



FILE NOTE			
Matter name:	eBay International AG exclusive dealing notification N93365		
ACCC parties	Rohan Connor		
Other parties	Peter		
		Date	5 May 2008

Peter was informed a record of the conversation would be placed on the ACCC's Public Register and was given the opportunity to review the record.

Peter called to provide an oral submission regarding this matter.

Peter is a seller and buyer operating a business through eBay.

Loss of Profit

Peter notes that direct bank deposits currently account for 23 per cent of transactions processed by him as a seller.

Peter submits that if eBay users are required to use PayPal, then this will result in a significant increase in costs to him and other sellers – a minimum of 30 cents per transaction, in addition to a nominal fee charged as a percentage of the purchase amount.

Loss of Customers

Peter notes that eBay has previously stated (on *A Current Affair*) that they understand that a number of buyers are unwilling to disclose their personal banking and credit card details. As users are required to provide this information to PayPal, these users will no longer make purchases through eBay.

As noted above, almost one quarter of Peter's business is generated through sales that are processed through direct bank transfer. If such users are no longer happy and willing to use eBay, then this will result in a substantial loss of Peter's sales.

Forum Section

Peter submits that since the eBay notification, a number of users have initiated discussions on the eBay discussion boards. This is an important way for sellers and purchasers to communicate about the proposed exclusive dealing conduct.

Peter is concerned that eBay has been removing or shifting such discussion boards on its website. This is a deliberate move by eBay to prevent users from expressing their opinions and mobilising opposition to the proposed conduct.

Other comments

Peter believes that eBay stands to make a significant profit from the proposed conduct, particularly given it owns PayPal. Peter rejects any claim by eBay that the proposed conduct is designed to assist users of eBay, through increased buyer protection and security. If eBay were so concerned to protect users, it would have more thoroughly investigated current complaints.

Peter strongly objects to the proposed conduct.

Peter requested that these comments be placed on the public register. Peter did not provide a surname as he requested that this remain confidential.