



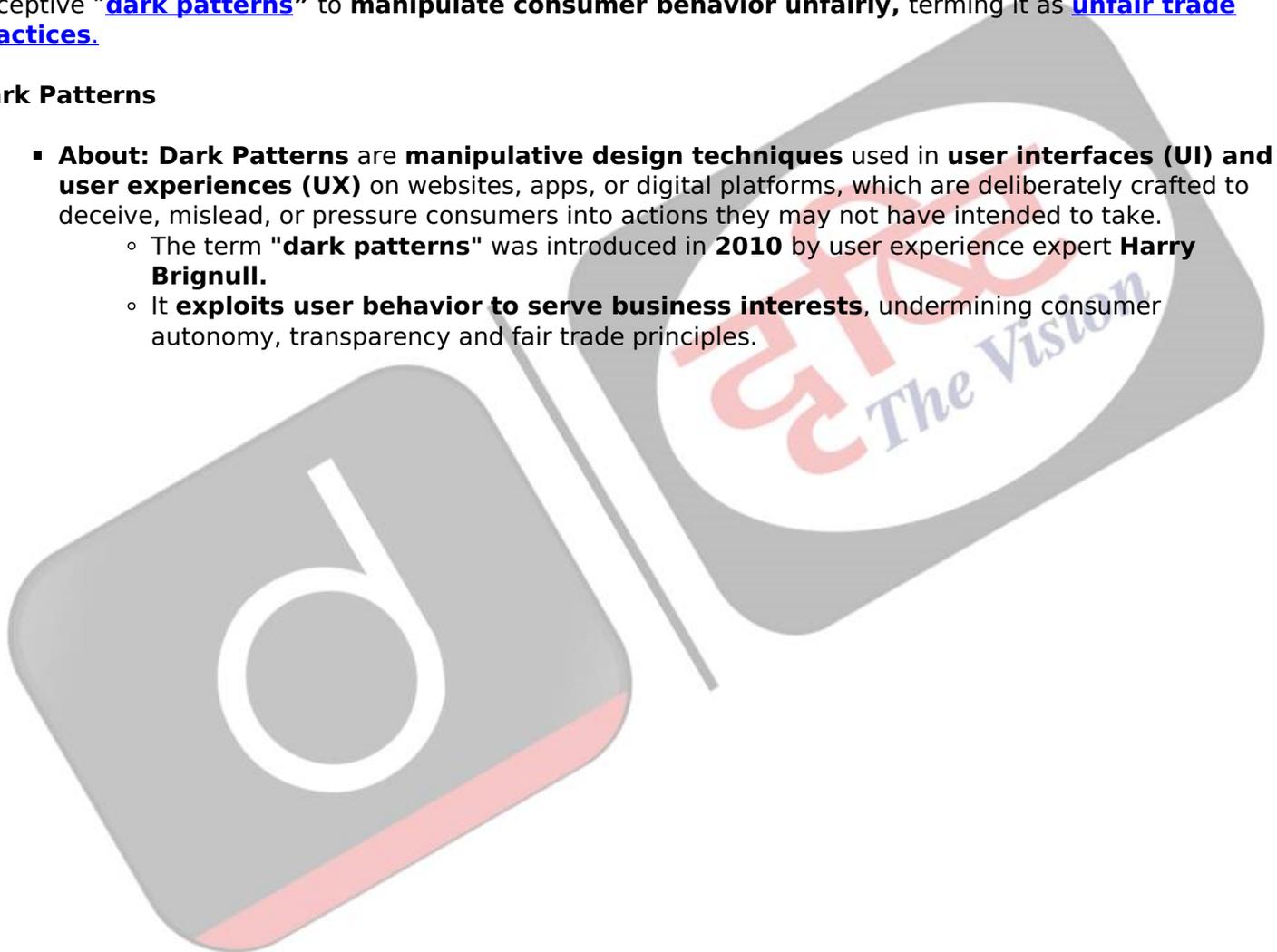
Dark Patterns

[Source: TH](#)

The [Department of Consumer Affairs](#) has issued notices to various **e-commerce platforms** for using deceptive "[dark patterns](#)" to **manipulate consumer behavior unfairly**, terming it as [unfair trade practices](#).

Dark Patterns

- **About: Dark Patterns** are **manipulative design techniques** used in **user interfaces (UI) and user experiences (UX)** on websites, apps, or digital platforms, which are deliberately crafted to deceive, mislead, or pressure consumers into actions they may not have intended to take.
 - The term "**dark patterns**" was introduced in **2010** by user experience expert **Harry Brignull**.
 - It **exploits user behavior to serve business interests**, undermining consumer autonomy, transparency and fair trade principles.



The Typical Dark Patterns

False Urgency 🕒

Creating a false sense of urgency or scarcity to mislead users into taking immediate action

Examples: Rank inflation, flash sales

Basket Sneaking 🛒

Including additional items or charges in the cart without user consent

Examples: Discounted items in cart, hidden fees, donations, tips

Differential Pricing 📷

Using algorithms to determine pricing basis of user's device or location

Examples: Flight prices, quick commerce apps

Confirm Shaming 💬

Criticising or attacking users to guilt them into complying

Examples: Subscription prompts, Exit prompts

Interface Interference 👁️

Manipulating user interface to mask or highlight certain specific information

Examples: Extra charges, subscription fees

Subscription Traps 🗝️

Making deleting accounts or ending subscriptions extremely complicated or impossible

Examples: Multi-step process to delete accounts

Forced Action 🖱️

Compelling consumers into taking unwanted actions

Examples: Forced signups, mobile number collection

Bait and Switch 🔊

Advertising one product or service but delivering something else, often of lower quality

Examples: Fake goods, fake photos

Source: Inc42 Research

Inc42

- **Related Government Measures:** The [Central Consumer Protection Authority \(CCPA\)](#), under the [Consumer Protection Act, 2019](#), issued **guidelines in 2023 to curb dark patterns**.
 - Apps like **Jago Grahak Jago** and the **Jagruti Dashboard** were launched to **enable the CCPA to take suo motu action** against such unfair trade practices.

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
- Consent-O-Matic extension
- Global Privacy Control
- 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



Read More: [Dark Patterns](#), [Consumer Protection Act, 2019](#),