

Hospitality, Travel & Tourism

Members of Foster Garvey's Hospitality, Travel & Tourism group are well-versed with an industry operating under the ancient "law of innkeepers, bailments and barter," while at the same time, drafting and negotiating real estate purchase and sale agreements, management agreements, franchise agreements, group sales agreements and intellectual property licenses for today's business needs. From traditional real estate acquisitions, disposition and financings to high-end restaurant concept protection to technology agreements for the very latest geo-location mobile apps (fully integrating client and guest content across brand websites to multiple social media platforms), our attorneys' substantive knowledge has been perfected by years of collective experience applying it to real-world, practical issues facing owners and operators in the hospitality, travel and tourism industries.

Our clients include local, national and international hotels and resorts, restaurants (from a foodie's dream to the fast food franchise), wineries, distilleries and breweries. They vary in size, from the sole proprietor of a four-room bed and breakfast to a publicly traded, international owner, operator and franchisor of hundreds of limited and full-service hotels.

Because we have a deep understanding of the hospitality, travel and tourism industries based on years of legal experience married to practical industry knowledge, we are prepared to anticipate and resolve legal issues in ways that help to ensure your business thrives.

Representative Matters

Real Estate

- Sale of two boutique hotels in Seattle and Portland
- Acquisition and financing of full service resort and marina in San Diego on behalf of pension fund advisor
- Ground up development of four-star downtown Seattle luxury hotel and residences

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Related Services

Business & Corporate
Finance
Commercial & IP
Transactions
Construction
Employee Benefits &
Executive Compensation
International
Labor, Employment &
Immigration
Litigation
Mergers & Acquisitions
Real Estate

- Private placement offerings for two new Northwest restaurant chains

Operations

- Negotiation of limited-service, full-service and extended-stay management contracts for hotels in Washington, Oregon, Nevada, California, Montana, New York, Massachusetts and Texas
- Negotiation of restaurant management agreements, celebrity-chef consulting and licensing agreements and franchise agreements for restaurants in Washington, Oregon, Georgia, Texas and Missouri
- Negotiation of franchise and license agreements with Marriott, Starwood, Intercontinental Hotel Group, Choice and Carlson
- Negotiation of national Wi-Fi bundled services and standard ISP/telecommunication service agreements with Level 3, Century Link, Comcast and Time Warner
- Negotiation of international on-line and off-line distribution agreements, including private and flash sales, with Expedia, Priceline, Travelocity, Booking.com, American Express, Visa, GTA, Kayak, Gilt/Jetsetter and Rue La La
- Preparation of form group and FIT sales agreements
- Negotiation of global marketing and loyalty partnerships with American Express, Visa, Mastercard, Air Canada, Singapore Airlines, Air China and Qatar Airlines
- Negotiation of national vendor and supplier agreements, including in-room entertainment systems, food and beverage, energy management and engineering services
- Negotiation of national technology development agreements, in-licenses and support agreements for PMS, CRS, GDS access, CRM, cloud services, website development and mobile application development
- Privacy and PCI compliance consulting and advice

Blog Posts

Online Travel Update: Tripadvisor launches beta application to help travelers avoid crowds at public places; Southwest pursues claims against unauthorized OTA; Chinese OTAs actively pursue traditional hotel investments

Duff on Hospitality Law, 1.22.21

Online Travel Update: Trump Administration bans Alipay; JetBlue withholds flight information from Fareportal; outdoor booking startup Hipcamp connects landowners with campers

Duff on Hospitality Law, 1.15.21

Online Travel Update: 2020 Year in Review

Duff on Hospitality Law, 1.8.21

Online Travel Update: Agoda adds installment payments, and Expedia scales back its non-core businesses while its competitors press forward

Duff on Hospitality Law, 12.31.20

Online Travel Update: VResorts launches first virtual reality booking platform; Lufthansa and Sabre settle differences; EU releases anticipated online regulations

