

Telecom Valley | Animateur
Azuréen
Numérique

AZUR TECH *Winter*

26 NOVEMBRE 2024 | SOPHIA ANTIPOLIS
LES TECHNOLOGIES DU NUMÉRIQUE.

Deceptive Design

Clement OLIVA

amadeus

26 November 2024

Qui suis je

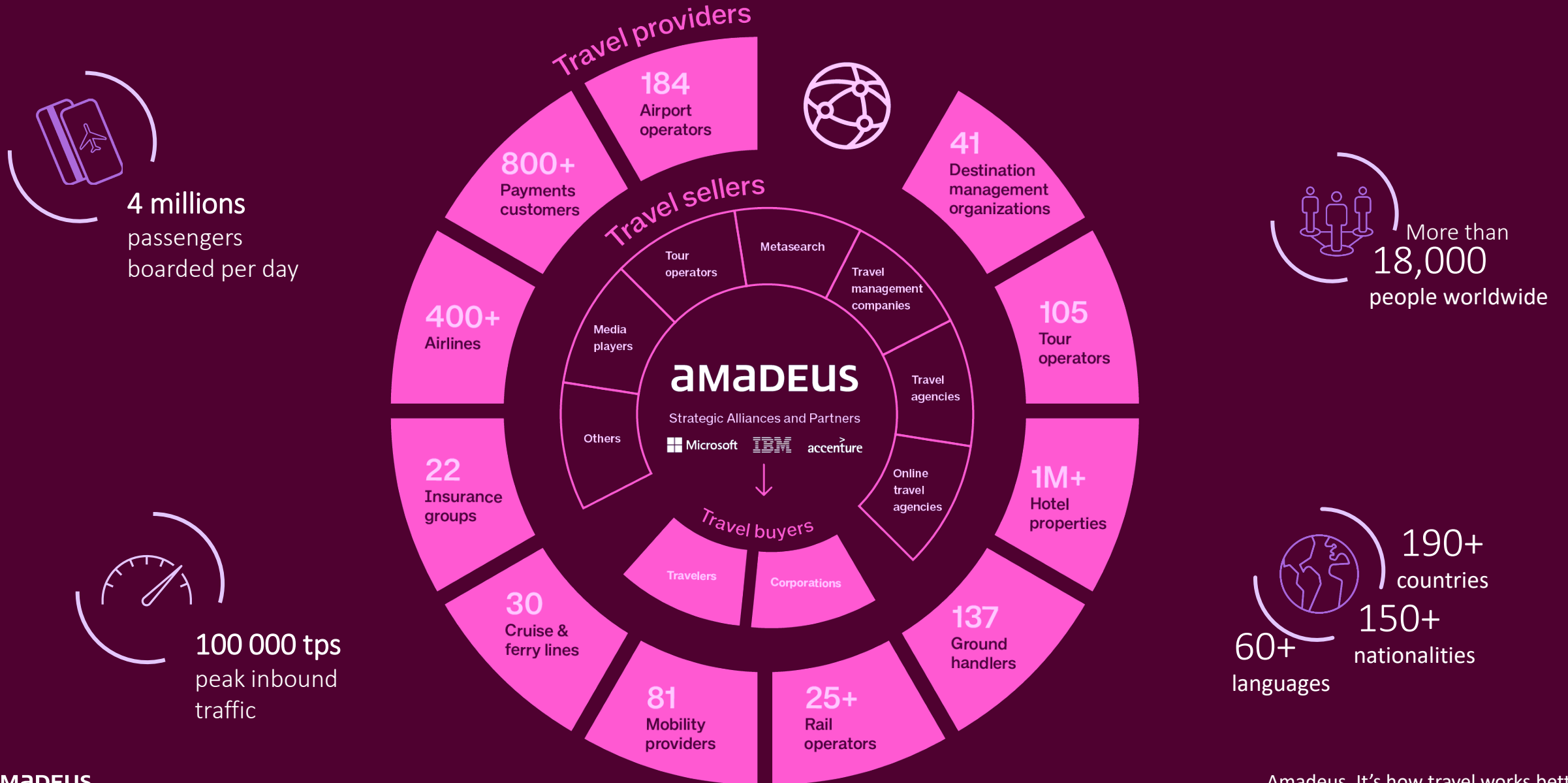


Clément Oliva



Follow me

Amadeus



Deceptive Design ??

Tu m'as trompé ? On devrait parler des Dark Patterns !

Though “Dark Patterns” has been the prevailing term to describe the problem for several years, this language reinforces the exclusionary framing that “dark” is “bad” and “light” is “good”. That’s why, after engaging with our community, we have changed the project name to “Deceptive Design: Moving Towards Trusted Design Patterns”.

-- World Wide Web Foundation

Dark Patterns



Deceptive Patterns
Deceptive Design
Manipulative Pattern
Manipulative Design

Quizz !!

1

Qui en a déjà rencontré ?

2

Utilisé uniquement par des entreprises illégales ?

3

Qui pense que son entreprise en utilise ?

