

**Roy, Lauren**

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

**EXCLUDED FROM  
PUBLIC REGISTER**

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**From:** Forwis Sales [mailto:

**Sent:** Monday, 23 June 2008 11:22 PM

**To:** Roy, Lauren

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

Hi Lauren,

Thank you so much for keeping me up to date on what is happening.

#1. Like everyone else it appears, I do NOT see any need for a pre-decision conference.

#2. Consider this email to be my written submission in response the ACCC's draft notice about N93365.

In summery I AGREE 100% with your draft notice as it currently stands.

In particular, I agree that PayPal does NOT inherently offer more protection than some of the other currently available payment methods.

I also completely agree that PayPal is NOT the best or most secure payment method for any particular transaction.

Further the SUBSTANTIAL Anti-Competitive Detriments that significantly outweigh ANY public benefits is really the only reason you even have to consider in regards to making the current draft version final.

Lastly, I would like to bring to your attention the anti-competitive & "strong arm" tactics that eBay is CURRENTLY employing in regards to this decision. eBay has sent a strongly worded email to all their Australian sellers telling them that the PayPal Only decision will go into effect on July 15 and any listings that are not in compliance will be removed. Basically they are FORCING sellers to adopt a PayPal only policy NOW, since they wouldn't have time to revise all their listings in time, if they waited until you make your final decision.

To counter act this, I strongly suggest making a further announcement about the final decision that states something to the effect:

"In the unlikely event that our final decision agrees with eBay's request, the changes will NOT be allowed to go into effect until August 1. At this time, we do NOT plan on reversing the current draft decision regarding N93365, but wanted to allow users potential affected by such a reversal from having to make unwanted changes to their listing BEFORE our final decision is announced."

I hope you will seriously consider making a statement similar to what I suggested above. Otherwise sellers are put in the unenviable position of either gambling that the ACCC will implement the draft version and risk getting in major trouble with eBay or fully implement the PayPal only system now and risk losing money in fraudulent transactions, just to discover that they never had to implement the system at all [assuming the draft version is upheld as the final version]

Thanks again for understanding the serious repercussions of this potential decision.

Sincerely,

KR Krull

Forwis Sales

2/07/2008