

Competitive Set Policy

Amadeus Hospitality

Competitive Set Policy

This “**Competitive Set Policy**” sets forth the terms and conditions governing the provision and use of competitive data sets in connection with the Services.

Capitalized terms used herein but not defined will have the meaning assigned to them in the governing agreement between Amadeus and Customer (“**Agreement**”). If there is any inconsistency between this Competitive Set Policy and the Agreement, the Competitive Set Policy will control.

1. Competitive Set Rules

Rule 1: For Agency360®, a competitive set must contain the Customer’s hotel(s) and at least 3 other non-affiliated hotels and for Demand360®, a competitive set must contain the Customer’s hotel(s) and at least 4 other non-affiliated hotels. A “non-affiliated” hotel means any hotel or property that does not share with the Customer’s hotel(s) the same owner, the same management or management company, the same revenue manager, or the same revenue management team.

Rule 2: The non-affiliated hotels in a competitive set must compete with each other and with Customer’s hotel(s) (i.e., be within the same property class or in one class immediately above or below) and must be in the same basic geographic region or reasonably similar geographic markets.

Geographic region example: Hotels that are in the same city or neighborhood of a city compete in the “same basic geographic market” and hotels compete in “reasonably similar geographic markets” if a vacation traveler would consider other locations or cities in addition to the Customer’s hotel (e.g., a vacation traveler may consider Fort Lauderdale, Miami and other locations along the East Coast of Florida).

Rule 3: Within any competitive set, no single hotel (subscriber or non-affiliate competing property) may represent 40% or more of the total room capacity of the competitive set.

Rule 4: A competitive set must contain hotels from at least two different hotel companies (e.g., Marriott International, Hilton Worldwide), management companies, and owners other than that of the Customer’s hotel company, management company, and owner.

Rule 5: If Customer wishes to add a hotel to or remove a hotel from a competitive set, it must do so in combination with at least a second change, i.e., there needs to be a minimum of 2 changes to the comp set. For example, removing a hotel, then adding a hotel; or adding 2 hotels; or removing 2 hotels.

Rule 6: A newly constructed hotel may be added as a single competitor in an existing competitive set any time up to 45 days following the opening date of the new hotel. Please contact Customer Care if you are using this rule to make a single change to your competitive set.

Rule 7: If a competing hotel closes or otherwise discontinues reporting data, Customer must delete that competing hotel (as a single hotel) from the competitive set. Please contact Customer Care if you are using this rule to make a single change to your competitive set.

Rule 8: If Customer has multiple competitive sets, there must be at least two different non-affiliated hotels in each competitive set. If Customer has an Enterprise Edition subscription or multiple Property Edition subscriptions, there must be at least two different non-affiliated hotels in each underlying competitive set across all subscriptions to which Customer has access.

Rule 9: If Customer makes a change to a competitive set (e.g., adding hotels, deleting hotels, etc.), Customer may not make another change to a competitive set for at least another 30 days after that change.

Rule 10: Customers may have a maximum of 3 competitive sets.

2. General Requirements

- a. Competitive sets are Amadeus' confidential information and are the property of Amadeus.
- b. Customer will not use Amadeus' business intelligence services to derive, reverse engineer, recalculate or attempt to derive, reverse engineer, or recalculate any information related to an individual competing hotel's information or in any way obtain an individual property's information. Customer may not create any competitive set definition, change request(s), or other filtering of the competitive set(s) that may expose any individual property's information. If after a competitive set is defined, should the Customer's affiliation(s) change and result in the competitive set no longer complying with the rules above, the Customer must request a change to comply with the rules.
- c. Amadeus, at its sole discretion, may reject or disable any competitive set change if, in its reasonable judgment, it threatens the confidentiality of any third party or if Amadeus believes or has reason to believe in its sole discretion that a competitive set violates or may violate relevant law.
- d. Amadeus reserves the right to amend, alter, or modify the Competitive Set Policy at any time. Amadeus may deliver notice of such updated Competitive Set Policy to Customer via e-mail or through the Services. Customer's continued access to and use of the Services following issuance of such updated Competitive Set Policy shall constitute Customer's acceptance thereof.
- e. Customer (1) may only use the information obtained through an Amadeus business intelligence service for the benefit of the Customer and may not share that information with competing or any non-affiliated hotels, (2) must report any activity to Amadeus that reflect or suggest an improper use of any Amadeus business intelligence service, e.g., an increase in prices; and (3) must promptly notify Amadeus of any change in ownership or management of the Customer or the Customer's hotel.
- f. References in this policy to Amadeus' business intelligence services include any predecessor and related products such as Demand Position.