Duff on Hospitality Law, 12.24.20

Online Travel Update: Airbnb's blockbuster IPO arrives with \$100 billion valuation; Expedia dismisses launch of Google's Travel Insights; RVs gain popularity as new mode of accommodation and travel

Duff on Hospitality Law, 12.18.20

Online Travel Update: Accor and Marriott's interest in short-term rental interest grows; new tax claims filed against OTAs in Nevada, EU regulations postponed again

Duff on Hospitality Law, 12.11.20

Online Travel Update: Increased importance of contactless engagements may fuel growth of a startup, Volara, in 2021, and IATA announces COVID-19 Travel Pass

Duff on Hospitality Law, 12.3.20

Online Travel Update: Kyte is featured in PhocusWire's Hot Travel Startups for 2021; Booking Holdings discusses pressures predicament of the hotel industry; Airbnb's IPO upholds its status as a global distribution powerhouse

Duff on Hospitality Law, 11.24.20

OTA & Travel Distribution Update: JetBlue announces plans to distribute short-term rentals; Beachy, one of PhocusWire's Hot Travel Startups for 2021; Fintech may be the key to online travel recovery

Duff on Hospitality Law, 11.20.20

OTA & Travel Distribution Update: Tripadvisor explores consumer subscription program; Airbnb faces potential class action over refund and cancellation policies; leading OTAs issue third-quarter earnings releases

Duff on Hospitality Law, 11.13.20

OTA & Travel Distribution Update: Tensions between Google and Booking.com become public; Google confirms recent Expedia research points to increased OTA reliance

Duff on Hospitality Law, 11.5.20

OTA & Travel Distribution Update: Booking.com adds direct flight search for U.S. travelers and anticipates what's next for future of travel; the online travel industry reacts to the Department of Justice's antitrust claims against Google

Duff on Hospitality Law, 10.30.20

OTA & Travel Distribution Update: Hotel partnerships with co-working companies continue to rise; Google plans to phase out third-party cookies from Chrome; Expedia and Agoda claim COVID-19 has killed the 'sacred cow' of rate parity

Duff on Hospitality Law, 10.16.20

OTA & Travel Distribution Update: OTA Insight introduces Rate Parity Distribution certification program; Amazon introduces virtual experiences; Booking.com pursues domestic development opportunities

Duff on Hospitality Law, 10.12.20

OTA & Travel Distribution Update: Booking.com remains bullish on long-term prospects of short-term rentals and introduces longer-stay rates; CitizenM introduces corporate traveler subscription program

Duff on Hospitality Law, 10.2.20

OTA & Travel Distribution Update: Marriott's transition to Expedia Partner Solutions and recent successes with short-term rental program; MakeMyTrip's expansion into United Arab Emirates

Duff on Hospitality Law, 9.24.20

OTA & Travel Distribution Update: Air France-KLM and Delta take vastly different approaches to airline distribution; false advertising claims against Expedia is ready for trial

Duff on Hospitality Law, 9.18.20

OTA & Travel Distribution Update: Apple's updated privacy practices may create headaches for marketers

Duff on Hospitality Law, 9.10.20

OTA & Travel Distribution Update: Online travel suppliers come and go on Google's short-term rental platform; Google launches contactless guest system for travelers; EU regulators once again take different approaches to rate parity

Duff on Hospitality Law, 9.3.20

OTA & Travel Distribution Update: Google continues to unveil new travel products despite pandemic; Choice Hotels enters into a strategic agreement with Hotelbeds

Duff on Hospitality Law, 8.27.20

OTA & Travel Distribution Update: Parity commitments extended by Expedia and Booking.com; Google adds pandemic details to travel search

Duff on Hospitality Law, 8.21.20

OTA & Travel Distribution Update: Booking Holdings and TripAdvisor dominate headlines with second-quarter earnings releases, reflecting historical impact of COVID-19 with some signs of improvement

Duff on Hospitality Law, 8.12.20

OTA & Travel Distribution Update: Expedia's recent second-quarter earnings release reflects current travel industry misery; Expedia's failure to provide refunds allegedly violates Washington state's Consumer Protection Act

