

Unveiling the Shadows: Exploring Dark Patterns in the Realm of Consumer Protection Law

Objective:

The panel discussion aims to shed light on the pervasive use of dark patterns in the digital landscape and their implications for consumer protection laws. Recognizing dark patterns and bringing them out of disguise not only warns those who practice them but also make the consumers aware of such manipulation. By bringing together experts from legal, academics, consumer advocacy and e-commerce fields, the discussion will explore the challenges posed by dark patterns and potential strategies to address them within the framework of Guidelines for Prevention and Regulation of Dark Patterns, 2023 (Guidelines) notified by the Central Consumer Protection Authority.

Date and Time: February 10, 2024 (3:00 p.m. to 5:00 p.m.) on Zoom Platform and to be streamed live on YouTube

Introduction:

The Guidelines for Prevention and Regulation of Dark Patterns, 2023 (Guidelines) have been officially notified by the Central Consumer Protection Authority. These guidelines aim to prevent and regulate the use of 'dark patterns' employed by online platforms, advertisers, and sellers. Issued under the Consumer Protection Act, 2019 (Act), they extend and complement the previously issued Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 (Misleading Advertisements Guidelines) notified under the Act in June 2022.

Dark Patterns: Meaning

In the Guidelines, Dark Patterns are expansively described as any practices or deceptive design patterns within the user interface or user experience interactions on any platform. These are crafted with the intent to deceive or mislead users into taking actions they did not initially intend or desire.

The practice or deceptive design should have (a) resulted in subverting or impairing consumer autonomy, decision-making or choice; and (b) amounted to a misleading advertisement or an unfair trade practice, or a violation of consumer rights.

Virtual Panel Discussion on “Unveiling the Shadows: Exploring Dark Patterns in the Realm of Consumer Protection Law”

National Law School of India University, Bangalore

Date: February 10, 2024 (3:00 p.m.-5:00p.m.)



Key Objectives of the panel discussion are to shed light on the pervasive use of dark patterns in the digital landscape and their implications for consumer protection laws.

AGENDA

SESSION TITLE	PANELLISTS/MODERATORS	SESSION TIME
Welcome Address and Introduction	NLSIU	3:00-3:10
Keynote Address	Prof. (Dr.) Ashok R Patil Vice Chancellor, National University of Study and Research in Law (NUSRL), Ranchi.	3:10-3:20
Speaker 1		
Dark Patterns v. Persuasive Advertisements		3:20-3:40
Speaker 2		
Who Addresses Privacy Concerns? - Digital Personal Data Protection Act, 2023 v. Guidelines for Prevention and Regulation of Dark Patterns, 2023		3:40- 4:00
Speaker 3		
Influence of Dark Patterns on Consumer Decision Making		4:00- 4:20
Speaker 4		
Scope of Industry Self-Regulation for Dark Patterns		4:20-4:40
End of Panel Discussion		
Floor Open for Q/A		4:40-4:50
Release of IJCLP		4:50- 4:55
Closing Remarks and Vote of thanks (4:55-5:00)		

By convening this panel discussion, we aim to foster a deeper understanding of dark patterns, their impact on users, and the collective responsibility of the design community and e-commerce and social commerce platforms to create ethical and transparent digital experiences.

Moderator:

Ms. Tarishi Agrawal, Research Associate, Chair on Consumer Law and Practice, NLSIU

Expected Outcomes:

- Increased awareness about the prevalence and impact of dark patterns.
- Identification of ethical design principles and legal frameworks.
- Promotion of industry collaboration for the development of user-friendly interfaces.
- Empowering users to make informed decisions in the digital landscape.

Target Audience:

Advocates, Academicians, Government officials and Administrators, Research Scholars, Students, Legal Professionals, E-Commerce stakeholders, Members of the Civil Society.