Définition

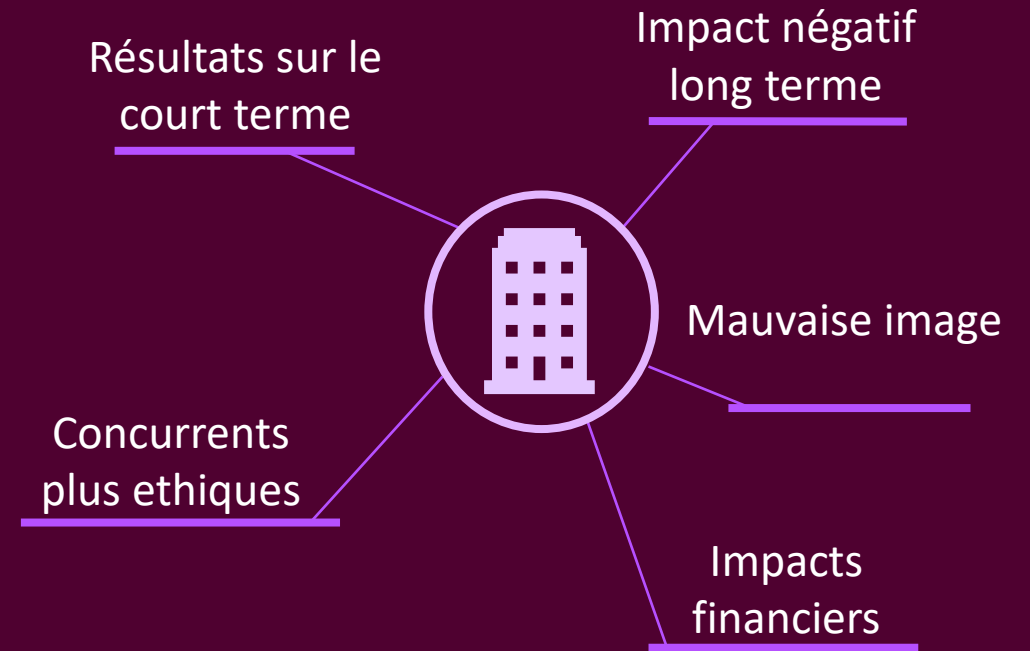
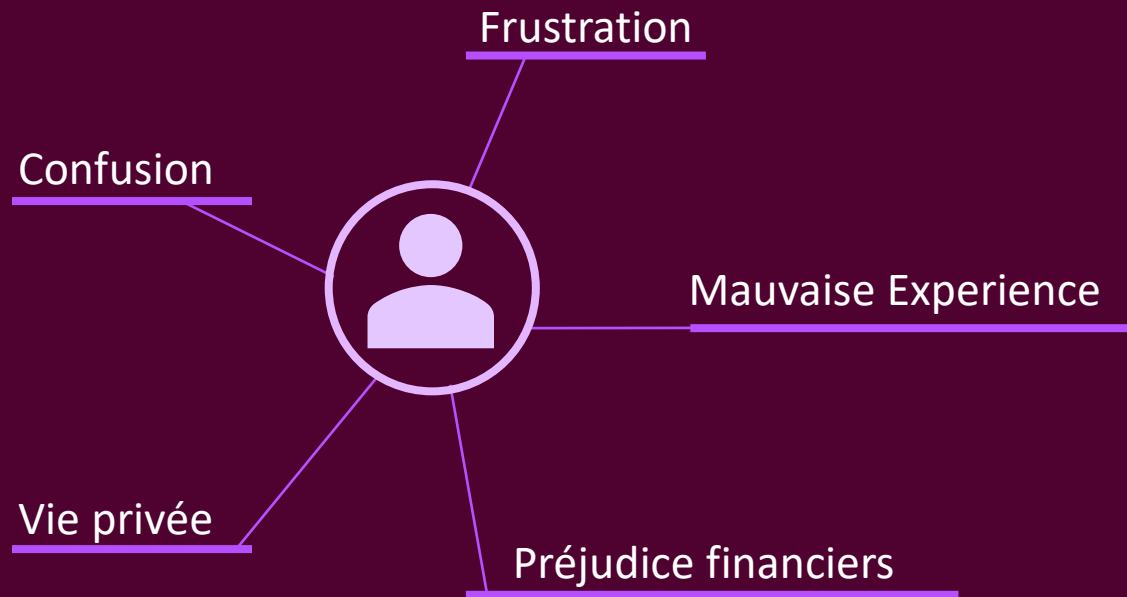
Des astuces de conceptions d'**interface utilisateur** pour volontairement **tromper** ou **manipuler** un utilisateur, et l'amener à **effectuer certaines actions**.

Elles peuvent aller de **simples incitations** subtiles à de la **fraude** pure et simple.

Utilisation de **biais cognitifs**.

Inventé par Harry Brignull en **août 2010**.

Pourquoi c'est problématique ?



