Internet Auction Fraud: The Silent Victims

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Abstract

Internet auction fraud is one of the fastest growing Internet crimes. This is shocking, because it has somehow managed to stay below the radar for so long. It has not been perceived as a serious problem for a number of reasons including the relatively small monetary losses that the victims suffer. That is one reason victims are reluctant to report the fraud. Others include the supposition that law enforcement will not assist them, a feeling of embarrassment, and not knowing how to report it.

In March 2003, an online victimization survey was conducted in conjunction with the National White Collar Crime Center. Some of the survey results are as follows: eBay is the most utilized Internet auction house; most victims reported the crime to the auction house; more than half of the victims did not research the sellers; and non-delivery of the product was the method most commonly utilized.

Interviews with Internet auction house officials were also conducted to obtain information to determine what they are doing to respond to the problem, and what proactive measures they are taking to combat the problem. The officials rely heavily upon the auction participant themselves to utilize prudent practices such as doing research on the seller, use safe paying practices, and to inform officials of any wrongdoing.

Being able to gain a clear understanding of how the crime is perpetrated, who the victims are, and why the victims do not report the crime, will better position law enforcement to prevent new victims and identify the perpetrators involved. This project not only sets an example of what needs to be done in combating this crime, but acts as a staging ground for future research.

Introduction

Internet auction fraud is rated as the top cyber-crime taking place today, and is claiming new victims everyday. Ironically, the general public, auction participants, law enforcement officials, and even the Internet auction houses themselves, may not be aware of the seriousness of the problem, the regularity with which it is taking place, and the impact it is having. The statistics speak to the seriousness and steady growth of this crime.

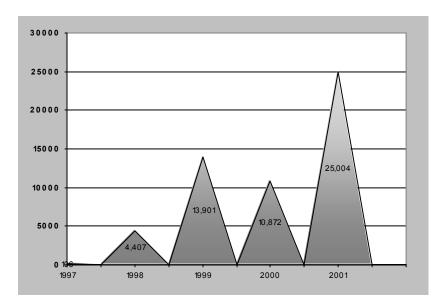
During the first six months of 2001, Internet auction fraud accounted for approximately 70% of fraud reports made to the Internet Fraud Watch. This percentage skyrocketed to 87% during the first six months of 2002 (National Consumers League, 08/02/02). Complaints more than doubled from 2001 to 2002 (National Consumers League, 3/25/03). The IFW reported losses of up to \$3.3 million or \$427 per person in 2000. This amount was surpassed within the first ten months of 2001, with losses resulting in \$4.3 million or \$636 per person in 2001 (National Consumer League, 11/07/01).

A study conducted by the Internet Fraud and Complaint Center (IFCC) states that over half (64.1%) of Internet fraud complaints from May through November 2000 were related to Internet auction fraud (IFCC, 2000). These complaints range from small to substantial losses. The numbers are not only staggering and shocking, but are increasing each year. With this amount of damage, this crime demands the attention of auction participants, Internet auction houses, and law enforcement officials. It is evident that Internet auction fraud causes serious damage and is not going away anytime soon.

The revolutionary method of Internet auctions, which set the stage for how future electronic commerce was to take place, began approximately eight years ago. However, it did not take long before this new phenomenon developed into a major dilemma for auction participants, Internet auction house officials, and law enforcement officials. In May 2002, the Internet Fraud Watch (IFW) stated that Internet auctions were responsible for 90% of the fraud complaints that were made to them that year (Yaukey, 05/07/02).

In January 2001, the U.S. Federal Trade Commission (FTC) reported Internet auction fraud as the number one online scam in 1997 with 100 reported cases. This statistic skyrocketed in 1999 with 10,000 reported cases, allowing Internet auctions to remain as the top cyber crime (*E-Commerce Times*, 01/10/01). In 2002, the FTC stated that auction fraud was responsible for more than half of Internet-related complaints they received (Yaukey, 05/07/02). The number of Internet users as well as auction participants has increased annually. This simply translates into more potential victims. The graph below illustrates how the number of complaints relating to Internet auction fraud to the Federal Trade Commission have continued to rise since 1997, with exception of 2000 (Brunker, October 9, 2002).

