

Duff on Hospitality Law

Digital Dynamics: Booking.com's DMA Gatekeeper Role and AI's Expanding Impact on Travel Planning

By Greg Duff on 5.21.24 | Posted in Online Travel Update

Booking.com's "gatekeeper" designation under the EU's Digital Markets Act (DMA) and artificial intelligence's increasing influence on online travel garnered much of the attention this past week. Enjoy.

- **Chase Scores Major Win with Southwest Airlines.** Want to get away? Chase Travel has a solution. Chase Travel is the only online platform (not competing card companies or the major OTAs) to offer Southwest flights to online leisure bookers. For years, Southwest subscribed to a direct channel only distribution strategy, but lately that strategy has been changing – albeit in small increments. Does Southwest's arrangement with Chase signal even greater future availability of Southwest flights on public online channels? Only time will tell.
- **Both Google and Expedia Announce New AI-Powered Trip Planning Tools.** At this past week's annual Google developer conference, Google announced new and/or improved AI-powered trip planning tools for both Google Gemini (the paid version of Google's AI chatbot) and traditional Google search (through AI Overviews). AI Overviews will be available to all Google search users this week, while the new Gemini tool will be available this summer. Expedia also introduced AI-powered tools this past week at its annual Expedia Explore event. New CEO, Ariane Gorin, speaking at her first Expedia Explore event, introduced Romie, Expedia's new AI travel assistant that can help travelers with planning and booking travel. What role will paid display advertising, key words and commissions play in these new tools? Google hasn't said. When asked about the effect of commission levels on Romie, Expedia, CTO Rathi Murthy, said only that commissions don't play a role – today. Time for everyone to start thinking more broadly about search . . . and appropriate limitations.
- **Booking.com Is a Gatekeeper. Now what?** In today's Update, we provide a number of perspectives on the EU Commission's recent designation of Booking.com as a "gatekeeper" under the Digital Markets Act (DMA) for its online intermediation services. With the EU Commission's announcement, Booking.com now has 6 months to comply with the DMA's applicable requirements. In 6 months, Booking.com must submit a written

compliance report detailing how it complies with the DMA requirements. Other DMA obligations, including those associated with any merger or acquisition that Booking.com might wish to make, apply immediately. In the months ahead, hoteliers should expect to hear from Booking.com as to how it intends to comply with the DMA's requirements and how compliance will affect their existing distribution agreements. Stay tuned.

Chase Travel Has What the Other Cards and Online Travel Agencies Don't — Southwest Flights

May 16, 2024 via Skift Travel News

Online travel agencies and credit card companies — other than Chase — have Southwest-envy. Not having Southwest flights is a major hole in their travel offerings. Chase cardholders can book Southwest Airlines flights through the Chase Travel portal, and that's a rarity for leisure travelers.

Google Takes Next Step in AI Trip Planning

May 14, 2024 via Skift Travel News

Google is fully in its Gemini era. That's what executives repeated as they showcased how AI pulls information from across its products to create detailed trip plans and more. Google is diving head first into AI-powered trip planning.

As Gorin debuts as CEO, Expedia Group launches new AI assistant, content creator shops

May 14, 2024 via Phocus Wire

At Expedia Group's Explore event, the company announced a new generative AI trip planning tool and content creator marketplaces.

Commission designates Booking as a gatekeeper and opens a market investigation into X

May 13, 2024 via EU Commission

The European Commission has today designated under the Digital Markets Act (DMA), Booking as a gatekeeper for its online intermediation service Booking.com and decided not to designate X Ads and TikTok Ads. In parallel, the Commission has opened a market investigation to further assess the rebuttal submitted in relation to the online social networking service X.

Booking.com latest to fall under EU market power rules

May 13, 2024 via TechCrunch

Government & Policy Booking.com has been designated a gatekeeper under the bloc's Digital Markets Act (DMA), meaning the online travel agency will face regulation under the bloc's market fairness and contestability framework — with the risk of fines of up to 10% (or 20% for repeat offenders) of annual revenue ...

Booking Hit by EU's Crackdown on Powerful Tech Platforms

Digital Dynamics: Booking.com's DMA Gatekeeper Role and AI's Expanding Impact on Travel Planning

May 13, 2024 via Bloomberg.com

Booking Holdings Inc.'s travel services platform became the latest technology business to be targeted by the European Union's crackdown on technology firms' market power. The move means the firm has six months to make sure it complies with a raft of preemptive measures under the EU's flagship Digital Markets Act ...

Booking.com Hit With EU's 'Gatekeeper' Status, Faces Tighter Regulation

May 13, 2024 via Skift

Online travel giant Booking.com will be held to a stricter regulatory standard in 27 European countries, but it remains to be seen what the true impact will be. The European Commission said on Monday it had designated Booking.com's parent company, Booking Holdings, as having "gatekeeper"

Kayak CEO Says Online Travel 'Still Sucks' and He Wants to Stay 'Until It's Fixed'

May 11, 2024 via Skift

Twenty years later, Google is the leading global player in travel metasearch. Steve Hafner can do little about that but argues travelers can snack on Google but they should come to Kayak for better results when they are ready to book.