

Duff on Hospitality Law

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

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Russian Investigators Looking into Booking.com's Practices

("Russian competition watchdog opens investigation into Booking.com," Reuters on Dec. 30, 2020)

On Monday, December 30, Russia's Federal Anti-Monopoly Service (FAS) announced that it was launching an investigation into Booking.com and its practices. According to the announcement, Booking.com is alleged to require rate parity among the distributions channels used by Russian hotels participating on the distributor's platform. If found to have violated Russian anti-monopoly laws, Booking.com faces penalties of 1-15 percent of its Russian revenue.

The First of Many Stories on Google in 2020

("At CES, Google Unveils Personalized Features for Travelers," Hotel Business – News on Jan 10, 2020)
You've heard it here first... 2020 will again be the year of Google in travel distribution. This past week, Google began its 2020 assault on the distribution industry with the introduction of several new user enhancements at the annual Consumer Electronics Show. These enhancements include real-time translations for users of Google Assistant (via smartphone, smart displays or smart speakers) and new personalized search features that allow users to obtain personalized recommendations when searching for hotels and destinations. Among the many personalization features available to users, Google's "What you'll pay" tab provides users information on whether the pricing contained in hotel search results is consistent (or high/low) with the dates being used.

Camels (yes, Camels) Testing TripAdvisor's Experiences Business

("Tour Injury Lawsuit Tests Whether TripAdvisor Is Liability-Free," Skift on Jan 8, 2020)

Last week, a woman in Boston filed suit against TripAdvisor and its brand Viator over injuries sustained when she fell on a camel tour in Morocco. According to the complaint (which does not name the actual tour operator), the tour operator failed to provide any safety information prior to the tour, failed to provide advertised van transportation back to the tour's starting point (forcing the woman to ride the camel on the return trip) and delayed providing needed medical assistance. Not surprisingly, Viator's website terms and conditions make clear that Viator has no liability for the acts or omissions of the operators featured on its website. In a similar case brought back in September 2018, TripAdvisor maintained that federal law provided it absolute immunity from liability arising out of the operations of its third party operators. TripAdvisor ultimately settled that suit late last year under undisclosed terms and conditions. Cases like this have broad implications for the growing number of distribution platforms that feature tours and experiences. It will be interesting to see where this leads and what lessons it might provide.

Other news:

Airbnb and Similar Sites Hide Fees From Customers. People are mad about it.

Seattle Times – Business on Jan 10, 2020

Juan Herrera, a graduate student from San Diego, was searching the Airbnb booking site for a place to rent in Los Angeles for New Year's Eve when he was surprised to see that several extra fees,

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