Number of Fraudulent Internet Auctions – Annually



Internet auction fraud can be perpetrated with little energy, little computer intelligence, and most important, anonymity. Until recently, law enforcement officials did not know how to recognize it, investigate it, or assist in preventing it. Internet auction participants often participate in Internet auctions without general operating information; that is,utilizing smart payment methods, conducting research on the seller, and knowing what fraudulent schemes to look for.

In June 2001, Mr. William Tauzin, the Republican Chairman of the House Energy and Commerce Committee, and New Mexico Congresswoman Ms. Heather Wilson, requested that the three (3) largest Internet auction houses, eBay, Yahoo!, and Amazon provide assistance in analyzing what contributed to Internet auction fraud and suggest ways to protect participants. The lawmakers hoped to obtain data on how often bid shilling took place, how successful they were in detecting the practice, and what steps they were taking to combat Internet auction fraud in general. Unfortunately, little was accomplished, making it evident that more needs to be done to assist law enforcement in fighting this growing crime and creating awareness to the millions of participants.

There has been a gap in knowledge of this crime, since law enforcement and auction house officials are not made aware of all the incidents and how they occurred. Knowing what methods are being utilized to commit Internet auction fraud is crucial in developing preventive measures. The five most common methods of Internet Auction fraud include bid shilling, bid shielding, non-delivery of merchandise, non-delivery of payment, and product authenticity.

One of the main reasons that the crime has been able to stay under the radar is that victims of Internet auction fraud often fail to report the crime to the Internet auction houses and/or law enforcement authorities. Research has shown that they do not report the crime for a number of reasons, some of which include:

- A. not knowing who to report the incident to;
- B. being embarrassed to report that they fell victims to the "scam";
- C. feeling it is not worth it to report the crime because the amount of money lost was not significant;
- D. feeling that even if they report it the authorities, nothing will be done to address the issue.

Methods of Victimization

Fraudsters commit this crime utilizing five main methods: 1) bid shilling, 2) bid shielding, 3) non-delivery of merchandise, 4) non-delivery of payment, and 5) product authenticity. Both Internet auction buyers and sellers are victims of this crime. The five methods are described below.

Bid Shilling

In bid shilling an individual either works with another individual, or creates a false identity, in order to drive up the bidding prices for the benefit of the seller. For example, a seller's friend is engaged to bid on his item, without any intention of purchasing it, so that other bidders will continue to make higher bids, enabling the seller to obtain a high price on the item.

Bid Shielding

Bid shielding occurs when a buyer and a partner (not a seller) artificially inflate the bids, discouraging others from bidding. Then, at the last minute, the shielder cancels his high bid and allows his partner to win the auction with a lower bid.

Non-Delivery of Merchandise

In this case, a bidder wins the auction and sends the payment, but does not receive the product. This method was the most common form of fraud among the victims in the March 2003 NW3C survey (NW3C Survey, March 2003).

Non-Delivery of Payment

Non-delivery of payment occurs when a bidder wins the auction and receives the merchandise, but does not send payment or revokes the payment at a much later date. Internet auction house officials offer a few suggestions that participants can employ to ensure this does not occur, including the use of escrow accounts, programs such as PayPal, and credit cards.

Product Authenticity

In this case the fraudster claims that the item he has put up for sale is something other than it really is. An individual will bid on it, assuming that the product is authentic, but then does not receive what was advertised. One of the categories that is most susceptible to this type of fraud is sports memorabilia.

It is imperative to know which method fraudsters are frequently utilizing, so auction participants, Internet auction houses, and law enforcement officials can develop preventive measures to combat the fraud. Since it is evident that this problem is not going to dissipate anytime soon, officials need to obtain as much information as possible from all arenas and, more importantly, work together in fighting it.

Victimization Survey

For the purposes of this study, an online survey of recent victims of Internet auction fraud victims was conducted in March 2003 in conjunction with the National White Collar Crime Center (NW3C). The purpose of the survey was to provide additional insight into the problem, specifically addressing what victims are doing and not doing prior to participating in an auction, current methods being utilized to defraud the victims, what auction houses are doing to prevent this problem, the issues they encounter while combating this crime, and finally, what law enforcement is doing to be proactive in dealing with this crime. Information was collected concerning victim demographics, amount of prior, current, and future Internet auction participation, the current incident of auction fraud, the victims' responses when they realized they were victims, and preventive measures taken prior to participating in the auction.