Les types de Dark Patterns

Bait and Switch

Nagging

Confirmshaming

Obstruction

Disguised Ads

Preselection

Privacy
Zuckering

Fake Scarcity

Roach Motel

Hidden Costs

Misdirection

Sneak into
Basket

Forced Action

Comparison
Prevention

Fake Urgency

Trick Questions

Hard To Cancel

Hidden
subscription

Trick Wording

Sneaking

Aussi present dans les jeux vidéos mobile (<https://www.darkpattern.games>)

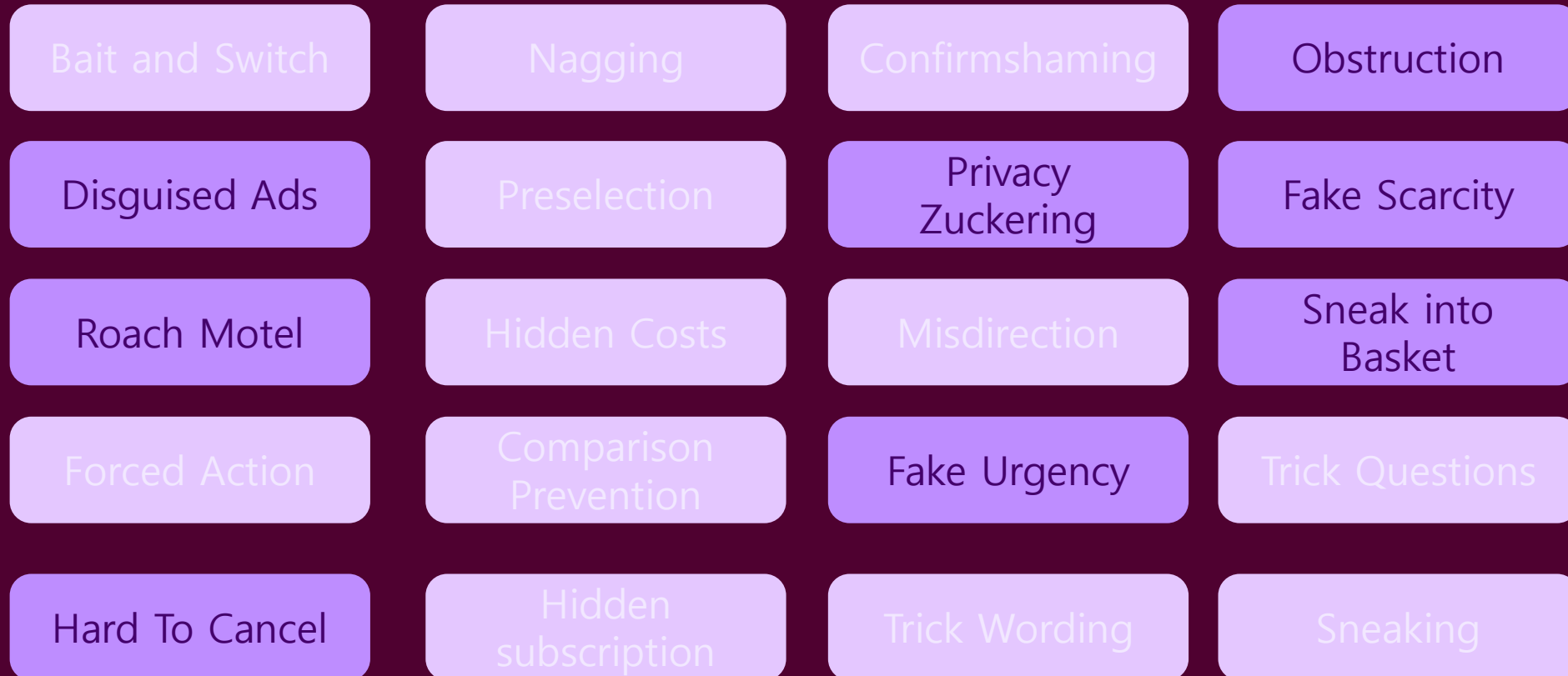
Temporal

Monetary

Social

Psychological

Les types de Dark Patterns



Aussi present dans les jeux vidéos mobile (<https://www.darkpattern.games>)



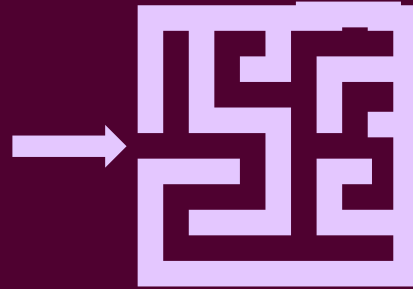
Un petit jeu

<https://www.termsandconditions.game/>

Roach Motel

Roach Motel

Hard To Cancel



Facile de s'inscrire



Difficile de partir

Roach Motel

Roach Motel

Hard To Cancel



Status

Your plan is active.

Want to cancel?

We're sorry to see you go. Please note that canceling your subscription will also remove any earned promotions or rewards.

Cancel my plan

Want to take a break?

If you're out of town or simply want a break from cooking, you can pause your subscription and skip your weekly deliveries.

Pause my deliveries

Questions? try our [Help Centre](#) or ask your question here.

✉ [Find an answer](#)

Roach Motel

Roach Motel

Hard To Cancel


Skip and keep benefits













- Primary colour
- Formulation déroutante


Où est l'annulation ?

Before you decide to cancel
If you want to take a break, here are your options

Skip weeks and keep your benefits



	Cancel	Skip
 Available discount of \$19.98		
 Keep your Loyalty Rewards progress		
 Refer a Friend and earn credit		
 Weekly menu access		

 You will lose these benefits forever upon cancellation.

