



Code of Conduct

for the area of Online Marketing

Preamble

Deutscher ReiseVerband e.V. (DRV – German Travel Association) represents the interests of medium-sized and large companies of the travel industry vis-a-vis service providers in Germany and abroad as well as vis-a-vis German, European and international political circles. More than 80 percent of the sales revenues of the German travel agent and tour operator market are generated by the members of the industry association.

Verband Internet Reisevertrieb e.V. (VIR – German Internet Travel Distribution Association) is the umbrella organisation of the German online travel portals. Its members - certified by TÜV (German Technical Inspection Association) – include eight of the largest online travel companies in Germany which together generate sales revenues of approximately EUR 2 billion.

DRV and VIR realised that the legal framework conditions have not kept pace with technical progress. Consequently, there is a degree of legal uncertainty in this area that concerns both the relationship of competitors amongst themselves and with customers.

Apart from the partly unclear legal framework conditions in the field of online marketing, studies have shown that customer behaviour, too, is a reason to agree on rules in order to permanently ensure functioning online business for the Association's members.

The above-mentioned studies have revealed that today customers already click on 36 links on the Google results page before they find a suitable offer. This considerable effort on the part of the customer carries the risk that online booking could soon become too strenuous and complex for the customer.

Against this backdrop, DRV and VIR have elaborated the following Code of Conduct which aims to emphasize the interest of DRV and VIR and their member companies in fair, sustainable, responsible and ethical principles of action in the field of online marketing. The Code of Conduct is intended for all members of DRV and VIR not least because the relationships between the different providers are to be subject to rules in the field of online marketing.



The Code of Conduct has been designed as a voluntary undertaking by the members of DRV and VIR and their associated companies and can be signed by the member companies; it applies until it is revoked. The Code of Conduct does not establish any rights of third parties. The signing and application of the Code of Conduct is recommended to member companies.

1. General obligations

- 1.1 The undersigned companies comply with the applicable laws and other legal provisions of the countries which are relevant for their activities.
- 1.2 This Code of Conduct is binding upon all the signatories in respect of their activities in the field of online marketing. This means that the obligations under this Code of Conduct are addressed to all the companies of the tourism industry, i.e. above all, but not exclusively, tour operators and travel agencies.

2. Rules concerning third-party trademark rights, corporate logos etc. in online advertising

2.1 Deviating agreements

Any deviating agreements will always take priority over the obligations of this Clause 2, insofar as they are legally admissible. The use of protected trademarks or other marks of a tour operator by a travel agency can, for instance, be in their mutual interest to attract customers.

2.2 Online advertising in conjunction with search engine marketing (Adwords)

In the context of online advertising no trademarks, corporate logos or company names of a third-party company or protectable components thereof will be used with the intention to deceive and/or in a deceptive form as keywords e.g. within the framework of the Google advertising offering "Adwords".

Furthermore, no domains which are protected for the benefit of a third party and are listed in Annex 1 to this Code of Conduct may be used for the aforementioned purposes. In this connection the term "domain" refers to the complete reproduction of the domain. i.e. for instance www.flight.de or flight.de and not to the use of parts thereof such as e.g. "flight" as catchwords.



2.3. Use of protected designations in domains

Members will refrain from using third-party trademarks, corporate logos or company names or protectable components thereof in domains insofar as this is done with the intention to deceive. This applies to uses within the framework of second-level (www.TRADEMARK.de) and third-level domains (www.TRADEMARK.travel.de).

2.4 Meta information

Members will refrain from using third-party trademarks, corporate logos or company names or protectable components thereof within the framework of the meta information of an Internet offering unless this corresponds to the content offering of the page.

The same applies to domains which are protected for the benefit of third parties and listed in Annex 1 to this Code of Conduct.

2.5 Obligation to check

The members will check, within the scope of their usual duty of care, whether rights of third parties are infringed by an online marketing measure.

3. Obligations in respect of fair competition in the field of online marketing

3.1 Product advertising by a travel agency

- a) The travel agency may not intentionally advertise products which it does not actually offer in its range of services.
- b) On activating a link, the respective user is immediately directed to a pre-selection of the advertised product and not diverted to other offerings.
- c) The travel agency may not give the impression through advertising that it is the service provider/operator or that it has a closer proximity to the product than other agencies.

3.2 Advertising claims

Factual, service-related advertising claims must comply with the statutory provisions, i.e. correspond, more particularly, to the facts. Only services which the customer actually receives may be promised. The same applies to rebates or other concessions by the provider (e.g. "75 percent rebate").



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Signature Form

Please send the complete and signed form either to the VIR (Fax +49-89-610 667-10 or via Email info@v-i-r.de) or to the DRV (Fax +49-30-284 0630 or via Email collet@drv.de).

Upon receipt of the signature form you will receive the Code of Conduct logo for the integration on your website. We recommend to display the logo in a minimum size of 80 pixels on your website and to include a link containing the Code of Conduct in full text.

Your submitted data will be stored centralized at the Deutscher ReiseVerband. The compliance with the Code of Conduct will be audited by the Deutscher ReiseVerband and the Verband Internet Reisevertrieb. In the case of a violation of the Code of Conduct the Deutscher ReiseVerband and the Verband Internet Reisevertrieb reserve the right to withdraw the Code of Conduct logo from the relevant URL.

Company:

URL:

Contact person:

Email:

Address:

Telephone: Fax:

With my signature I pledge to uphold the Code of Conduct for the area of Online Marketing.

Place/Date	Signature
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