

**Roy, Lauren**

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**From:** Petreski, Sonya on behalf of Adjudication  
**Sent:** Thursday, 24 April 2008 7:56 AM  
**To:** Chisholm, Shane; Roy, Lauren  
**Subject:** **FW: eBay International AG - Exclusive Dealing Notification - N93365**  
[SEC=UNCLASSIFIED]  
**Categories:** SEC=UNCLASSIFIED  
**ACCC Classification:** SEC=UNCLASSIFIED

**EXCLUDED FROM  
PUBLIC REGISTER**

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**From:** [REDACTED]  
**Sent:** Wednesday, 23 April 2008 8:05 PM  
**To:** Adjudication  
**Subject:** eBay International AG - Exclusive Dealing Notification - N93365

I would like to make a submission regarding the intention by eBay International to impose payment by Pay pal only as of 17 June 2008.  
eBay International AG - Exclusive Dealing Notification - N93365

I am a current buyer and platinum power seller on eBay Australia. I have sold in excess of 12,000 items over the last 2 years. I have always offered my buyers the option of bank deposit/transfer, bank cheques, money order, merchant banking facilities, cash & Pay Pal.

I have approximately 900+ listings on eBay, both core & store listings. Several hundred of these listings do not give sellers the option of payment using Pay Pal, as with the fees Pay Pal charge, I am unable to cover these fees in addition to the eBay fees for lower priced items. eBay state Sellers may not charge eBay buyers an additional fee for their forms of payment; instead they recommend these costs should be built into the price of the item. This is very hard to do when a lot of my items are priced from \$2.00 & similar items are sold by other sellers at the same price. I do not believe it fair to increase my prices to cover the Pay Pal fees, and if I was to do so I would not sell the quantities I currently sell, as I would not have competitive prices.

The majority of my customers do not pay using Pay Pal, most use bank transfer as this is their preferred method when given the choice. This also suits me as there are no bank charges associated with this payment. By removing these options of payment is removing a democratic, personal choice.

I currently have a merchant banking facility that I pay fees to an Australian bank for the use of this facility to accept retail & eBay transactions with. eBay are wanting to remove this option and replace it with Visa/MasterCard processed by Pay Pal which will incur a much higher rate for this service than I currently pay with the bank.

Pay Pal offer a Seller Protection Policy. Unfortunately I have not had any protection afforded to me with this policy. Twice I have had international buyers purchase items from me and have paid with Pay Pal. Each occasion Pay Pal has advised that the payment had

cleared & I sent the goods. Some 6 weeks later the payments were reversed from my Pay Pal account. The only correspondence I received was an automated email stating that the transaction had been reversed & the funds removed from my Pay Pal account.

I emailed Pay Pal and provided Pay Pal with tracking numbers to confirm that the goods had arrived to the buyers. Within a few hours I received an email stating: After thorough examination, Pay Pal has now completed the investigation of this transaction. We have therefore reversed the transaction back to the buyer. Unfortunately, due to data protection we cannot disclose any further information in relation to the investigation. You are more than welcome to write to [appeal@paypal.com](mailto:appeal@paypal.com) to try and appeal the case. This meant that the buyers' had the goods, I had paid for their international postage & Pay Pal had seized the funds after a "thorough investigation" that lasted several hours. There was no seller protection whatsoever.

One of these buyers had a negative feedback score on eBay with around 15 sellers leaving feedback that the Pay Pal payment had been reversed 6 weeks after the payment was received.

Pay Pal state that the items paid for & sent must have trackable postage. They state acceptable methods are: Australia Post's Registered Post and Australia Post's Registered Post International; A shipping code that Pay Pal can use online to view the shipping status and the buyer's delivery address, or A receipt issued by the carrier that is signed by the recipient acknowledging delivery.

Most of my buyers will not pay for insurance or trackable postage, especially for low priced items, as often the trackable postage is worth far more than the item purchased. Again, I will lose customers if this is applied to every sale, or I risk Pay Pal seizing funds from my Pay Pal account.

Pay Pal also will not provide any protection for multiple items posted in one package – something that EBay encourages sellers to do to enable customers to save on postage costs - yet there is no buyer or seller protection even if items are sent using a trackable insured option. Many of my buyers purchase multiple items as combined postage saves them a lot of money. My customers will no longer purchase multiple items if they cannot combine postage.

Pay Pal state they have a 24 hour customer support team. I have contacted Pay Pal on several occasions & have never been able to speak to anyone. Emails can take 48 hours sometimes for a response, which is generally an automated message.

I have never had a problem with any other payment method received. I also have a retail shop & in several years of trading have not had a payment disputed for any method accepted other than Pay Pal.

I also have a feedback score on eBay of 100% positive. To read in the submission by eBay of the 'BBE' is not applicable to me as proven in my 100% satisfaction feedback score which is given to me by my buyers on eBay, a score that I am proud & protective of. There are therefore no problematic or fraudulent transactions and the associated customer chum due to BBE issues with my experience on eBay.

The effect that the proposed submission will have on me personally is detrimental due to loss of customers through eBay sales, probable increased seizing of Pay Pal funds by Pay Pal and an increased cost imposed by the Pay Pal fees. I believe I will lose

customers as a result of the Pay Pal only enforcement, which will ultimately cause a loss in sales for our business.

I do not believe eBay is doing this to improve safety and security on their site, I believe it is an attempt to obtain more profit by gaining more fees from Pay Pal transactions, and to create a monopoly with their online site.

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Yours sincerely,

I respectfully request that my name & any other identifying information be removed from public viewing.