

Macrae, Tess

Subject: FW: Ebay International A.G - Notification N93365 [SEC=UNCLASSIFIED]
Categories: SEC=UNCLASSIFIED
ACCC Classification: SEC=UNCLASSIFIED

From: Bryn Dolan [mailto:
Sent: Thursday, 19 June 2008 10:17 PM
To: Adjudication
Subject: Ebay International A.G - Notification N93365

**EXCLUDED FROM
PUBLIC REGISTER**

Dear Sir / Madam

I have read the eBay notification and their submissions to the ACCC about exclusive dealing. I have also read many submissions against the proposed conduct and the ACCC's draft notice of revocation, along with eBay's public response to said draft notice.

I wholeheartedly agree with the ACCC's draft notice as I believe eBay's proposed conduct would severely decrease competition, to overall public detriment.

I didn't lodge a submission during the first round of public consultation because I missed the deadline, however I certainly wish to lodge a submission in support of your draft notice at this time as an 'interested party'.

I have been active on eBay since March 1999 as a buyer and seller. In that time I have only ever paid for my own purchases, and accepted payment for sales from buyers, via direct bank deposit, Australia Post Money Order, International Money Order, Credit Card (for purchases), or Cash On Pickup.

The majority of my eBay transactions during this period have involved 'big ticket' items, worth hundreds, and sometimes thousands, of dollars per auction.

In view of the monetary values involved in these transactions, I have always chosen to avoid buying from sellers who offer Paypal as their only payment option, though in honesty I can only recall one or two who ever did so. While not a large 'seller', I have never accepted Paypal as a payment option on my own sales listings. This is because I have little trust in the supposed 'security' of the Paypal payment method (as both a buyer and a seller), nor do I find it any more 'convenient' or 'easier' to use than the above mentioned alternative payment methods (direct bank deposit, Australia Post Money Order, International Money Order, Cash on Pickup).

It is primarily for these reasons that I've avoided using Paypal as both a buyer and seller during the time I have been an eBay member, and would like to have the option of continuing to do so. I have no confidence in Paypal and do not wish to be forced to use it. Ebay has, if my memory serves me correctly, for all the nine years I have been a member, constantly insisted that it is only a 'venue' for buyers and sellers to meet and transact, and accepts no responsibility beyond that.

COD/pickup is of course the most 'secure' payment method of all, but is not practical for many people.

20/06/2008

Further, by undertaking to mandate my payment options (as both buyer and seller) to these two methods, I feel eBay is restricting my right to utilise competitive payment systems (such as BPay, Money Order or direct bank transfer) under the Reserve Bank of Australia's Payment Systems Act and/or the Commonwealth Trade Practices Act. I am not, and don't claim to be, a qualified lawyer or legal practitioner, however I suspect the proposed conduct by eBay may also be an example of "third line forcing", and therefore in further breach of the TPA.

I would appreciate you taking into account my comments in this email, and thank you for your valued consideration of the matter. Further, I strongly urge you to uphold both the letter and intent of your draft determination, to revoke immunity for eBay's PayPal only policy in your final determination on this matter, and to allow direct deposit and other alternative methods as a payment options on eBay listings for sellers who choose to accept them.

Kind regards,

Bryn Dolan