Demographical Data

This information includes the age, sex, residential information, education level, and income of the survey participants. Demographic information is important because it provides a better understanding as to where the crime is most prevalent, and assists in developing an idea of the typical victim of Internet auction fraud.

Participation in Internet Auctions Pre- and Post-Victimization

This section addresses the experience level of the victim. The victims were asked how many times they participated in Internet auctions, their current amount of participation, and what they feel will be their future amount of participation since their victimization. This is important in determining what, if any, precautions were taken by the participant, and whether or not the incident will have a negative impact on their future participation.

• Case Information on the Most Current Internet Auction Fraud Incident

This section identifies the specifics of the crimes, including the total amount of loss, method utilized to defraud them, to whom they reported the crime, what Internet auction house they utilized, and the current status of their complaint. Since each incident is unique, this section is important in identifying current trends.

• Reporting Information

This section discusses who the victims initially reported the crime to, whether or not they knew who to report it to, and whether or not they were satisfied with the response they received from the Internet auction house and/or law enforcement officials. This is important because one of the main reasons individuals do not report the crime is that they do not know which agencies or authorities to report it to, as well as whether or not their concerns will be addressed and resolved by authorities.

• Pre- and Post-Preventive Measures

This section examines what, if any, preventive measures the victims took prior to participating in the auction and whether or not they will take preventive measures in future auctions. It also allows the participants to discuss what they think law enforcement and Internet auction house officials should do to prevent and combat this crime.

Results of the Victimization Survey

Demographics

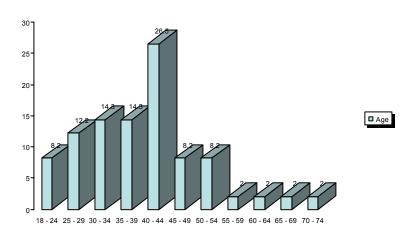
As shown below, the 49 respondents represented several states, with a majority of the victims residing in California, Ohio, and Illinois. The breakdown is as follows:

-	Arizona:	2%	_	Maryland:	4.1%
-	California:	14.3%	-	Michigan:	4.1%
-	Colorado:	2%	-	Minnesota:	2%
-	Connecticut:	4.1%	-	Montana:	2%
-	District of Columbia:2%		-	New Jersey:	6.1%
-	Florida:	6.1%	-	New York:	6.1%
-	Georgia:	2%	-	Ohio:	8.2%
-	Hawaii:	2%	-	Pennsylvania:	2%
-	Idaho:	2%	-	Tennessee:	6.1%
-	Illinois:	8.2%	-	Texas:	2%
-	Louisiana:	2%	-	Washington:	6.1%
-	Massachusetts:	2%			

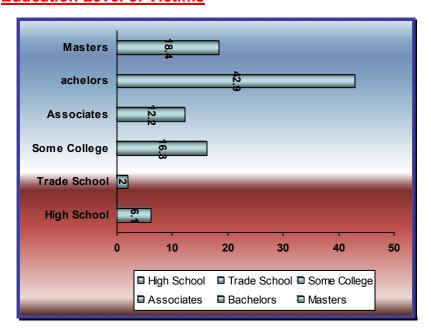
The survey portrayed a typical victim as a male (63%), ranging from 30 – 44 years of age (51.1%), with a Bachelor's degree (42.9%), and an income between \$50,000 - \$60,000 (16.3%).

The following graphs illustrate that victims between the ages of 40 and 44 represented the majority with 26.5%, and that 30-34 year olds and 35-39 year olds, were tied for the second highest reporting of 14.3%. The participants are well-educated with a majority of them (42.9%) having their Bachelor's degree, and 18.4% of them having their Master's degree.