Duff on Hospitality Law, 8.10.20

OTA & Travel Distribution Update: Family travel club launched in the midst of pandemic; Booking.com introduces new incentive program for travelers; narrow parity commitments proposed in South Korea

Duff on Hospitality Law, 7.30.20

OTA & Travel Distribution Update: TripAdvisor unloads eight of its media companies; Expedia finalizes union negotiations; Airbnb captures headlines with bookings hitting pre-pandemic levels for first time

Duff on Hospitality Law, 7.22.20

OTA & Travel Distribution Update: Expedia's Vrbo sees significant growth in bookings; Expedia expands cryptocurrency payment options; Singapore Airlines adds global distribution system surcharge

Duff on Hospitality Law, 7.16.20

OTA & Travel Distribution Update: Radisson partners with Hotelbeds; Expedia offers more details on its partner recovery program

Duff on Hospitality Law, 7.9.20

OTA & Travel Distribution Update: Expedia consolidates its HomeAway and VRBO brands; Sonder raises \$170 million in funding; TripAdvisor adds COVID-19-response filters and tests out new travel advisor referral service Reco

Duff on Hospitality Law, 7.1.20

OTA & Travel Distribution Update: EDreams adds hotels to its subscription services; metasearch grows in importance; Japanese hoteliers once again raise concern about OTAs' rate practices

Duff on Hospitality Law, 6.25.20

OTA & Travel Distribution Update: Despegar moves forward with Best Day acquisition; Roomkey suspends operations; Booking.com transitions its tours and experiences business to TUI Group's Musement

Duff on Hospitality Law, 6.18.20

OTA & Travel Distribution Update: The debate on Booking.com and Expedia's dominance in the marketplace; Silver Lake invests \$108 million in Vacasa; industry experts question Expedia's Partner Recovery Program
Duff on Hospitality Law, 6.8.20

OTA & Travel Distribution Update: Trip.com's first-quarter earnings release garners mixed reviews; Expedia Group pledges \$275 million to the travel industry's COVID-19 recovery efforts; Hotelbeds to add health and safety filter
Duff on Hospitality Law, 6.1.20

OTA & Travel Distribution Update: Expedia's first-quarter earnings release captivates main headlines; two major airlines with contrasting approaches to distribution; Facebook and Instagram give business profiles new retail storefronts
Duff on Hospitality Law, 5.26.20

City of Seattle Releases Rules for Hotel Employee Protections
Duff on Hospitality Law, 5.21.20

OTA & Travel Distribution Update: InterContinental Hotels Group opens its first flagship store on Ctrip's platform; France plans to create an online booking engine; Hong Kong regulators accept parity-clause commitments from major OTAs
Duff on Hospitality Law, 5.18.20

OTA & Travel Distribution Update: Trivago and Airbnb announce austerity measures; Despegar reconsiders acquisition of travel agency Best Day; vacation rental platforms face scrutiny by the U.K.'s Competition and Markets Authority
Duff on Hospitality Law, 5.11.20

WSLCB Allows Restaurants to Deliver Pre-Mixed Cocktails During Pandemic
Duff on Hospitality Law, 5.7.20

OTA & Travel Distribution Update: Expedia abandons rate parity in Australia; Sabre and Farelogix terminate merger agreement; European travel associations urge legislators for use of vouchers over refunds due to liquidity crisis
Duff on Hospitality Law, 5.4.20

Federal Communications Commission Penalizes Marriott Vacations for Unauthorized Transfer of Private Radio Licenses
Duff on Hospitality Law, 4.30.20

OTA & Travel Distribution Update: Expedia announces management changes and new financing; Booking.com announces austerity measures; Booking.com and South Korea's Fair Trade Commission's agreement over the use of rate parity provisions
Duff on Hospitality Law, 4.28.20

OTA & Travel Distribution Update: Expedia agrees to remove narrow parity rate provisions; Accor and Bureau Veritas launch safety protocol label in Europe; recovery of traditional lodging vs. short-term rentals post-COVID crisis

