

With a ruling in favour of lm holding, the Italian Supreme Court calls into question Ryanair's abuse of dominant market position

- *The ruling encourages the Court of Appeal of Milan to reconsider Ryanair's conduct as unlawful since it prevents effective competition and harms consumers.*
- *The Supreme Court of Milan also confirms that Ryanair cannot prevent lm group from displaying and intermediating the airline's flights.*

Milano, 25 November 2019 - In May 2019, the Court of Lugano (Switzerland) confirmed that lm group can lawfully continue to offer its customers the possibility to compare and reserve Ryanair tickets through its websites (lastminute.com, volagratis.com, rumbo.es, weg.de, bravofly.com). Today, lm group announces that the Italian Supreme Court (Corte Suprema di Cassazione) has finally accepted all the grounds of appeal proposed by LMNEXT CH and Viaggiare srl, Switzerland and Italy based companies of lm group, and it has rejected all the claims of Ryanair thus confirming the judgment of the Tribunale di Milano adverse to Ryanair which ruled that the airline cannot prevent lm group from displaying and intermediating its flights.

In upholding lm group's arguments, the highest Court explained in a very clear and detailed way the criteria needed to determine the "relevant market" in order to assess Ryanair's abuse of its dominant position in relation to the activities of lm group.

Additionally, the Supreme Court has rejected Ryanair's grounds of appeal aimed at having a declaration of its right to refuse its consents to lm group to have access to its database and to intermediate booking procedures on behalf of their clients. The Court of Appeal of Milano is now called to judge again if Ryanair's practices lead to an abuse of its dominant position leading to discriminatory behaviour.

The Court of Appeal had already ruled in favour of lm group in 2015 stating that the group does not violate any intellectual property rights or any contractual obligation towards Ryanair in performing its online travel agency activities in respect of Ryanair flights. In addition, in the first instance, the Court of Milan had expressly inhibited Ryanair from publicly disclosing news aimed at discrediting the activities of lm group qualifying them as illegal with respect to the brokering of its tickets.

Marco Corradino, CEO of lm group, commented: "This is another very significant decision that once again establishes Ryanair's conduct as unlawful while confirming that our service encourages fair competition in the market and brings strong value to the customer by offering a mix of unique travel solutions from several providers - something Ryanair and traditional airline companies can't offer. We really believe that such a decision might represent the basis for a disruptive change in the world of online travel services both in the definition of relations with airlines and in relations with new online tourism operators."

Alessandra Reda, CCOO – legal and tax director of lm group: “This decision opens up new scenarios from a legal point of view that could revolutionise relations between lm group and Ryanair. If Ryanair’s position of abuse is, in fact, recognized in addition to the already established legitimacy of our work, lastminute.com will be the first OTA to obtain a ruling that not only obligates Ryanair to not hinder our work but also urges the airline to collaborate with lastminute.com. We are very happy and honoured to be once again the pioneers in the exploration of this new frontier for travel and we want to thank the lawyers Marco Consonni and Ludovico Anselmi of Orsingher Ortu Law Firm, Stefano Codoni of Walder Wyss Law Firm and Frédéric Sardain of Jeantet Law Firm, for supporting us in these battles.”

About [lm holding](#)

lm holding is among the worldwide leaders in the online travel industry and operates a portfolio of well-known brands such as [lastminute.com](#), [Volagratis](#), [Rumbo](#), [weg.de](#), [Bravofly](#), [Jetcost](#) and [Hotelscan](#). The Group’s mission is to be the most relevant and inspiring travel company, committed to enriching the lives of travellers. Every month, the Group touches 60 million users across all its websites and mobile apps (in 17 languages and 40 countries) that search for and book their travel and leisure experiences with us. More than 1,200 people enjoy working with us and contribute to providing our audience with a comprehensive and inspiring offering of travel related products and services. lastminute.com N.V. is a publicly traded company listed under the ticker symbol LMN on SIX Swiss Exchange

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