

**From:** Philip Cohen [mailto:  
**Sent:** Friday, 20 June 2008 3:52 AM  
**To:** Adjudication  
**Subject:** Objection to eBay International AG - Notification - N93365

## A response to eBay's response to the ACCC's Draft Notice

I doubt that many would have any objection to the “application” of PayPal as a form of *verification* for *all* eBay members (buyers and sellers)—a verification process that is, today, still sorely missing from eBay (and which could be used to help control some other eBay “ills” such as shill bidding—which is now, due to eBay’s recent introduction of *absolute* anonymity of bidding, a much greater threat to buyers and consequently to ethical sellers—although currently it appears that eBay is not interested in controlling shill bidding; only—reprehensibly—in hiding it—undoubtedly as undetectable shill bidding can have only a positive affect on their bottom line).

I have no problem using PayPal for international transactions as it takes care of the necessary foreign currency conversion, and most eBay members (sellers and buyers) operating in the international environment already offer/use PayPal; small sellers in particular can find the option of PayPal convenient as they then don’t have to get involved in the more complicated setting up exercise required for the processing of credit card payments. However the last time I looked there was no foreign currency involved with domestic transactions, and I object to not being able to use whatever payment method is mutually agreed to by the buyer and seller.

As an experienced “eBayer” I take absolutely nothing that the current management team at eBay says at face value: I always look for the (greater) benefit to eBay. I therefore remain opposed to any attempt by eBay to retain immunity for their “exclusive dealing” in PayPal: it effectively creates a mini monopoly by the disallowing of any competition and it serves no other purpose than to further improve eBay’s bottom line by adding to their revenue an additional, larger percentage of the total turnover value of goods and services sold on eBay—well worth trying for—but surely only a <text excluded> could think that—today—they have any chance of retaining such a monopoly privilege.

As a further indication of the <text excluded> mentality of the current eBay management team there is also the problem with eBay wanting to make all the rules but decline to agree to be governed by any inconvenient code of ethics as are all the other players in the electronic payments system.

You will also notice that eBay has not yet attempted to apply this concept of “exclusive dealing” for PayPal on eBay users in the US: this exercise in Australia is simply another outrageous “try on” (having previously got away with it in Australia for “digital deliveries” they naively thought that they could simply take the concept a “little further”). eBay’s response should be responded to by the ACCC with the contempt that it deserves.

**Understand this:** Notwithstanding any statements by eBay to the contrary, no action taken by the current management team at eBay has anything to do with benefitting consumers: eBay's every action is purposed solely towards improving eBay's bottom line, and consumers are hereby advised that if at any time there appears to be some benefit to consumers, that is wholly unintentional.

Regards  
Philip Cohen  
<address excluded>

**EXCLUDED FROM  
PUBLIC REGISTER**

=====