Age of Victims



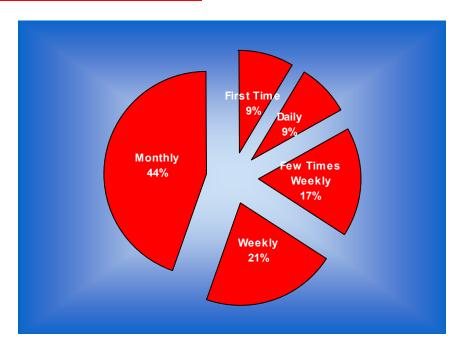
Education Level of Victims



Internet Auction Activity

<u>Pre-Victimization</u>: Only a small percentage (9%) of the survey respondents were first-time auction participants, with the majority of individuals taking part in auctions on a monthly basis (44%), and others participating on a weekly basis (21%); as shown in the illustration below:

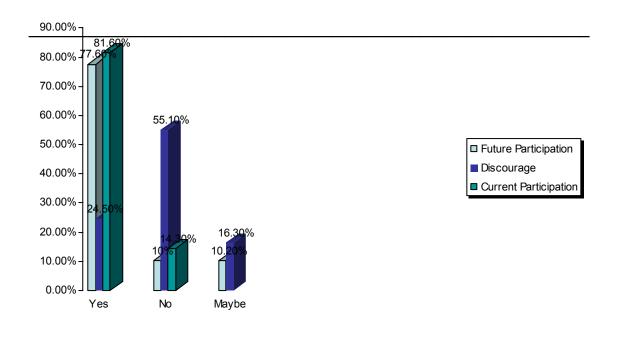
Internet Auction Participation



More than half of the survey respondents, 59.2%, were victims for the first time. This is an important fact because as shown above, approximately 82% of the victims participated in Internet auctions on a weekly and monthly basis. This proves that, although the number of Internet auction fraud complaints is skyrocketing, there are still many successful auctions that are conducted without a problem.

The graph below illustrates the number of victims who would consider participating in online auctions in the future, whether or not they would discourage family and friends to participate in online auctions, and how many victims have already participated in online auctions since their most recent victimization:

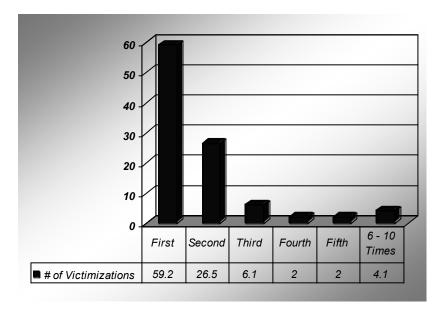
Victim's Current and Future Participation & Recommendations



As the graph shows, more than three quarters of the victims stated they would participate in online auctions in the future and approximately 80% of these victims have already participated in other auctions since their victimization. Only a little more than half of the victims stated they would discourage their family and friends from participating in online auctions, with only a quarter of them stating they would discourage them from joining auctions.

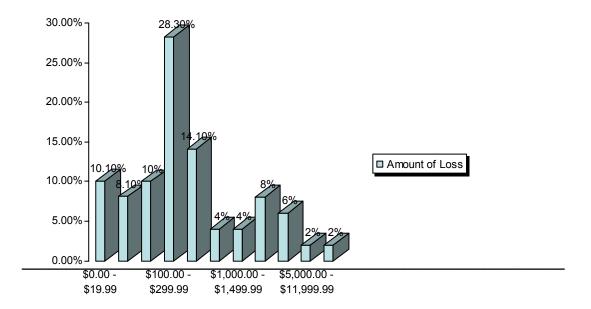
<u>Post-Victimization</u>: More than three quarters of the survey respondents have already participated in Internet auctions since their victimization, and 77.6% stated that they plan to continue to participate in auctions in the future. It is interesting to note that even though they fell victim to the scam, only one quarter of the victims would discourage family members and/or friends from participating in Internet auctions, with 55.1% stating they would not discourage family and/or friends, and 16.3% stating that they might discourage them. It is interesting to note, that, although more than half of the victims had been victimized for the first time, they would not discourage family or friends. The illustration below shows the amount of times the survey participants have been victimized.