Skip and keep benefits

Here are some other ways that we can help you

Roach Motel

Roach Motel

Hard To Cancel

- Necessaire de scroller
- Bouton "secondary colour"

Skip and keep benefits

Here are some other ways that we can help you

Get fewer deliveries
You can always modify your box frequency to fit your schedule

Modify

Speak with us
We're always looking to help. Call us anytime, it's free.

call us

Did you know?
You can always skip a delivery if you're not home

Help me skip

Cancel anyway

Roach Motel

Roach Motel

Hard To Cancel

Let us know why you're cancelling, maybe we can help



It is out of my budget



I am using other meal kit providers



It is too difficult to manage my account



I had a trial



I do not want a delivery every week



It is time consuming



The size of the box or number of meals does not work for me



I had issues with my deliveries or contents



Recipes don't meet my expectations or my dietary needs



There is too much packaging



I had issues with my payment or offers



Other

I don't want to cancel

Let us know why you're cancelling, maybe we can help



It is out of my budget



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Other

I don't want to cancel

Roach Motel

Roach Motel

Hard To Cancel

How does using our meal kit service contribute to a sustainable future?



Almost 0% food waste at home

Almost 0% food waste at home. Because we buy the exact amount of ingredients for your order



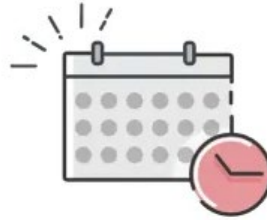
We reduced our packaging by 45% since we launched in 2016

The packaging we use to ship your food is almost entirely made from recyclable and/or already recycled content.

[See our complete sustainability report](#)

I'll stay

Cancel anyway



Your subscription has been cancelled

You have no more deliveries

Contact our team for any queries at [+1 647-490-9055](tel:+16474909055)

Tell us how we can improve...

Send feedback

[I didn't mean to cancel](#)

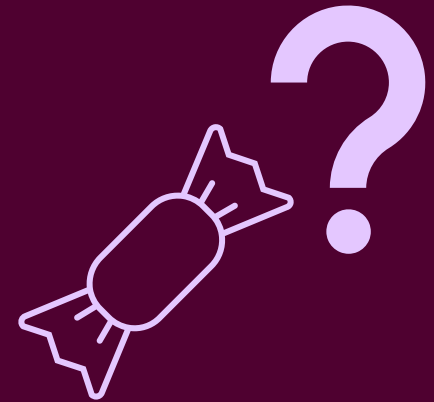
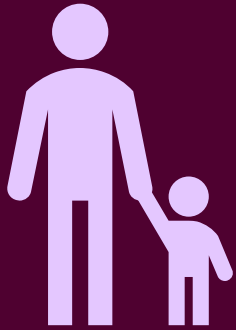
Upcoming recipes that you might like

Our curated recipes are always available to you. Keep cooking!



Sneak into Basket

Sneak into
Basket



Sneak into Basket

Sneak into Basket



Navigation: [Choix des billets](#) | [Participants](#) | [Coordonnées](#) | [Récapitulatif](#)

Récapitulatif

Billets et options

tesrt testtest Cabaret d'impro "Terrasse"	5 €
--	-----

Votre contribution à HelloAsso 1.20 €
[Pourquoi ?](#) - [Modifier](#)

J'ai compris que HelloAsso est une entreprise sociale et solidaire et confirme vouloir lui apporter une contribution financière, facultative et modifiable, en finalisant mon paiement pour assurer la gratuité du service à l'association. *

J'accepte les [Conditions Générales d'Utilisation](#) du service et j'ai lu la [charte de confidentialité](#). *

* Champs obligatoires

Montant TTC : **6.20 €**

[Payer >](#)

Paiement sécurisé

Sneak into Basket

Sneak into
Basket

Choix des billets | Participants | Coordonnées | Récapitulatif

Récapitulatif

Billets et options

tesrt testtest
Cabaret d'impro "Terrasse" 5 €






Votre contribution à HelloAsso 1.20 €

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* Champs obligatoires

Montant TTC : **6.20 €** Payer >

Paiement sécurisé     

Fake Scarcity Fake Urgency

Fake Scarcity

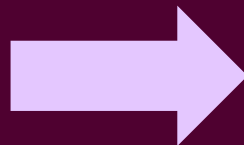
Fake Urgency



Création d'un sentiment artificiel de **disponibilité limitée** autour d'un produit ou d'un service



Place l'utilisateur sous **pression temporelle**, pour les rendre **moins capable** d'évaluer de manière critique les informations qui leur sont présentées

