

Deutsche Bahn's anti-competitive behaviour has been recognised by the Cartel Office

Wednesday, 28th June: Today marks an important victory for German travellers. We welcome the findings by the BKartA that Deutsche Bahn has abused its dominant position to distort competition, to the detriment of customers, the broader rail market in Germany and the ambitious sustainability goals set by the EU.

By adopting a strong position, BKartA becomes a leader in shaping the new framework for competition in rail for independent ticket distributors, one which is based on creation of a level playing field for all market participants.

Andreas Mundt, President of the Bundeskartellamt (BKartA): *“The services provided by mobility platforms to enable integrated route planning for travelers would be inconceivable without the integration of Deutsche Bahn's offerings and traffic data. For this reason, Deutsche Bahn is subject to antitrust abuse control and has special obligations vis-à-vis other companies...Without effective antitrust enforcement, the business models of mobility platforms cannot function in competition with Deutsche Bahn.”*

Importantly, the inclusion of the well-established economic principle LRAIC, sets a critical standard in establishing the calculation methodology necessary to ensure viable remuneration for independent retailers.

Effective competition cannot exist in the absence of fair, reasonable and non-discriminatory conditions; without proper remuneration the benefits of independent retail, for customers and for the environment, will not be delivered.

Recent actions by competition authorities in Europe – including the European Commission’s investigation on Renfe - show that regulators at both the EU and national level recognise the opportunity for growing sustainable travel when independent ticket distributors are allowed to compete on fair terms, with equal access and are able to innovate on behalf of customers. The effect is clear: railway undertakings must provide equal access and viable remuneration to third party ticket vendors.

Further, the sharing of real-time data, lifting of marketing restrictions and enabling equal discounting of tickets, all contribute to making it possible to create an environment that is favourable to competition and innovation in the benefit of consumers. We therefore call upon DB to rapidly comply with all the principles defined by BKartA.

Moreover, this decision shows a necessity for regulation of the distribution market. To build upon the strong position established by the BKartA, we hope that politicians will act with strong regulation to further cement a level playing field for all operators.

Jody Ford, CEO of Trainline: *“Today’s decision by BKartA is a crucial step in the right direction for German rail travellers. It is a categorical and clear decision in favour of a level playing field between DB and digital platforms. Having recognised DB’s anti-competitive behaviour over many years, this decision provides not*

only the framework so that millions of people will access the benefits of digital innovation and choice but also sets a vital precedent for the ticketing sector in Germany and Europe. It is time for DB to act. Further delay and diversion will not deliver the change German passengers so badly need.”

Andreas Mundt, President of the Bundeskartellamt (BKartA): *“We want to prevent Deutsche Bahn from using its own entrepreneurial interests to extend its dominance in rail passenger transport to forward-looking mobility markets and to thwart innovative mobility providers.”*

About Trainline

Trainline is the leading independent rail and coach travel platform selling rail and coach tickets to millions of travellers worldwide. Via our highly rated website and mobile app, people can seamlessly search, book and manage their journeys all in one place. We bring together millions of routes, fares and journey times from 270 rail and coach carriers across 45 countries. We help our customers find the best value fares for their journey and smart, real time travel information on the go. Our aim is to make rail and coach travel easier and more accessible, encouraging people to make more environmentally sustainable travel choices.