, Mergermarket, Thomson Reuters)
- France (Bloomberg)
- UK (Bloomberg up to USD 500m)

### #2

- Europe (Mergerma
- UK (Bloomberg
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- Benelux (Bloomberg)

#### #3

 Global (Bloomberg up to USD 500m)



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