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The Curious Marketer . Dark patterns and digitally conscious products

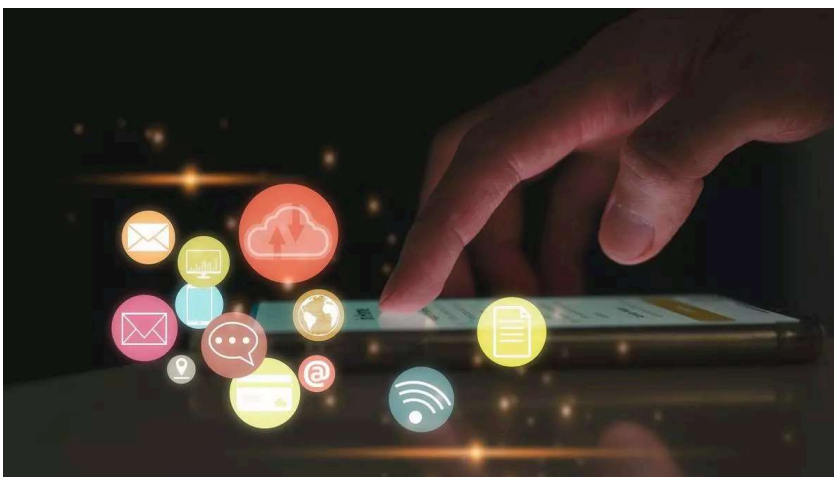
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To gain and retain customer trust, brands have to focus on ethical online in their apps

BY HARISH BHAT

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In today's digital world, ethical online interface design is an important component in winning and retaining customer trust. | Photo Credit: istock.com

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Parallel, a product design studio, highlights the use of deceptive patterns by many leading Indian apps. This study is a limited body of research that aims to serve as a starting point on this important issue. It has analysed 12,000 screens across 53 leading Indian apps in nine different industries, and highlighted the use of one or more of 12 deceptive patterns in most of these apps.

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What are deceptive or dark patterns? ASCI's guidelines on this subject, issued in June 2023, contain this definition – "Dark commercial patterns are business practices employing elements of digital choice architecture, in particular in online user interfaces, that subvert or impair consumer autonomy, decision making or choice."

Interface Interference

For instance, an app may highlight certain parts of the screen by using contrasting colours, whereas it may hide other parts of the screen by using colours that merge into each other. This could potentially result in many users being subliminally directed towards the choice contained in the highlighted section, even though this choice may not be their preferred option. Such a deceptive pattern is called "Interface Interference", and the ASCI study found that over 45 per cent of all leading Indian apps have instances of such interference.



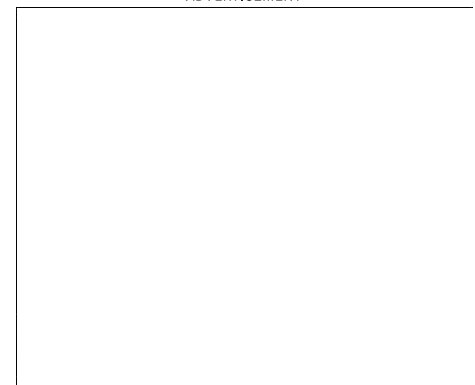
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Yet another example of deceptive patterns is “Confirm shaming”, which is all about using guilt or social pressure to manipulate users into confirming an action on the app. To quote an interesting example mentioned in the report, an app that markets a software product could offer two choices to the user – the first choice being “Upgrade now” and the second choice being – “I don’t want a smarter software”. Clearly, there is an intention here to make the user feel guilty whenever they go with the second choice.

A third illustration of deceptive patterns is “Basket sneaking”, where an unwanted item is added to a consumer’s online shopping cart without their explicit consent. For instance, a donation to a charity or cause may be added by the app to the user’s basket by default, and the user would then have to take the effort to remove this if he or she does not wish to make such a contribution.

Tricks and traps

The report highlights a total of 12 deceptive patterns which were studied, including the three mentioned above. Some other deceptive patterns which many online users will easily recognise are Privacy Deception (getting users to unknowingly share more personal data than they really intend to), Drip Pricing (revealing additional fees gradually throughout the purchase process, thus making the final fees much higher than originally quoted) and the Subscription Trap (leading users into subscribing to a recurring service without fully grasping all details of the ongoing

commitment that they are making).

This is an important study, because it helps sensitise marketers to the deceptive patterns that could, knowingly or unknowingly, find their way into their app interfaces.

It would be worthwhile for every brand that has a digital interface to study the guidelines issued in this regard by ASCI and by the Department of Consumer Affairs of the Government of India. Also, as a first step, marketers could use available resources, such as the Conscious Patterns website highlighted in the report, to test their apps and obtain a “conscious score” for themselves.

On this website, marketers can also study examples of many apps that offer inspiration by having balanced business needs with protection of user interests. The digital world of apps is relatively new, and this is a subject that is not necessarily on top of every marketer’s mind. In addition, the actual app interfaces are created not by marketers but by specialist designers, hence both these constituencies need to be aware of how best to pursue ethical design.

I asked Manisha Kapoor, the CEO and Secretary General of ASCI, what was her most important takeout from this report. Her response was sharp and clear. “Every good marketer wants to make the online space a safe and trusted environment for consumers. The question on top of their minds is – how do we go about doing this? This report is a good starting point to answer this question,” she said.

Nothing is more important to the success of brands than the trust which they enjoy from all their stakeholders, and in particular from their customers. In today's digital world, ethical online interface design is an important component in winning and retaining customer trust.

Harish Bhat is an avid marketer and bestselling author. He was previously the Brand Custodian at Tata Sons. These are his personal views.

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