

Duff on Hospitality Law

## Online Travel Update: Expedia's Asia/Pacific Expansion, Hopper's Operational Shifts, and an ADA Case Update

By Greg Duff on 10.11.23 | Posted in Online Travel Update

This week's Update features a variety of stories, including the latest on Hopper and its apparent ongoing transition. Enjoy.

- **Expedia Expands B2B Network in Asia / Pacific.** This past week at its Explore 23: Connect Asia event, Expedia announced it had expanded its B2B network to include several new Asian companies. While Optimized Distribution is only one of several business initiatives for Expedia, it remains an area of big investment. Recently announced suppliers relying on the B2B redistribution platform include Dusit Hotels and COMO Hotels and Resorts.
- **Hopper's Latest: Clicks, Job Cuts and New Termination.** Hopper continued to garner much of the industry's attention this past week as the war of words between Hopper and Expedia continued (it was all about clicks and screens), Hopper announced significant job cuts and according to reports today (Sunday), Hopper announced the termination of another larger supplier (Booking.com). As for the expressed concerns of Expedia CEO Peter Kern regarding the numbers of clicks or screens required to complete a booking on Hopper (and the resulting likelihood of customer confusion), we too noted similar concerns when recently reviewing the Hopper mobile app and booking process for one of our clients. If you've never spent much time on the Hopper app, you should. It is a vastly different experience. Job cuts at Hopper were reported this past week by Canadian news publications – the cuts result in the loss of roughly a third of Hopper's total work force (250 employees). According to a Hopper spokesperson, the cuts were part of Hopper's overall effort to boost its business (a/k/a reduce expenses and turn a profit) and focus on direct supplier connections. Finally, reports issued this morning by *Skift* suggest that Hopper may have terminated its supplier agreement with Booking.com. Look for more news on this latest change at Hopper in next week's Update.

- **Potentially Landmark ADA Case Unlikely to Produce Much Needed Decision.** In oral arguments this past week, several of the U.S. Supreme Court justices indicated that they are unlikely to consider any further the potentially landmark ADA case challenging whether serial plaintiffs who have no intention of ever staying with their targeted defendants have legal standing to sue for ADA website violations. Unfortunately, the plaintiff in the case (serial litigant, Deborah Laufer) voluntarily dismissed her claims against Acheson Hotels (in part, because her lawyer has been suspended for filing hundreds of ADA claims). For those of us looking for some much needed direction and support in combating these types of serial litigants, the Supreme Court's refusal to consider the case further is unfortunate.
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#### **Expedia Group expands B2B portfolio in Asia Pacific**

*October 5, 2023, via Phocus Wire*

Expedia Group calls Asia Pacific a "critical region" for continued growth of its B2B business as it adds several airlines and other new distribution partners.

#### **Expedia vs. Hopper: We Tested How Many 'Taps' to Book a Flight**

*October 5, 2023 via Skift Travel News*

Skift Take To book a flight through the Expedia app is certainly sleeker and more transparent than through Hopper. If Hopper is winning market share, it is doing so through low airfares. Dennis Schaal Share You'd think the most successful online travel companies would push customers to book flights...

#### **Hopper Cuts 30% of Staff in Bid to Get Profitable**

*October 4, 2023 via Skift*

Skift Take Hopper's burn and growth rates were unsustainable — even for a company that had raised \$730 million. Dennis Schaal Share Hopper, the fast-growing online travel and fintech company, cut 30% of its full-time staff — around 250 employees — in a bid to get profitable, according to a ...

#### **Could AI-Driven Travel Reservations and Support Pay Off for Booking Holdings?**

*October 3, 2023 via The Motley Fool*

Find out how AI technology helps Booking Holdings shape the future of travel. Within the ever-evolving realm of travel and technology, Booking Holdings (BKNG 0.35%) continues to harness artificial intelligence (AI) in an attempt to redefine travel booking. Smart investment warrants a look into Booking Holdings' strategic implementation of AI ...

#### **Junk Fees and Travel: Industry Leaders Tackle Pricing Issues at Skift Global Forum**

*October 3, 2023 via Skift Travel News*

Skift Take Junk fees are a hot button issue in the travel industry, and here are some noteworthy statements several executives made at Skift Global Forum. Rashaad Jorden Share

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Skift Global Forum was held in New York City on September 26-28, 2023. Read coverage of the event at the link ...

### **Expedia, Priceline Free Of \$50M Hotel Tax, Miss. Justices Say**

*October 2, 2023 via Law360*

Online travel companies that facilitate the sale of hotel rooms in Mississippi don't have to pay a \$50 million hotel sales tax bill because they don't meet the state's definition of a hotel, the state Supreme Court said.