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Duff on Hospitality Law

OTA & Travel Distribution Update – Good news for disabled travelers and the hoteliers that serve them; Booking.com limiting non-core services; Airbnb and Booking.com, the distinctions become harder to draw

07.13.18

This week's Update features a variety of stories, including an additional story on last week's announcement by the UK's Competition and Markets Authority regarding its recent commenced enforcement efforts against several unnamed OTAs operating in the UK. Our attempts to obtain a list of the OTAs targeted by the CMA were rebuffed last week, so we will just have to wait to see which distributors are in the CMA's crosshairs. Enjoy.

Good News for Disabled Travelers and the Hoteliers That Serve Them

("Online Travel Players Boost Accessibility for Travelers With Disabilities," Skift Travel News, July 6, 2018)

Skift featured a story last week that detailed efforts being made by both existing and newly established travel websites to accommodate the many challenges experienced by disabled travelers (e.g. inaccessible websites, little or no description of accessible accommodations, etc.). Not only is this good news for disabled travelers, but also the many hoteliers that diligently seek to serve them. For years now, we've advised clients that the ADA's booking requirements impose responsibility for satisfying those requirements solely on hoteliers - irrespective of whether those bookings are made directly with the hoteliers or indirectly through a third party channel. With these latest efforts by third party distributors, hoteliers may have one less concern keeping them awake at night.

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Booking.com Limiting Non-Core Services

("Booking.Com No Longer Wants to Control the Pricing Strategies of Small to Medium Hotels but Why?" Hotel News Resource, July 5, 2018)

For some time now, Booking Holdings (f/k/a the Priceline Group) has been extolling the many virtues of diversifying its product offerings - particularly to small and mid-sized hotels. Apparently that view has now changed. Booking Holdings announced plans this past week to discontinue one of the key components of its BookingSuite offerings - Rate Manager. Speculation has already begun as to the reasons behind the discontinuance and what it might signal for the future of BookingSuite.

Who's Following Whom? Distinctions Become Harder to Draw Between Airbnb and Booking.com

("Airbnb Testing Charging Hotels More, Says Booking Holdings – Wired.com," Hospitality Net – Latest Industry News, July 3, 2018)

Continuing with our Booking Holdings theme. . . Wired.com published last week details from a recent interview of Booking Holdings' CEO, Glenn Fogel. In the wide ranging interview, Glenn detailed the many ways in which Airbnb is changing to become more and more like Booking Holdings' least known company (at least in the United States), Booking.com. Some might argue that Booking.com is doing most of the changing, but the point remains that the similarities between the two platforms (as currently configured) are hard to ignore (e.g. diverse accommodation portfolio, including millions of vacation rental listings, growing investment in activities offerings, etc.). It won't be long before Airbnb is not only considered a distribution channel (a point that I have been making for some time now), but a booking channel that looks and feels a lot like the other major booking channels.

Other news:

AccorHotels Finally Combines Fairmont, Raffles, and Swissôtel Loyalty Programs With Its Own

Skift Travel News, July 2, 2018

There's so much more AccorHotels could be doing with its loyalty program, including integrating it with its Accor Local mobile app. For now, however, the company seems more focused on making sure it doesn't upset any elite loyalty members from Fairmont, Raffles, and Swissôtel. It only took two years, but AccorHotels finally has merged all of the loyalty programs from Fairmont, Raffles, and Swissôtel, into its own Le Club Accor Hotels program.

Booking Sites May Be Breaking Law According to UK Watchdog

Skift Travel News, June 30, 2018

Hotel booking sites are again coming under scrutiny, three years after UK regulators closed an antitrust probe into contracts that may have fixed room rates. The UK Competition and Markets Authority (CMA) told hotel-booking websites on Thursday that some uses of discount claims, hidden charges, pressure selling and online search rankings could break consumer protection law. It didn't identify the websites.

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