Duff on Hospitality Law, 4.23.20

OTA & Travel Distribution Update: UK's Competition and Markets Authority considers unilateral COVID-19 cancellation policy changes; Genting announces new health and safety protocols; Airbnb bans short-term rentals in United Kingdom

Duff on Hospitality Law, 4.18.20

OTA & Travel Distribution Update: IATA criticized by travel agencies for its airline refund procedures; Chinese online travel platforms ramp up post-COVID-19 efforts; major distributors roll out traveler-friendly cancellation programs

Duff on Hospitality Law, 4.3.20

OTA & Travel Distribution Update: Short-term rental platform cancellation policies scrutinized; Trip.com projects decreases in Q1 revenue; Indian OTAs struggle with traveler cancellations

Duff on Hospitality Law, 3.27.20

Impact of "Stay Home, Stay Healthy" Order on Washington Wineries, Breweries and Distilleries

Duff on Hospitality Law, 3.24.20

OTA & Travel Distribution Update: TripAdvisor to abandon its vacation rental business; large OTAs withdraw their full-year earnings forecast for 2020

Duff on Hospitality Law, 3.23.20

OTA & Travel Distribution Update: Marketing investments by OTAs increase again; short-term rentals platforms' landmark data-sharing agreement with the EU; Trump Administration orders Shiji to unwind its acquisition of hotel tech firm

Duff on Hospitality Law, 3.13.20

OTA & Travel Distribution Update: Booking Holdings aims to cut costs; Travelport's new CEO initiates tech overhaul; smaller tour operators and hotels acquire new tools to drive direct bookings

Duff on Hospitality Law, 3.6.20

OTA & Travel Distribution Update: Google's popular vertical search features; third-party distribution sites dominate keyword purchases; AHLA selects Matt Carrier as Vice President of Innovation Policy and Research

Duff on Hospitality Law, 2.28.20

OTA & Travel Distribution Update: Google adds travel rivals' direct links within search results due to mounting pressure from the EU; Expedia Chairman Barry Diller hints at layoffs

Duff on Hospitality Law, 2.21.20

OTA & Travel Distribution Update: European Commission finalizes its multi-year pricing probe into Meliá Hotels and tour operators; TripAdvisor asserts price control measures with its Experiences partners

Duff on Hospitality Law, 2.18.20

OTA & Travel Distribution Update: The Impact of EU online sales rules on the lodging industry; OTAs under Korea Fair Trade Commission scrutiny; airline technology under the microscope as Sabre antitrust trial begins

Duff on Hospitality Law, 2.10.20

OTA & Travel Distribution Update: Expedia Group's Trivago guilty of misleading consumers; speculation about Expedia's next steps; China adopts hotel online service standards

Duff on Hospitality Law, 1.31.20

OTA & Travel Distribution Update: Blackrock leads funding round for guest acquisition platform SiteMinder; CheapAir transforms into a new 'boutique' OTA; Hipmunk seeks to resurrect itself from its M&A ashes

Duff on Hospitality Law, 1.24.20

OTA & Travel Distribution Update: Russian investigators look into Booking.com's practices; Google debuts several new user enhancements for travelers; tour injury lawsuit tests TripAdvisor's experiences business

Duff on Hospitality Law, 1.17.20

OTA & Travel Distribution Update: 2019 Year in Review

Duff on Hospitality Law, 1.6.20

OTA & Travel Distribution Update: Booking.com agrees to EU demands to change travel offers, also signs deal with Google Nest; Expedia's chairman speaks on company's future during 'fireside chat'; CCPA takes effect January 1, 2020

Duff on Hospitality Law, 12.30.19

OTA & Travel Distribution Update: South Korean competition authority's antitrust enforcement action against major OTAs; U.K.'s Competition and Markets Authority reinforces focus on consumer practices of intermediary platforms