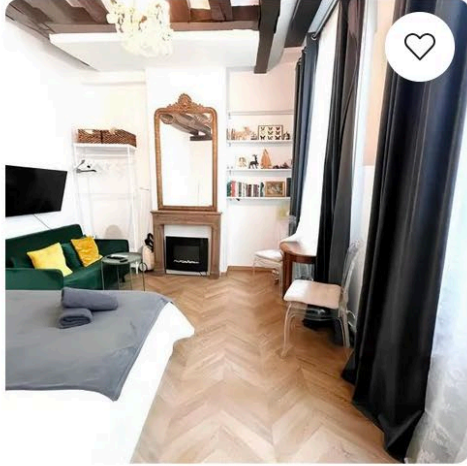


L'utilisateur ressent de l'anxiété ou du stress

Fake Scarcity

Fake Scarcity





Seine Apartment 4.0 👍

Managed by a private host

[5th arr., Paris](#) · [Show on map](#) · 0.6 km from downtown ·
Subway Access

Limited-time Deal

One-Bedroom Apartment

1 full bed

✓ **Free cancellation**

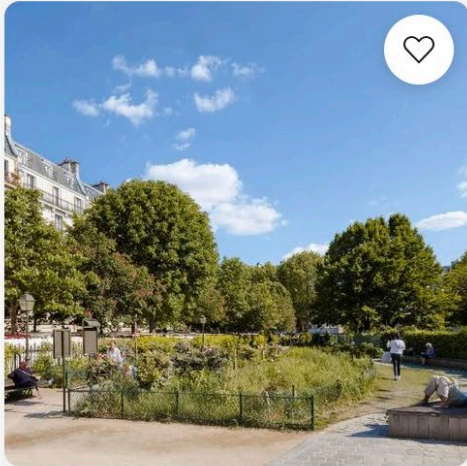
Only 1 left at this price on our site

Very Good 8.5
19 reviews

Location 10

2 nights, 2 adults
~~€ 610~~ **€ 370** i
Includes taxes and fees

[See availability >](#)



Sonder Le Frochot 4.0 👍

Ad

[9th arr., Paris](#) · [Show on map](#) · 2.9 km from downtown ·
Subway Access

Queen Room

1 full bed

✓ **Free cancellation**

Only 1 room left at this price on our site

Good 7.6
762 reviews

2 nights, 2 adults
€ 408
Includes taxes and fees

[See availability >](#)

Fake Urgency

Fake Urgency

Online Shops

Hurry up! Sale ending in:

00 **11** **59** **46**
Days Hrs Mins Sec

Sale Ends Once The Timer Hits Zero!

40% of online shops tricking users with “dark patterns”

The European Commission has been looking at retail websites to see if they're misleading consumers with “dark patterns”. Spoiler: Yes, they are.

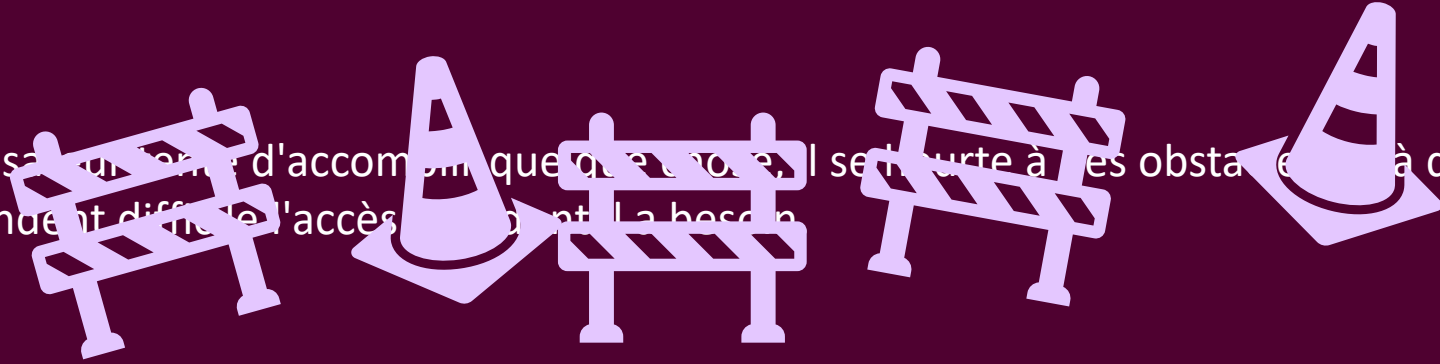
The Commission, along with the national consumer protection authorities of 23 EU member states, plus Norway and Iceland, have [released the results](#) of their screening of online shops. In a sweep of 399 sites the investigation discovered that 148 of them contained at least one of the three dark patterns they were checked for.

- 42 websites used fake countdown timers with deadlines to purchase specific products;

Obstruction

Obstruction

Lorsqu'un utilisateur tente d'accomplir quelque chose, il se heurte à des obstacles tels que des barrières inutiles qui rendent difficile l'accès à ce qu'il faut. La barre



Obstruction

Obstruction

called "dark patterns". These include: fake countdown timers; web interfaces designed to lead consumers to purchases, subscriptions or other choices; and hidden information. The investigation showed that 148 sites contained at least one of these three dark patterns.

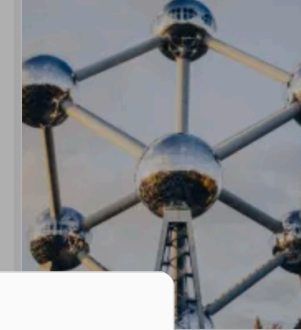
Commissioner for Justice, Didier **Reynders**, said: *"Our screening shows that nearly 40% of the online shopping websites rely on manipulative practices to exploit consumers' vulnerabilities or trick them. This behavior is clearly wrong and against consumer protection. Today we already have binding tools to help tackle such issues and I call on national authorities to make use of their enforcement capacities to take relevant action and fight these practices. In parallel, the Commission is reviewing all consumer legislation to ensure it is fit for the digital age, including to assess whether dark pa*

- 42 websites used
- 54 websites direc
expensive product
language;
- 70 websites were
consumers. For ex
of products, or on
with the aim of ma
- The sweep also in
deployed at least c

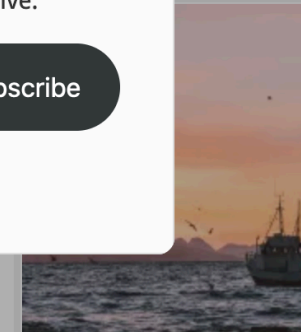
Next steps

National authorities will now contact the traders concerned to rectify their websites and take further action if necessary, according to their national procedures.

