



## Questionnaire: Caterpillar - RPM

MN-01058

**Deadline to respond: 5.00pm (AEDT) on 18 November 2025**

The Australian Competition and Consumer Commission (**ACCC**) is currently assessing Caterpillar Inc.'s (**Caterpillar**) proposal to acquire 100% of the fully diluted share capital in RPMGlobal Holdings Limited (ASX:RUL) (**RPM**), through a scheme of arrangement (the **Acquisition**).

For further information about the ACCC's assessment of the Acquisition, see the ACCC's [Acquisitions Register](#).

The ACCC is assessing the impact of the Acquisition on competition and is seeking information and views from stakeholders on a range of issues. The questions below request views in respect of the Acquisition. Please only respond to the questions that are relevant to you or your business.

The ACCC invites you to provide submissions or information in response to the questions below by **5.00pm (AEDT) on 18 November 2025** via email to [mergers@acc.gov.au](mailto:mergers@acc.gov.au) with the title *Submission re: Caterpillar - RPM*.

If you would prefer to speak to a member of the ACCC case team, please email [mergers@acc.gov.au](mailto:mergers@acc.gov.au) with the title *Request for call re: Caterpillar - RPM*. Someone from the case team will contact you to find a suitable time for a call.

Please note that:

- This request is made in accordance with section 51ABZZD(2)(a) and (c) of the *Competition and Consumer Act 2010* (Cth) (the **Act**). This means that while the ACCC may take into account submissions or information received after the due date, it is not required to do so.
- In responding to the questions below or when providing a submission, please highlight and/or mark any confidential information. The standard terms on which the ACCC accepts confidential information are outlined at the end of this document.

## Questions

### ***General questions***

1. Please provide a brief description of your business or organisation, including any commercial relationships with Caterpillar or RPM.

2. Outline any concerns you have regarding the impact of the Acquisition on competition for the supply of services or products to the mining industry.

3. Provide any additional information or comments that you consider relevant to the ACCC's assessment of the Acquisition.

### ***Questions for mining customers***

4. Provide a brief description of your current fleet of mining equipment, noting which equipment you acquire or have acquired from Caterpillar.

5. Identify any potential alternative suppliers for your current fleet of mining equipment, including with reference to factors such as quality, price, availability and how closely they compete with Caterpillar's products.

6. List any products or equipment in your current fleet that you acquire or have acquired from Caterpillar, for which there are no effective substitutes available from alternative suppliers.

7. Describe any barriers there are to switching OEMs for your mining equipment.

8. Provide a brief description of the software products (noting products you acquire or have acquired from RPM) you use for:

a. Asset Management

b. Financial modelling

c. Mine operations, planning and scheduling

9. Identify any alternative suppliers of the software products identified in response to question 8, including with reference to factors such as quality, price and how closely they compete with RPM's products.

a. Asset Management

b. Financial modelling

c. Mine operations, planning and scheduling

10. List any products or services that you acquire or have acquired from RPM, for which there are no effective substitutes available from alternative suppliers.

11. Describe any barriers there are to switching your software suppliers, for example with respect to cost, data ownership and interoperability.

12. Describe how you procure mining equipment and software products, including if your business or organisation has a preference for tendering for these products together.

***Questions for OEMs***

13. To what extent do you compete with Caterpillar in the supply of mining equipment? Please identify the types of Caterpillar products in which you compete.

14. To what extent is your equipment interoperable with RPM or other asset management, financial modelling or mine operations, planning and scheduling software products? Please list the software products your mining equipment is interoperable with.

15. Do you currently use RPM's software in your own business or organisation? If so, please identify any alternative suppliers of the software products you use.

16. Do you offer or bundle any software products with your equipment for mining customers? If so, please provide a brief description of your software products.

***Questions for software suppliers***

17. Identify barriers to entry and expansion in the supply of mining industry specific software, including asset management, financial modelling, and mining operations, planning and scheduling software. As a part of your response, explain the estimated timeframes for any entry or expansion.

18.Explain whether you compete with RPM in the supply of any software products for the mining industry. If so:

- identify which RPM products you compete with, and
- respond to questions 19 and 20.

19.Describe how you charge your customers, for example, whether your software is subscription or licence based?

20.Do your customers own the data they input into your software, and to what extent is your software interoperable with Caterpillar and other OEMs' mining equipment?

### **Confidentiality of responses**

During the ACCC's assessment of a notified acquisition, the ACCC may receive information that is properly regarded as being confidential, and which is provided to the ACCC in confidence. The ACCC is committed to treating this information responsibly and in accordance with the law. The ACCC understands the importance of confidentiality to parties involved in a notified acquisition, as well as to third parties that provide information to the ACCC.

The standard terms on which the ACCC accepts confidential information are:

- there is no restriction on the internal use, including future use, that the ACCC may make of the confidential information consistent with the ACCC's statutory functions
- confidential information may be disclosed to the ACCC's external advisors and consultants on condition that each such advisor or consultant will be informed of the obligation to treat the information as confidential, and
- the ACCC may disclose the confidential information to other third parties if compelled by law or in accordance with section 155AAA of the Act. This includes disclosures made in the performance of official duties or functions, which include transparency requirements which are part of the merger control regime.

**For further information on confidentiality, see the ACCC's [interim merger process guidelines](#)**