Duff on Hospitality Law, 12.20.19

OTA & Travel Distribution Update: Sudden resignations of Expedia Group CEO & CFO; Kayak's metasearch business model evolves with launch of Kayak Premium; Amazon slowly expands its travel products on its Indian travel platform

Duff on Hospitality Law, 12.13.19

OTA & Travel Distribution Update: Airbnb introduces new 'Cooking' Category on Airbnb Experiences; Pegasus partners with Alibaba-backed Shiji Group to grow its Asia-Pacific market presence

Duff on Hospitality Law, 12.6.19

OTA & Travel Distribution Update: Travel booking startup turning traditional group booking upside down; Hoxton hotel chain introduces flexible direct hotel bookings; Booking.com's Genius loyalty program goes mainstream

Duff on Hospitality Law, 11.27.19

OTA & Travel Distribution Update: Vrbo repositions itself as a family travel site; Expedia implements resort fee plan

Duff on Hospitality Law, 11.22.19

OTA & Travel Distribution Update: German and French antitrust authorities examine effects of pricing algorithms on competition; TripAdvisor announces joint venture; Alibaba and Accor collaborate to attract Chinese travelers

Duff on Hospitality Law, 11.18.19

Tom Douglas Settlement Highlights a \$2.4 Million Technicality: Three Steps to Help Avoid Potential Costly Litigation Related to Washington's Automatic Service Charge Laws

Duff on Hospitality Law, 11.14.19

OTA & Travel Distribution Update: Indian online travel agent being investigated for potential consumer abuses; Kayak launches business platform; Trip.com's growing global aspirations

Duff on Hospitality Law, 11.11.19

OTA & Travel Distribution Update: Booking.com launches standalone flight offerings to travelers across Europe; China proposes controversial regulations for travel platforms

Duff on Hospitality Law, 10.24.19

OTA & Travel Distribution Update: Simpleview develops destination-focused application for Amazon Alexa and Google Home; Sonder seeks to shake up traditional hoteliers; vacation rentals gain prominence on Google Search

Duff on Hospitality Law, 10.18.19

OTA & Travel Distribution Update: Travel industry pricing practices garner Singapore regulator attention; Japanese distributor abandons parity provisions; Congresswoman questions recently proposed resort fee legislation

Duff on Hospitality Law, 10.14.19

OTA & Travel Distribution Update: Proposed legislation targets resort fees; Booking.com as the latest target of consumer watchdog

Duff on Hospitality Law, 10.4.19

OTA & Travel Distribution Update: The UK Competition and Markets Authority declares victory; Sabre pronounces that the DOJ case is "riddled with errors"; Ctrip to become Trip.com Group; another undisclosed fees case proceeds

Duff on Hospitality Law, 9.20.19

OTA & Travel Distribution Update: TripAdvisor continues to defend claims of fake reviews; Booking.com and others create travel sustainability pact; Vacasa strikes direct connect deal with Google

Duff on Hospitality Law, 9.13.19

OTA & Travel Distribution Update: Ettsa demands tighter EU standards on hotel booking rules; scalability is key for new distribution capability standards; travel websites push back on the hotly contested hidden resort fees

Duff on Hospitality Law, 9.6.19

OTA & Travel Distribution Update: Sabre likely to face anti-trust challenge; Google now offers vacation rentals; Priceline and WeConvene announce investor event collaboration

Duff on Hospitality Law, 8.23.19

OTA & Travel Distribution Update: Sabre vows to fight EU allegations; Agoda unveils its 'Mix and Save' feature; Vacasa acquires remaining Wyndham vacation rentals

Duff on Hospitality Law, 8.9.19

OTA & Travel Distribution Update: Booking.com relaxes keyword restrictions on its trademarks; insurer partners with Roomer Travel to insure against losses and spur growth

Duff on Hospitality Law, 8.7.19

OTA & Travel Distribution Update: The hotel resort fee saga targeting Marriott continues; non-cancelable rates at the heart of pending Booking.com appeal; TripAdvisor fined over potentially fake reviews

Duff on Hospitality Law, 7.26.19