In addition to this sweep and as part of its broader efforts to tackle dark patterns to complement the work of the CPC network, the Commission will also contact online traders identified in a 2022 [study](#) on unfair commercial practices in the digital environment to ask them to rectify the issues identified here.



the European
d will support
ers in Belgium
24



Commission proposes fishing opportunities for 2025 in the Kattegat and Skagerrak
November 1, 2024

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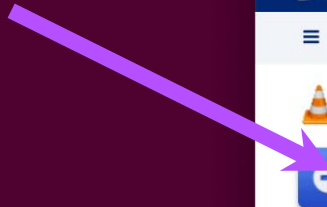
[Continue reading](#)

Disguised ads

Disguised Ads

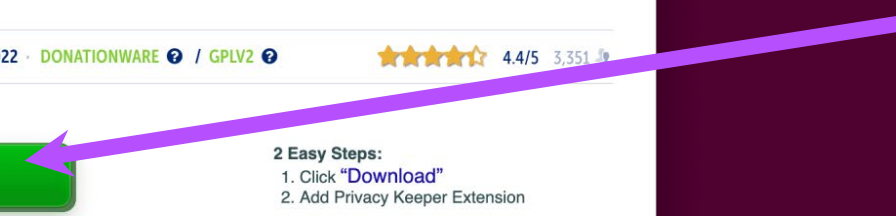
brouiller délibérément la frontière entre le contenu réel et la publicité

Ici ?

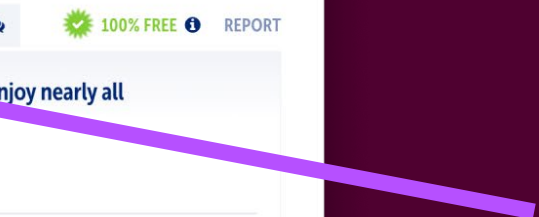


A screenshot of the Softpedia website for VLC Media Player. The page features a navigation bar with categories like 'WINDOWS APPS', 'MAC APPS', 'LINUX APPS', 'DRIVERS', 'ANDROID APK', and 'REVIEWS'. The main content area includes a 'DOWNLOAD NOW' button, a 'DOWNLOAD' button, and a 'FREE DOWNLOAD' button. There are also sections for 'SOFTPEDIA REVIEW', 'SPECIFICATIONS', 'CHANGELOG', and '15 SCREENSHOTS'. An advertisement for Fiverr is visible at the bottom right.

Là ?



