Dark Patterns

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DARK PATTERNS

"Dark Pattern" refers to a wide variety of practices commonly found in online user interfaces that lead consumers to make choices that often are not in their best interests.

TERM COINED BY

- Harry Brignul, a user experience (UX) designer, in 2010

OBJECTIVE - GETTING CONSUMERS TO

- Purchase more and more
- Spend more money on a purchase or time on a service than desired
- Give up more personal data than desired

Dark Pattern (Category)	Meaning
Forced Action	Disclosure of more personal data than desired
Interface Interference	Visual prominence of options favorable to business
Nagging	Repeated requests to change a setting to benefit business
Obstruction	Making it hard to cancel a service
Sneaking	Adding non-optional charges to transactions at final stage
Social Proof	Notification of other consumers' purchasing activities
Urgency	Countdown timer indicating the expiry of deal

EFFECTS ON CONSUMER

- Harms to consumer autonomy and privacy
- Time and Financial loss
- Psychological detriment
- Less consumer trust and engagement
- Weaker or distorted competition

TOOLS TO DETECT/MITIGATE/ REMOVE DARK PATTERNS

- Cookie glasses
- Global Privacy Control
- Consent-O-Matic extension
- Truebill

REGULATIONS

- **International:**
  - ◆ Consumer Financial Protection Act, 2010 (USA)
  - ◆ Consumer Contracts (Information Cancellation and Additional Charges) Regulations, 2013 (EU and UK)
- **India:**
  - ◆ Rules: Draft Guidelines for Prevention and Regulation of Dark Patterns, 2023

In India, businesses implementing "dark patterns" in their user interfaces to influence consumer choices counts as infringement on "consumer rights" (Consumer Protection Act, 2019).

STEPS NEEDED

- Addressing consumer vulnerability to dark patterns
- Fostering consumer-friendly digital choice architecture
- Issuing regulatory guidance
- Empowering regulatory authorities to take action on dark patterns

Drishti IAS

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