

Roy, Lauren

Subject: eBay International A.G. notification N93365 [SEC=UNCLASSIFIED]

**EXCLUDED FROM
PUBLIC REGISTER**

From: Martin Marriette [mailto:

Sent: Monday, 16 June 2008 10:06 PM

To: Roy, Lauren

Subject: Re: eBay International A.G. notification N93365 [SEC=UNCLASSIFIED]

Dear Lauren

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.

I agree with the ACCC's draft notice as I believe eBay's proposed conduct would decrease competition and not have an overall public benefit.

I was one of the almost 700 people/organizations that lodged a submission against ebay's proposal.

I have been selling on ebay for 8 years and have only ever accepted Pay Pal as payment for an International item - I will only continue to sell on ebay so long as I do not have to offer Paypal as the only payment option. More than 80% of my transactions use other forms of payment, and as many as 60% of those do not use any online method of payment. They choose to send Aust Post money orders. Many of these customers are of an older age group and find the online system difficult and fear it.

If I choose to sell on ebay and accept other forms of deposit and a buyer wishes to accept my payment terms, then it is no one else's business apart from the buyer and seller. ebay are only providing the venue for the sale to take place and are in no way, shape or form involved in my sale/transaction - this has been the terms since I joined ebay in 8 years ago

I have also noticed that E-Bay and Paypal are increasing the buyer protection and seller protection amounts to push the safety justification. However they have changed the feedback rules to allow only buyers to leave negative feedback and have now adjusted the rating percentage from total feedback since joining to percentage over the last 12 months only. This suggests that if you had 800 feedbacks a year and only one buyer left negative feedback you will not be able to maintain a 98% feedback rating. This is the rating that needs now to be maintained in order to qualify for the seller or buy protection policy. Already after 8 years with a 100% feedback rating, I have lost my 100% rating since the change last month. E-bay do not play fair.

I would appreciate you taking into account my additional comments in this email and thank you for your valued consideration of the matter and eventually to revoke immunity for ebay's PayPal only policy.

Thank you for keeping me up to date with the ongoing situation. Your current decision has been received with much appreciation.

Very Best Regards
Martin Marriette

26/06/2008