

# eBay to pay damages to duped Austrian gold buyer

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A man looks at an eBay online site in Hong Kong in 2007. Online auction giant eBay is to pay more than 16,000 euros in damages to a user who never received the gold bars bought on its site from a fraudulent seller, following the first such court ruling.

Online auction giant eBay is to pay more than 16,000 euros in damages to a user who never received the gold bars bought on its site from a fraudulent seller, following the first such court ruling.

The duped Austrian bought one kilogramme of gold from German company ML Agentur via eBay in September 2007 but never received the ingots after payment.

ML Agentur which has a police record in [Germany](#) for [fraud](#) has since gone bankrupt.

eBay advertised the company as a "power seller", a particularly trustworthy vendor according to the auction site's own criteria, despite complaints, notably regarding its times of delivery.

Ordering eBay to pay 16,463 euros (22,000 dollars), the court said the [auction site](#) had been aware of ML Agentur's record before the gold bar transaction was made and was therefore guilty of negligence.

Consumer defence website [www.falle-internet.de](http://www.falle-internet.de) said the decision by the court in the northern city of Sankt Poelten was the first such ruling to hit eBay.

ML Agentur reported monthly sales of more than 400,000 euros in 2007, of which eBay would have received a percentage.

Austrian newspaper Die Presse quoted [eBay](#) critics as saying the auction site was lax in controlling sellers to make sure it can pocket the fees it charges.

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