

Duff on Hospitality Law

Online Travel Update: Ryanair fights back against scraping of fares while Booking.com's purchase of ETraveli is under review again, Hopper's fee practices questioned, and Expedia launches a bookable video platform

By Greg Duff on 4.24.23 | Posted in Online Travel Update

This week's Update features a variety of stories, including updates on Ryanair's attempts to stop platforms' scraping of fares and other content from its website. We will continue to keep monitor Ryanair's claims against Booking.com in the weeks ahead. Enjoy.

- **European Commission Resumes Review of Booking Holdings' Proposed Purchase of ETraveli.** It's been some time since our last [story](#) on Booking's planned purchase of online flight booking platform, ETraveli. The Commission suspended its review of the purchase approximately four months ago, but announced this past week that it was resuming its work. The Commission has until August 30 to complete the review.
- **Fintech, Tips, Support Service Fees and More: Hopper Has It All.** Much has been written in the industry (including our own Update) about Hopper. Hopper was one of the first platforms to fully leverage "fintech" tools as part of its B2B and B2C offerings. With the renewed attention on resort fees and other mandatory charges, *Skift's* recent article about "tips" on Hopper's booking platform caught our attention. Although Hopper's "tip" is not mandatory, users of the platform (assuming they even see the charge) must affirmatively opt-out of payment the flat-fee or percentage charge. Hopper takes a similar approach with support service fees, which also require an unsuspecting user to opt-out of paying the additional charge. Does the ability to opt-out of these charges allow Hopper to avoid current efforts to reign in so-called "junk fees," possibly, depending on the conspicuousness of the fees and their disclosures. If the tips are simply a mechanism for offsetting operating costs (as opposed to actual "tips" paid to individuals who assist in making the booking), however, Hopper could garner the attention of regulators or an

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enterprising class action firm.

- **Expedia Launches Platform to Make Entertainment Tourism Bookable.** Expedia Media Solutions announced last week the launch of a new media platform that allows users to shop and book travel while watching travel content. If successful, the platform will allow Expedia to capitalize on the growing influence of television and movies (think “White Lotus”) on travelers’ decisions. Brand USA has partnered with Expedia in the launch of this latest new offering by working together to create a dedicated channel (GoUSA) that features inspirational travel content and interactive maps, while at the same time allowing viewers the opportunity to book featured destination (hotels, air and experiences) in real time. The channel is now live in Canada and will be rolled out to other international markets over the course of the year.
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- **Sabre to Sunset Hotel RFP Service**

- *April 20, 2023 via Business Travel News*

- Travel technology provider Sabre in July will stop supporting its hotel request-for-proposals service, the company announced Thursday.

Booking, Etraveli investigation restarts in EU

April 20, 2023 via MLex

Booking’s bid to take over online flight travel agency Etraveli is back on the EU regulator's clock after four months of suspension. The European Commission resumed its review on April 18, according to an update to its website today, and it now has until Aug. 30 to decide on the deal.

Why Hopper Asks for a ‘Tip’ When Booking

April 19, 2023 via Skift Travel News

Skift Take 'Deception' may be too strong of a word in this case, but the media attention goes to show that customers do not like to feel that they've been swindled. A quarter of customers pay the tip, but how many of them know it?

Expedia Group launches shoppable streaming platform

April 19, 2023 via hotelbusiness.com

Expedia Group Media Solutions, Expedia Group’s global travel advertising platform, has unveiled a new media platform, the first advertising and travel technology platform of its kind that gives travelers the tools to shop and book travel as they are watching travel content, making entertainment tourism bookable, the company reports.

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Ryanair Dealt Setbacks in Lawsuits Against Lastminute.com and Booking.com

April 18, 2023 via Skift Travel News

After a 15-year legal battle, Lastminute.com is moving forward with a court win, a new CEO and board. Lastminute.com characterized the legal victory against Ryanair as "a major milestone" for consumer rights.