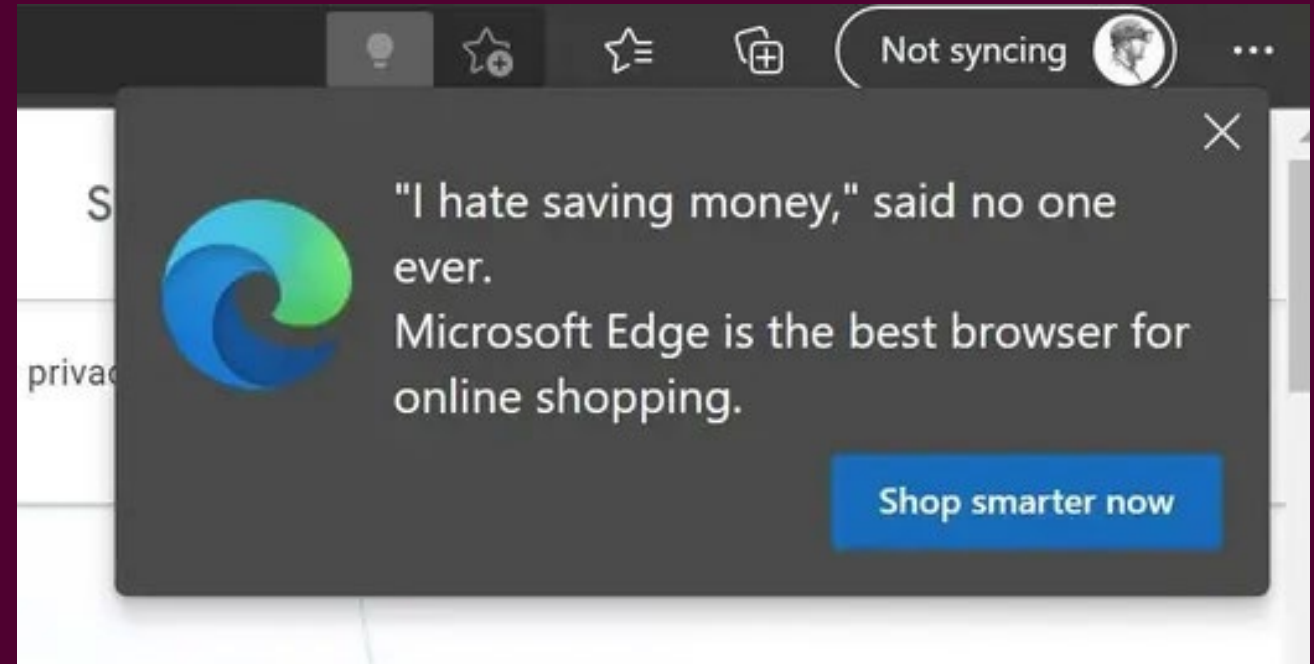
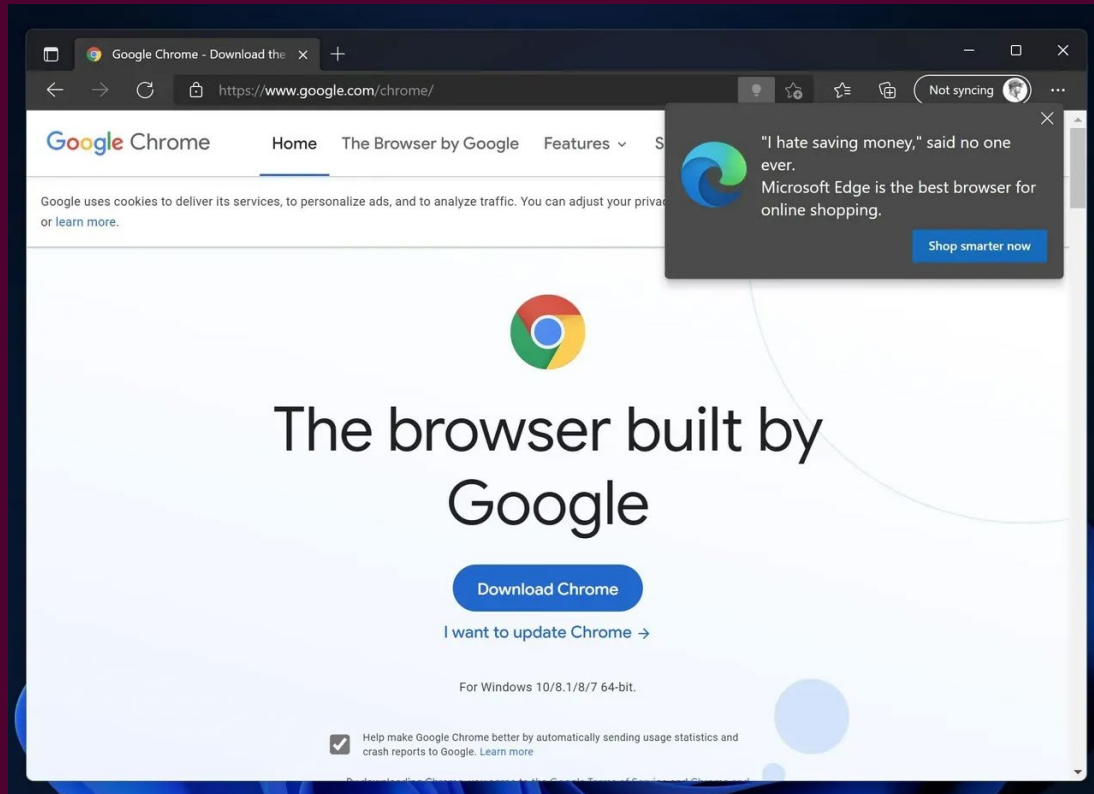
Ou là ?



Disguised ads

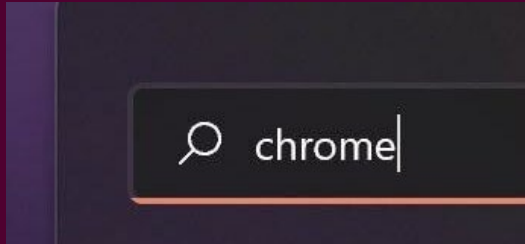
Disguised Ads

Confirmshaming





Disguised ads

Disguised Ads



Try the Bing Wallpaper app [Download](#) [Later](#)

 Promoted by Microsoft

 **Switch to the browser recommended by Microsoft.**

Get speed, security and privacy with Microsoft Edge.

[Download now](#)

Google Chrome - Download the Fast, Secure Browser from Google

chrome

All Apps Documents Web More ▾ 10 🔒 👤 ⋮


Best match


chrome
See web results

Search the web

- chrome **download** - See web results >
- chrome **browser** >
- chrome **web store** >
- chrome **download for windows 10** >
- chrome **music lab** >
- chromecast >
- chromebook >

Try the Bing Wallpaper app [Download](#) [Later](#)

 Promoted by Microsoft

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[Download now](#)

Google Chrome - Download the Fast, Secure Browser from Google
<https://www.google.com/chrome>

Get more done with the new Google Chrome. A more simple, secure, and faster web browser than ever, with Google's smarts built-in. Download now.

