

BOOKING HOLDINGS

Booking Holdings Inc.'s Consumer Profiling Report for Booking.com

PUBLIC SUMMARY
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Introduction

On 13 May 2024, the European Commission designated Booking Holdings Inc. ("BHI") as a gatekeeper pursuant to Art. 3 of the DMA[1] and designated Booking.com, including Rentalcars.com (as operated by Booking.com Transport Limited), as a Core Platform Service ("Booking.com").

Art. 15 of the DMA requires BHI as a gatekeeper to submit to the European Commission an independently audited description of any techniques for profiling of consumers that BHI applies to Booking.com, and to make publicly available an overview of the audited description. This document contains the public, non-confidential overview of the audited description, based on the profiling techniques utilised by Booking.com in the European Union as at 13 September 2024. This document will be updated annually.

We are committed to protecting and safeguarding consumers' personal data and being transparent about the processing of personal data for consumer profiling. Further information about how we use and process data is also publicly available at the following sites: Privacy Statement[2]; and Cookie Statement[3].

Why does Booking.com collect and use personal data for profiling purposes?

Booking.com conducts consumer profiling in order to: (1) prevent and detect fraud and harm; (2) promote Booking.com's products and services; (3) personalise consumers' experience when using Booking.com; and (4) reimburse or compensate eligible consumers.

The legal bases set out in Art. 6(1) of the GDPR relied upon to process personal data for the purposes listed above are set out in the relevant Privacy Statements. In view of the purposes listed at (1) to (3) above, Booking.com relies on its legitimate interests and, where required under applicable law, relies on the consumer's consent, as further detailed in the Privacy Statement. In addition, Booking.com relies on the 'vital interest' ground pursuant to Art. 9(2)(c) GDPR for the sole purpose of protecting offices and employees against serious threats, which falls within the scope of purpose (1) above. For the purpose listed at (4) above, Booking.com relies on the legal basis that the processing of personal data is necessary for the performance of a contract.

1 Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act).
2 Booking.com's Privacy Statement can be found at: https://www.booking.com/content/privacy.en-gb.html; and Rentalcars.com's Privacy Statement can be found at: https://www.rentalcars.com/en/privacy-policy
3 Booking.com's Cookie Statement can be found at: https://www.booking.com/content/privacy.en-gb.html#cookie-statement; and Rentalcars.com's Cookie Statement can be found at: https://www.rentalcars.com/en/cookie-statement

What personal data does Booking.com collect for profiling purposes?

Booking.com processes personal data in the following data categories for profiling applied within Booking.com:

a. **Direct identifying information**: for example, information that directly identifies a consumer such as the consumer's first and last name, email address, and postal address.

b. **System usage records**: for example, information regarding when a consumer was first active on Booking.com, a consumer's activity during a session on Booking.com (including the pages viewed, the search terms or search criteria used, and the details of the search terms or search criteria of the last search performed), and how the consumer accessed Booking.com (e.g., via the website or mobile app, and on what type of device).

c. **Reservation information**: for example, the reservation ID and logistical information about a consumer's trip, start and end dates, arrival and departure times, location and duration of stay, information about accompanying guests (e.g., number of adults and children) and number of rooms.

d. **Service support information**: for example, information contained in correspondence (i.e., via email, online form or chat) between consumers and Booking.com, and between consumers and trip providers, and correspondence between trip providers and Booking.com related to the consumer.

e. **Experience information**: for example, information voluntarily submitted by a consumer as part of a trip experience, which may include information in the consumer's reviews made on Booking.com (and the trip provider's response to such review), and consumer complaint(s) about the trip experience.

f. **Financial transactional information**: for example, a consumer's credit card information or bank account details, other information related to a consumer's payment(s) or financial transaction(s) (for example, information relating to any refunds, awards and discounts).

g. **Loyalty information**: for example, information about a consumer's activities relating to the Genius loyalty program, and information relating to repeat bookings at the same property.

h. **Geo-location information**: for example, the consumer's IP address, or when the consumer has turned on location tracking.

i. **Consent records**: for example, records relating to a consumer's consent (or withdrawal of consent) with respect to specific processing purposes.

j. **Other information obtained from third party sources**: for example, information obtained from publicly available sources to prevent or detect harm.

