

LATEST RULING: ONLINE TRAVEL AGENCIES ARE ENTITLED TO SELL RYANAIR FLIGHTS

Court of Barcelona rules that Ryanair has no legitimate grounds upon which to object to the cost-comparison or sale of Ryanair flights by independent online travel agencies

Bravofly, the leading independent online provider of travel agency services in Europe, welcomes yet another ruling from a European Court confirming a consumer's right to both compare and book flights through intermediaries.

On 23 January 2009, the Court of Barcelona rejected a legal action initiated by Ryanair against Spanish online travel agency, Atrapalo. The Court of Barcelona held that Atrapalo was entitled to offer Ryanair airline tickets as part of its normal business activities. The Court reasoned that where an airline offers flights through the Internet, it forfeits its right to control the subsequent use of the flight information by others. Accordingly, Atrapalo was not obliged to seek Ryanair's consent in relation to the cost-comparison or resale of those flights offered through www.ryanair.com.

Ryanair's unfounded media campaign against Bravofly and other independent online travel agents commenced back in February 2008. Ryanair has repeatedly falsely alleged that, in offering a cost-comparison of all available flight offerings and providing booking capabilities to consumers, Bravofly and others are acting illegally. Through this case, once again, Ryanair's claims have been judicially exposed as groundless.

The ruling of the Court of Barcelona is consistent with previous decisions not only in Spain, but also delivered by other European courts. In November 2007, a court in Paris dismissed proceedings commenced by Ryanair against Opodd French branch. In Germany, during August and September 2008, the Court of Frankfurt issued two separate decisions, each confirming the right of independent online travel agents to sell Ryanair flights. Consistent rulings are expected shortly in both Ireland and Switzerland.

To date, Ryanair has both threatened and commenced legal proceedings in numerous many jurisdictions – including France, Germany, Ireland,, Spain, Switzerland and the United Kingdom – against leading independent online travel agencies, and related suppliers, Having now considered the evidence, the various European Courts are beginning to deliver their rulings; it is fast becoming evident that Ryanair's arguments are entirely without legal foundation.

The rulings establish that the activities of independent online travel agencies are not only legitimate, but play a key role in providing consumers with accurate information and ensuring market transparency, thus facilitating vigorous competition in the markets for both air passenger transport and travel-related services.

Ryanair's litigious conduct is designed solely to secure and extend its own dominance of the travel market by preventing access to transparent fare prices, terms and conditions and denying consumers the ability to carry out effective cost-comparison.

In Bravofly's view Ryanair's indiscriminate threat of legal proceedings can only be explained as a strategy designed to cause maximum commercial disruption to all independent online travel agencies.

Fabio Cannavale, Founder of Bravofly stated: "*Rulings such as these establish the commercial legitimacy of the online travel agency sector. They also substantiate Bravofly's position that Ryanair's campaign has no legal basis whatsoever and is designed solely to intimidate the providers of an important consumer service and also to penalise consumers seeking the best deal on offer. It is obvious that Ryanair's aim is to eliminate genuine competition, resulting in less choice and higher prices for consumers and ultimately damaging the travel sector as a whole. This is clearly something no European court can countenance*".

Bravofly is Europe's leading online tour operator thanks to its exclusive technology which compares offers from all airline companies and that allows its users to buy tickets online from the chosen airline. The following websites are part of Bravofly Group: www.volagratis.it; www.viaggiare.it; www.tablethotels.it; www.bravofly.com; www.bravofly.co.uk; www.bravofly.fr; www.bravofly.de; www.bravofly.es