

Pomery, Simon

From: Pomery, Simon
Sent: Wednesday, 24 August 2016 4:53 PM
To: 'Ridgeway, Stephen (AU)'
Cc: Gargett, Tim (AU); Fleming, Richard; Scott, Tim
Subject: TRIM: ACCC letter to Expedia re confirmation of agreement [SEC=UNCLASSIFIED]
Attachments: Enf - Correspondence Letter - ACCC letter to Expedia re confirmation of agreement - 24 August 2016.pdf

HP TRIM Record Number: D16/121468

Security Classification: UNCLASSIFIED

Hi Stephen

Please find attached correspondence from Richard Fleming in response to your letter dated 23 August 2016 regarding Expedia.

Kind regards

Simon

Simon Pomery

Assistant Director | Enforcement ACT

Australian Competition & Consumer Commission

23 Marcus Clarke Street Canberra 2601 | <http://www.accc.gov.au>

T: 02 6243 4983



Australian
Competition &
Consumer
Commission

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

Our ref: CS1000133
Contact officer: Simon Pomery
Contact phone: (02) 6243 4983

24 August 2016

Mr Stephen Ridgeway
Partner
King & Wood Mallesons

By email: stephen.ridgeway@au.kwm.com

Dear Mr Ridgeway

Re: Expedia Group Use of Parity Clauses

I refer to your letter dated 23 August 2016, confirming that your client, the Expedia Group (**Expedia**), is willing to agree that the relevant Expedia entities will not enter into or enforce the price, conditions and availability parity obligations as outlined in the letter from Mr Marcus Bezzi dated 3 August 2016. I also note that the relevant Expedia entities will provide waivers in relation to those obligations in their current lodging contracts with Australian accommodation providers.

On the basis of this agreement, the ACCC confirms that will close its investigation into this matter following the successful implementation of the agreement by Expedia from the end of next week.

In this regard, I note the proposed waiver note that Expedia intends to send to Australian accommodation providers, as attached to your email dated 23 August 2016. I understand there may be some changes to the text during finalisation but not to its substance.

I can also confirm that the ACCC will send Expedia an advanced copy of its proposed media statement at least 72 hours prior to its intended publication.

If you wish to discuss this matter further, please feel free to contact me by phone on (02) 6243 1278 or by email richard.fleming@accc.gov.au.

Yours sincerely

Richard Fleming
General Manager
Enforcement ACT