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Ebay A German court has ordered that the database of online trading platform eBay have to be deleted, after it was ruled unlawful on the grounds of a secret data transfer agreement which was signed off without proper consultation. The court said its decision would not apply to any information that was already in the system, but it was not possible to remove the data that was still being searched by law enforcement or anti-terrorist agencies. Investigators were able to access the original database after speaking with eBay's former chief operations officer, Todd Moore, who was convicted of computer hacking and identity theft charges in January. The Electronic Commerce Directive was approved in 1999 but it was not until a year ago that a decision was made that the Directive did not apply to the case because the data transfer agreement had been signed before it. As such, the information regarding goods being sold on the internet is not part of European Union law. This allowed the German authorities to access an entire database of eBay's transactions and ultimately gain access to some half a million addresses. Some of these addresses were used to sell firearms, child pornography and data on German and Italian criminals. Although eBay has tried to block access to the addresses, the Federal Criminal Police Office (BKA) and Federal Office for the Protection of the Constitution (BfV) were still able to access the addresses. National German newspaper, Bild, reported that German Interior Minister, Hans-Peter Friedrich, said that he would meet eBay's chief executive, John Donahue, next week to discuss measures that would be taken to ensure that abuses of privacy, particularly those associated with data retention and investigations, are dealt with. He added: "The issue has become much more urgent and politically attractive to the government and the public," said Mr Friedrich. "The police and intelligence services have long since used electronic data. The course of events is increasingly alarming. The Court has determined

that electronic data is not governed by the European data protection and electronic commerce regulations, as was the case until now. "The issue of the German and European regulations lies in the Data Protection Act. This means that the German government is willing to restore the privacy of law-abiding citizens. "It's up to eBay to examine and decide whether it is willing to support the measures of the state and restore the privacy of its customers." The German data protection authorities also said that they were considering action against eBay in the United States, although they 3e33713323

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