Amount of Victimization

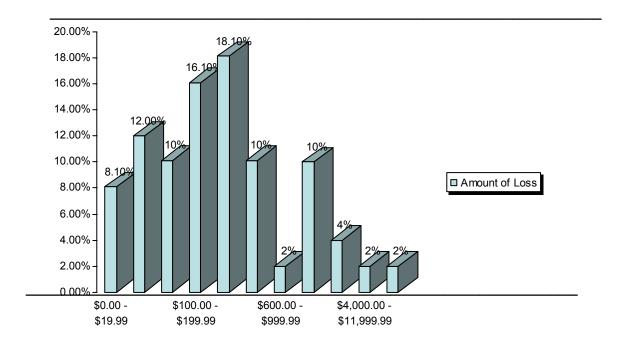


Throughout their extensive involvement in Internet auctions, the majority of the respondents estimated that they have a combined money loss of \$100.00 - \$299.99. In reference to the most current victimization, a majority of the respondents state that they lost approximately \$200.00 - \$399.99. This is shown in the following illustrations.

Amount of Loss in Overall Internet Auctions



Amount of Loss in Most Current Internet Auction

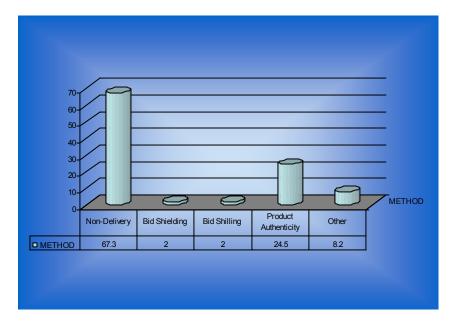


Current Incident

In the current Internet auction fraud incident, most of the victims, 61.2%, reported the crime to the Internet auction house, with the others (26.5%) mostly reporting the crime to a law enforcement agency. At the close of the survey, approximately 77.6% of the complaints were still unresolved.

In the most recent incident, more than half of the victims (67.3%) reported that they were victimized as result of not receiving the item they had already paid for, "Non-Delivery of Merchandise." The second highest victimization (24.5%) was as a result of receiving bogus items, "Product Authenticity." This and the other methods of victimization are illustrated below.

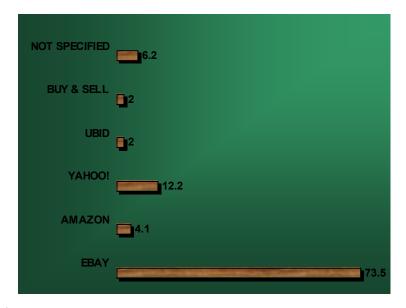
Method of Victimization



As shown above, 8.2% of the individuals were victimized in ways other than those mentioned above. Some of these included receiving items that did not function upon receipt, and not receiving a total refund on an item not received, because some of it was utilized to pay for "eBay costs."

Research shows that eBay is the Internet auction house most often utilized for online auctions. This held true for the survey respondents, as well, with almost three quarters of the victims utilizing eBay, and Yahoo! as the second-most utilized auction house. This is illustrated below:

Internet Auction Houses Utilized

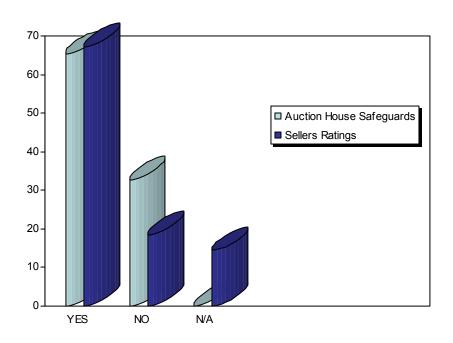


Prevention

The Internet auction house officials suggest that the best way to combat this crime is for individuals to take preventive measures when participating in Internet auctions. Some of these include conducting background research on the seller, i.e. determining their rating, and utilizing safe payment methods. Sixty seven point three per cent of the survey respondents stated that they did indeed obtain the seller's rating to determine whether or not they would participate in the auction. Most of the victims conducted prudent business practices, with 65.3% of the respondents checking to see what safeguards, if any, the Internet auction house utilized to protect against fraud.

