

## Roy, Lauren

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**From:** Petreski, Sonya on behalf of Adjudication  
**Sent:** Wednesday, 23 April 2008 9:18 AM  
**To:** Chisholm, Shane; Roy, Lauren  
**Subject:** FW: Spam: eBay International AG Notification of Exclusive Dealing [SEC=UNCLASSIFIED]

**Categories:** SEC=UNCLASSIFIED  
**ACCC Classification:** SEC=UNCLASSIFIED

-----Original Message-----

**From:** Magical Glass [mailto: ]  
**Sent:** Tuesday, 22 April 2008 10:55 PM  
**To:** Adjudication  
**Subject:** eBay International AG Notification of Exclusive Dealing

**EXCLUDED FROM  
PUBLIC REGISTER**

Dear Sir/Madam,

With reference to eBay International AG Notification of Exclusive Dealing - please accept this email as my submission against the proposed changes:

eBay are .....

- 1) Third line forcing/exclusive dealing which is in breach of the Trade Practices Act.
- 2) Using Dominant market position to reduce or eliminate competition, namely Paymate Pty Ltd ABN 91 093 528 002 for one of their own businesses namely PayPal Australia Pty Limited ABN 93 111 195 389.
- 3) Acting NOT in the best interest of the Australian Public by reducing competition and not allowing market forces to determine the uptake of the Paypal payment system.
- 4) Reducing many businesses competitiveness that solely use the eBay platform by reducing the number of different payment options they can accept from their customers. This will result in an unfair advantage to "Non eBay businesses" that offer many different payment methods.
- 5) Planning on introducing a new "safety policy" which will empower them to hold an account holders funds for 21 days before the account holder can access their money. Paypal will be able to do this at any time without providing any evidence to the account holder as to why it is being done, all Paypal will tell the account holder is that they have concerns and are freezing the funds as a precaution. Paypal's real motives for freezing funds are very suspect to say the least when it is a known fact that and I quote "any funds PayPal holds for dispersal are automatically deposited in a corporate bank account, which earns interest", according to Paypal representative Amanda Pires. The money is kept there until it's ready for distribution. PayPal counts interest payments on those funds as one of its revenue streams. This may also explain why Paypal takes an unusually long period of time (up to 10 working days) to process an eCheque (A Paypal payment funded from an account holders Australian bank account). I say unusually long because an internet banking transfer between two(2) Australian banks only takes between 12-48 hours to process. It is obvious to any thinking person that Paypal is holding onto other peoples money for as long as they possibly can to maximise their interest payments revenue stream which is plain wrong when they are not paying account holders interest for using their money.
- 6) Disadvantaging a large proportion of the elderly population in the community that do not trust online payment methods that require them to share their personal and financial information with a 3rd party. As these people will not be able to exercise their democratic right of choice and make payment for their purchases with a payment method they feel comfortable using they will no longer be able to use the eBay site and as a result vendors will lose sales through no fault of their own.

And in closing, as a small business operator with eBay, my business will suffer

greatly if Paypal is the only mode of payment. I sell books and therefore, provide a service to a diverse range of people from some of the most remote areas in Australia where bookshops are few and far between - some of my recent customers have actually attended a bank to deposit the payment for their purchase. Also, older members of the eBay community and often my customers, are reluctant to supply their banking details. Allowing eBay to restrict my business may force me to find an alternative venue and start all over again.

Regards  
Clare Haywood  
Ebay ID: Magical Glass