

Roy, Lauren

Subject: FW: eBay International A.G. notification N93365 [SEC=UNCLASSIFIED]**From:** Ken Burmeister [redacted]**Sent:** Tuesday, 22 April 2008 6:43 PM**To:** Roy, Lauren**Subject:** RE: eBay International A.G. notification N93365 [SEC=UNCLASSIFIED]**EXCLUDED FROM
PUBLIC REGISTER**

Hi

I certainly wish to make a submission on this intention by ebay

Ebay represents a significant mode of commerce. The turnover through ebay is not known to me however it would no doubt be a significant amount of money. The proposal amounts to a monopoly on a significant dollar volume of a unique commerce mode which should be resisted by by the ACCC. A significant method of payment for goods purchased through ebay auctions is Australia Post COD. This is often relied upon by purchasers who may not be confident about the goods being purchased, to preclude sellers from using this significant method of purchase reduces the viability of this commerce mode and increases the potential for fraud and deceptive practice by sellers, something ebay is known not to be overly concerned about upon complaint (based on personal experience).

Also the proposal does not indicate if escrow purchases are precluded. It would appear that the proposal would preclude an escrow agent from holding the settlement amount as paypal is not used. This method of payment also allows the purchaser the opportunity to examine the goods prior to payment.

It would appear that the intent of this proposal is not only to ensure a monopoly by ebay but to also reduce security for purchasers. It is already well known that thieves and other criminal activity is undertaken through ebay and ebay is renowned for it's reluctance to cooperate with purchasers that have been defrauded (based on personal experience by myself and others known to me), there have been reports regarding eBay's reluctance to cooperate with regulatory authorities including Police. This behaviour by ebay further erodes the viability of this proposal as being in the public good.

Ebay has not provided any good reason that an exclusive payment method should be approved. They have not for instance demonstrated how the proposal benefits the public, nor have they provided any indication of how the exclusive payment would benefit their users or sellers. The ONLY outcome of this proposal is an increase in profits for ebay and a reduction in competition through the use of Australia Post, direct bank deposits or other similar payment methods. EBay is willing to allow personal payment as they now that they cannot exclude such transaction as that would be unlawful and that this represents a very small faction of the transactions through this mode of commerce therefore the loss to them for personal payment is very minor.

This proposal should be strongly resisted as NOT being in the public interest and being anti-competitive in nature, both in intent and outcome.

Ken Burmeister
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