The graph below illustrates how many of the victims checked to see if the auction houses had any safeguards to protect against fraud, as well as how many victims utilized the rating of sellers provided on the site to decide whether or not to participate in the auction.

Safeguards of Internet Auction Houses & Seller's Ratings



Survey respondents offered the following suggestions for what law enforcement should do to prevent Internet auction fraud:

- actively pursue and prosecute all violators.
- compile and maintain a database of Internet auction fraud abusers, and make it available on all Internet auction sites.
- have one central clearing house that deals with Internet auction fraud.
- physically confront the seller at his/her place of business or home.

- make the Internet auction houses responsible.
- require that Internet auction houses and payment providers (such as PayPal) provide details to individuals who report crime.

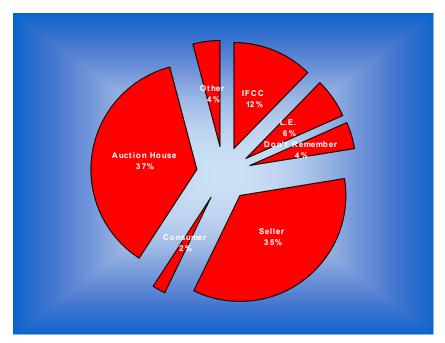
Survey respondents were also questioned as to what they felt the Internet auction houses themselves should do to prevent Internet auction fraud. While some felt that eBay and other auction houses were doing fine in educating the buyer and doing what they could with their resources, others provided the following suggestions:

- adopt eBay's "Feedback" system.
- ban sellers that sell fraudulent items, even if they only did it once.
- develop a more vigilant registration process and follow-up on all complaints, no matter how small.
- have individuals pay a flat-rate fee for selling and every time they are charged with fraud, increase the fee.
- all sellers should be required to provide a valid bank account.
- those who plan to sell numerous items should be required to register for a state license, apply for insurance, and complete an application to conduct business with the Internet auction houses.
- take responsibility and refund the money to the victims.

Reporting

Literature review has shown that often times, victims do not know who to report the crime to. The following pie chart breaks down the entities the survey respondents first contacted.

First Entities Contacted



The "other" entities that the survey respondents contacted included their credit card companies, the National White Collar Crime Center, PayPal, and Square Trade.

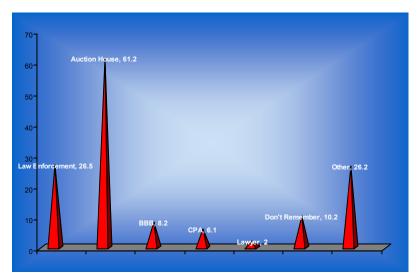
As the graph shows, a majority of the victims initially contacted the Internet auction houses, and then the seller. However, it is important to note that more than half (63.3%) of the victims did not know who to report the fraud to. When educating individuals who participate in Internet auctions, it is crucial to include who to report the fraud to, so that they can be reimbursed and so Internet auction house and law enforcement officials are aware of the problem. One of the main issues with Internet auction fraud is that there is a gap in knowledge among the victims, law enforcement, and the auction houses. In order for these three bodies to work together, they need to be able to communicate.

The victims stated a number of reasons as to why they were uncertain about who to report the fraud to, including:

- feeling there was no need to learn about it, until they became a victim;
- not knowing the IFCC existed;
- the fraudster was a foreign seller (Canadian) and they did not know what they could do legally since they were in a different country;
- feeling intimidated because the crime occurred over the Internet and they did not know who would respond to the fraud.

However, out of the survey respondents who knew what entity or entities to contact, the majority (61.2%) contacted the Internet auction houses themselves and then law enforcement (26.5%).