What personal data does Booking.com infer for profiling purposes?

Booking.com infers data in the following data categories for profiling applied within Booking.com:

a. **Consumer preferences**: pageviews and metadata relating to a consumer's activity on Booking.com is used to infer the consumer's preferences and the likelihood of the recommendations and services offered being of relevance to the consumer. Such information is used to offer a more personalised experience to consumers on Booking.com.

b. **Consumer lifetime value**: information relating to a consumer's past reservations is used to infer the consumer's expected future value, which is also used to grant certain loyalty status to the consumer. Such information is used to personalise marketing from Booking.com.

c. **Likelihood of fraudulent or harmful activity**: information relating to the consumer is used to infer the likelihood or probability that the specific consumer or the relevant transaction is likely to be fraudulent or harmful. This category of inferred data is used to promote a safe and trustworthy service.

Why does Booking.com utilise profiling techniques?

Booking.com utilises profiling techniques to promote a safe and trustworthy service and to provide its products and services more effectively to consumers. Booking.com does this as part of its commitment to enhance overall consumer experience. For example:

a. Booking.com employs profiling techniques to detect and prevent fraud on the platform, as it is not scalable to review manually each reservation, transaction or action made or taken on Booking.com. The objective of this profiling is to create a trustworthy and safe environment for consumers, trip providers and Booking.com.

b. Booking.com utilises profiling techniques to assist in sending consumers personalised marketing messages. This enables Booking.com to send subscribed consumers communications, for example, emails that are more relevant based on the consumer's interaction with Booking.com. As part of its commercial efforts to attract and maintain consumers, Booking.com uses profiling techniques to promote its products and services.

c. Booking.com provides personalised recommendations based on a consumer's activity on the platform. Booking.com conducts this profiling with the aim of enhancing benefits (i.e. showing content that's more relevant and tailored) of Booking.com's products and services for consumers. To achieve this goal, Booking.com obtains insights into the performance and usage of its products and services. This allows Booking.com to optimise the website and apps for the benefit of Booking.com's consumers and trip providers.

d. Booking.com calculates the reimbursement or compensation amount for eligible consumers by applying a profiling technique.

What retention duration does Booking.com put in place?

Booking.com has implemented retention durations for the data categories listed above, in accordance with its internal retention policy. For example, Booking.com retains personal data to enable a consumer to use Booking.com's services or to provide such services to a consumer (including maintaining any user accounts the consumer may have on Booking.com), to comply with applicable laws, to resolve any disputes and otherwise to allow Booking.com to conduct its business, including to detect and prevent fraud and/or other illegal activities.

How does Booking.com seek consumer consent where required under applicable law?

Booking.com obtains consent from the consumer to place non-functional cookies (i.e., analytical and marketing cookies) on the terminal equipment (e.g., the computer or mobile device) through which the consumer accesses Booking.com. Before non-functional cookies are placed either via the website or the mobile app, the consumer will be asked to agree to the placement of non-functional cookies on their terminal equipment, via a cookie banner. The consumer may change his or her cookie settings or the cookies placed on their device (including withdrawing consent for the placement of analytical and marketing cookies).

Does Booking.com make automated decision-making?

The profiling techniques applied by Booking.com do not involve automated decision-making within the meaning of Art. 22 of the GDPR.

What alternatives to profiling has Booking.com considered and what was the reason for not choosing them?

Potential alternative measures to consumer profiling for the purposes listed above have been considered, but such alternative measures are not likely to efficiently and/or suitably achieve similar outcomes. For example:

a. Booking.com could alternatively rely on ad-hoc manual reviews to identify fraudulent and/or harmful incidents on Booking.com; however, this increases the risk that fraudulent and/or harmful incidents may not be identified in time to enable us to take appropriate relevant action.

b. Profiling techniques allow Booking.com to personalise marketing messages (including promotions) to consumers. The alternative to this profiling would be to inefficiently target consumers which could result in showing content to consumers who have no interest in what marketing messages (including promotions) Booking.com sends them.

c. Booking.com utilises profiling techniques to provide personalised recommendations to consumers. The alternative to this profiling would be for Booking.com to display generic results for all consumers. The ability to provide personalised recommendations to consumers is likely to create a more efficient user experience and enhance a consumer's overall experience on Booking.com.



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