Online Contracts Analysis: eBay Business

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 In the modern world, many investors are heavily investing on ecommerce or online businesses. Apparently, some electronic or online contracts are legally binding while others may not qualify to be legally binding and enforceable. Therefore, it is important for the online clients to establish the legality of the transactions they perform online. This paper evaluates the legality of the auctions carried out by eBay online business. It is noteworthy that every contract has to qualify particular elements to be legally binding and enforceable.

**Are eBay contracts legally binding?**

The legality of a contract depends on various factors. Some of the basic elements of a legal contract include the validity of the offer, validity of the acceptance and other forms of considerations. An offer occurs when a particular party contracts the other. For instance, a client would request to buy a particular item thus creating an offer. In the case of the eBay online business, clients creates bids on the particular items they wish to purchase. The other element of a legally binding contract is the validity of acceptance. An acceptance is the agreement by the other party to receive the offer. It is apparent that any seller would only accept the offer when satisfied with it. On the case of eBay auctions, the sellers have the opportunity to evaluate a variety of bids from different customers before selecting the most applicable offer. In fact, the sellers of different items on the eBay platform have the right not to sell out their products if none of the clients commits a reasonable offer while exchanging the details of purchase. Besides the offer and acceptance of the contract, each contract would only be legally binding if the other terms of considerations (Ezeigbo, 2017). For instance, some companies would publish clearly their policies and terms of contract. In this regard, the client and the sellers must evaluate some other elements of the particular contract. For instance, the seller may evaluate the safety and security of the contract for the face of it before engaging the contract (Riefa, 2016).

Following the above analysis assessment of the necessary elements of a legally binding contract, it is significant to determine that eBay online contracts are legally binding. It is noteworthy that the platform provides that the clients should place a bid on a product after certifying that the product is worth the price and meets other consumer requirements. Therefore, the offer to purchase a particular product by the customer implies that the client is not only interested with the product but also the product meets the customer requirements including the cost and other specifications. In addition, the online buyers may not proceed with other negotiations if the product do not satisfy his or her needs. Further, the clients would also assess the security, safety and the integrity of the seller before completing the contract (Ebay, 2018).

 Similarly, the sellers on the eBay platform may only accept the offers from the valid and promising customers. After accepting the offer, the two parties must agree on the terms and mode of payment. In fact, the commitment to pay is a consideration of legally binding contracts. The negotiations reveals much of the two contracting parties. Therefore, either party may decline the contract process before completing the contract. Finally, it is very critical to not that eBay online auction business provides the policies including the terms and conditions of placing a bid or selling an item through the platform. In fact, the terms and conditions are clear and downloadable and either the seller or the buyer need to read the policies to ensure that he or she meets the terms of contract. It is also presumable that any customer placing an offer or sellers placing items for sale and accepting the bids from the customers have read and understood the terms of contracting. Therefore, it is important to conclude that eBay online contracts are legally binding and enforceable.

References

Ezeigbo, B. (2017). E-contracts. Essentials, variety and legal issues.

Riefa, C. (2016). *Consumer protection and online auction platforms: Towards a safer legal framework*. Routledge.

Ebay (2018). Rules and policies for buyers. Retrieved from: https://www.ebay.com/help/policies/rules-policies-buyers/rules-policies-buyers?id=4206