Reporting of Victimization



The "Other" reporting category included the following entities:

- Credit Card Company: 2%

Dean of Students at George Washington University: 2%

- Fair Trade, Paypal, FCC: 10.2%

- FBI, Customs, IRS: 2%

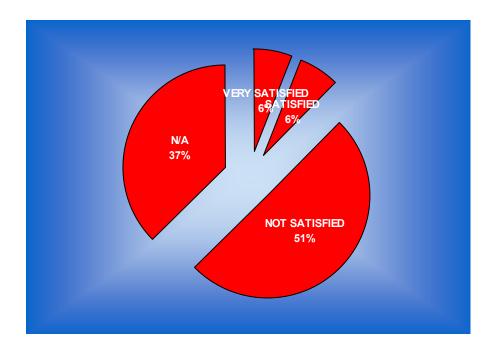
- IFCC: 2%

- NFIC & Square Trade: 6%

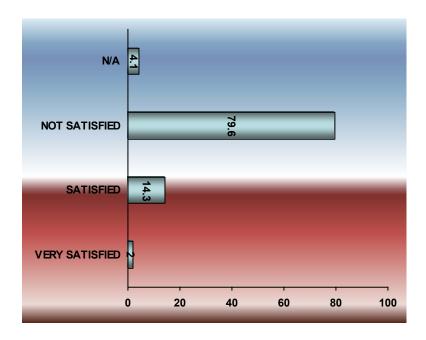
United States Postal Service: 2%

Approximately half of the victims who reported the fraud to law enforcement were "not satisfied" with the response they received from the law enforcement agencies. Even more victims (79.6%) who reported the crime to the Internet auction houses, were "not satisfied" with the reaction they received. These results and other responses are illustrated below:

Satisfaction With Law Enforcement



Satisfaction With the Internet Auction Houses



The victims provided the following reasons for their dissatisfaction with law enforcement officials: some of the law enforcement agencies did not know how to investigate the crime or did not have the resources to do so; they did not receive a response from the agency; the law enforcement agencies informed the victim that they had received the case, but to date nothing had been done with it; agencies were overwhelmed and did not prosecute the individual (one agency in particular was the Internet Fraud Department in Maryland); and the dollar value was too small to exhaust resources on it.

Similarly, some victims were not satisfied with the response they received from the Internet auction houses. These reasons included not responding to the victim at all, missing the 60-day deadline on refunds, statement that "there was nothing they could do," feeling that the Internet auction house did not care since they were getting their commission, feeling that the auction houses should have refunded the victim, no response after initial acknowledgement of complaint, the auction houses providing much useless information that does not really assist the victim, and auction houses stating that they are not held accountable.

Discussion

It is readily apparent from the results of the survey that educating the user is key to preventing Internet auction fraud. Educating the participants involves raising their awareness of:

- how Internet auctions are generally conducted;
- common fraudulent schemes;
- safe payment practices;
- how to conduct research on the seller;
- policies, regulations, and reputation of the Internet auction house.

It can be inferred that Internet auction fraud would dramatically decrease if participants conducted research about the sellers and employed safe payment methods.

A majority of the survey respondents stated that they were victimized by paying for the item, but never receiving it. Non-delivery of the item is seemingly the easiest way to defraud auction participants. Since participants do not use safe payment methods, they often send the money directly to the sellers, often to a Post Office box address. The seller, therefore, maintains his anonymity. Consequently, the seller receives the money, but sends the buyer nothing. Since the victim/buyer has no idea who the seller is, there is no recourse.

Another overall theme throughout the survey was the dissatisfaction almost all of the victims had with the Internet auction houses and law enforcement agencies. Often times, they stated that although they reported the fraud to the auction house and/or law enforcement officials, nothing was done to rectify their situation and they felt that the entities displayed a laissez-faire attitude. Some victims also stated that the Internet auction house informed them that they are not held responsible for what occurred. Although a majority of the victims contacted the Internet auction houses and some contacted law enforcement, a small percentage of them contacted the Better Business Bureau, their credit card companies, and lawyers. The problem with this is that, although it is good they reported the fraud, these entities will essentially make a note in their databases, but are not linked with agencies such as the NW3C, IFCC, FBI, and others that work to investigate and prosecute these claims. This creates another problem as well, which is that the information is not passed on to the agencies that report it and maintain statistics on the crime itself.

eBay's Response

Mr. Robert Chestnut is the Vice President of eBay's Trust and Safety Department. His primary responsibility is to ensure that the company is in compliance with state and federal laws. He and his team are trying to be more proactive in identifying and dealing with Internet auction fraud on their site. For example, if eBay suspects an individual seller is involved in Internet auction fraud, they will often send victim statement forms to participants whom they deem as other possible victims and notify them that law enforcement officials are looking into the case. In the letter, they provide the individual with the law enforcement official's name and the information they need.

eBay's Fraud Protection Program has committed much time, money, and energy to combating this crime (eBay Chat Session, 08/08/02). Chestnut states that they have taken a more proactive approach by canceling auctions as well as contacting the bidders after an auction to warn them, if eBay suspects a problem (Silicon Valley / San Jose Business Journal, 02/02/03). eBay CEO Margaret Whitman states that even though eBay does not assume the responsibility for transactions between the buyer and the seller, they have initiated several safeguards to protect the buyers and sellers. For example, there are some technology tools that combat bid shilling by detecting if the same person or the same computer is bidding on an item. In 2000, Online NewsHour featured an article on the tool which was first developed by eBay. The main objective of the tool is to catch individuals "in the act" of bid shilling. Chestnut stated that eBay's Operations Department, which focuses on a whole host of issues, has made significant improvements to this tool and that it is already in its second generation. Although it is impossible to prevent bid shilling 100% of the time, since thousands of Internet auctions are taking place world-wide at any given time, he states they are working to cut down the number of incidents. Basically, the tool attempts to identify patterns that suggest bid shilling is taking place, and attempt to intervene in the auction and confront those whom they believe are participating in the scheme.

Although Chestnut feels that these tools are very important in preventing auction fraud, he stresses the fact that eBay deems the community of Internet auction participants as their best tool in combating this crime. He stated that first and foremost, they need to utilize good judgment, as well as read the rules and understand the type of business transaction they are about to engage in. Also, prior to entering into a business relationship with any seller, they should research the "Feedback System," which allows them to obtain information on the buyers and sellers. In addition to conducting their background research, participants need to know what protections are available to them and employ intelligent and safe payment methods. He recommends that participants utilize methods that offer protection against fraud, such as PayPal, escrow accounts, and credit cards.

eBay's Fraud Investigative Team works directly with law enforcement agencies around the world to prosecute fraudsters. They assist law enforcement by providing eBay records, general investigative assistance, and testimony at the time of trial. This Team generally gets involved with cases involving substantial fraud and/or abuse on the site. Chestnut stated that for many years eBay has worked as a bridge between individual victims and various law enforcement agencies, which includes placing victims in contact with the right law enforcement officials, as well as acting as a collection point for evidence and obtaining information from the victim to pass it on to the law enforcement agency.

Once eBay's Fraud Investigative Team has completed an investigation, eBay responds to fraudsters' activities and applies various penalties on a case-by-case

basis. Mr. Kevin Pursglove, eBay's Spokesperson, stated that investigations do not always result in punishment; it depends on whether investigators find patterns of misconduct (Brunker, 10/09/02). Another factor that is heavily weighed when determining the penalties is whether or not law enforcement will prosecute these individuals.

Chestnut stated that for the most part, law enforcement agencies are working well to combat this problem. He feels that in comparison to their past efforts, they have made significant progress over the past few years. One of the problems that occurred in the past was that when eBay contacted a law enforcement agency to make them aware of a violation, many agencies had never heard of eBay or what they did. Consequently, many of the law enforcement agencies did not know how to investigate such cases effectively. Now, however, Chestnut stated that law enforcement officials are better trained and have been provided with state-of-the-art equipment to do so. One of the major things that they are doing involves community outreach programs that inform the community of the problem, and educates them on how to participate without becoming a victim.

Conclusion

With the steady increase in Internet auction fraud reports annually and the increasing number of Internet users and Internet auction participants, it is readily apparent that this crime is not going to disappear anytime soon and demands the attention of all law enforcement and Internet auction house officials. The fact that this crime has been able to stay below the radar is not only puzzling, but daunting, because of the amount of loss it continues to rack up.

Since Internet auction fraud has managed to maintain a low profile for so long, it has not been afforded the publicity that it needs, so that the public and law enforcement can be made more aware and informed about it. Continual research needs to be conducted on the crime, to raise awareness of the current trends, latest statistics, and the tools that are being developed to prevent the crime. Without that Internet auction fraud will continue to grow and wreak havoc in cyberspace.

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