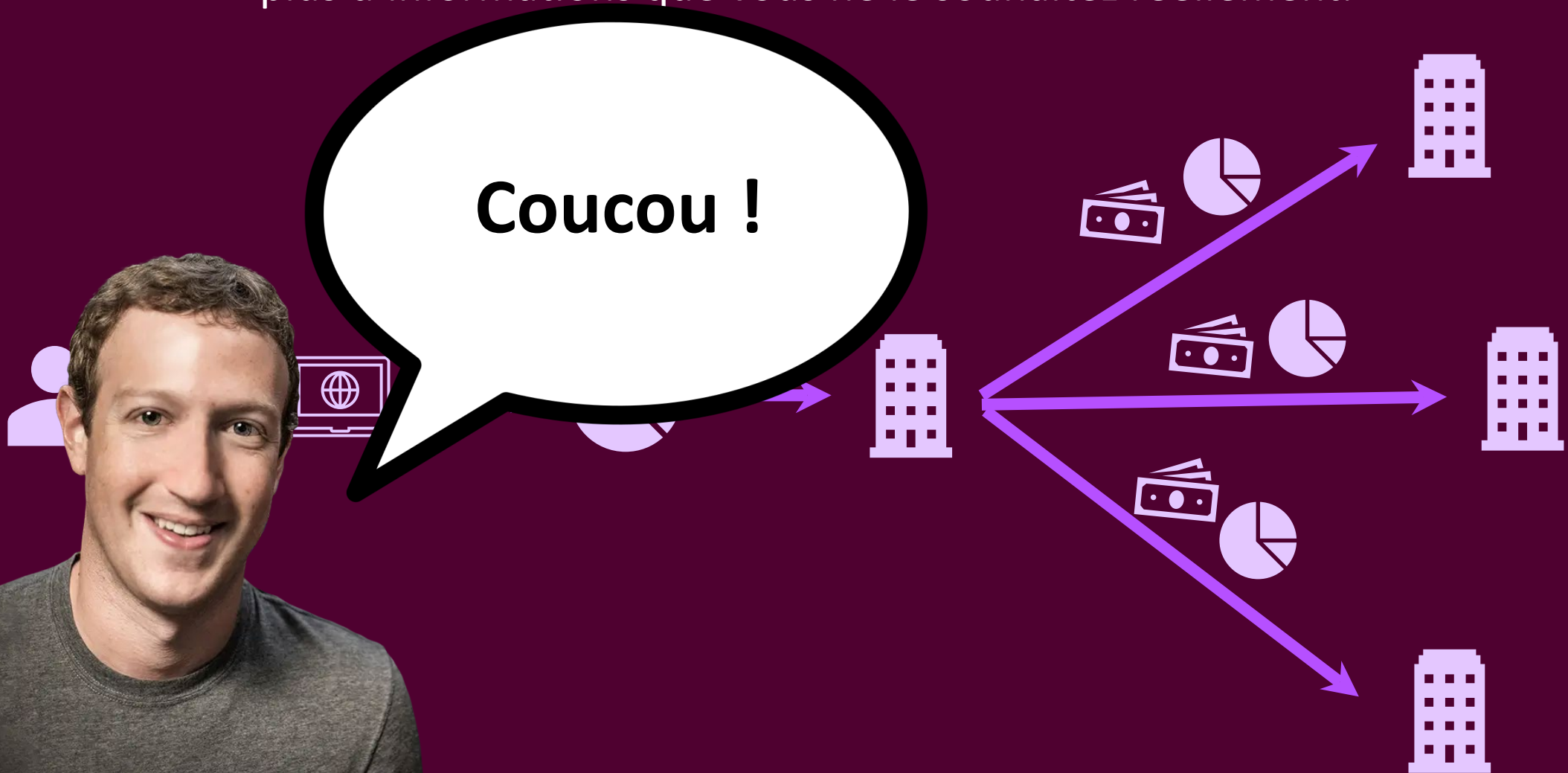
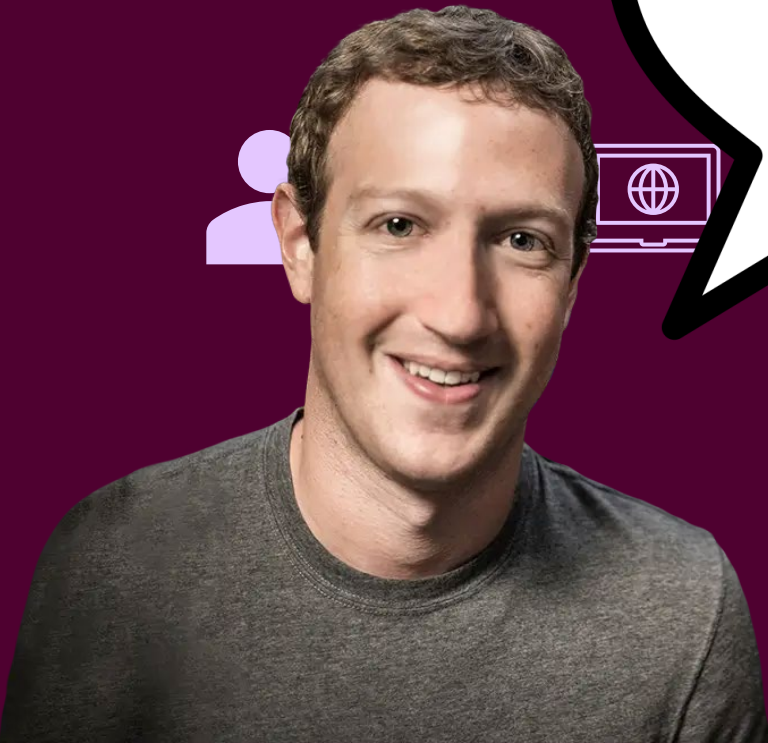
[Download](#) [Open results in browser](#) [Web Store](#)

Privacy Zuckering

Privacy
Zuckering

Un service ou un site Web vous incite à partager avec lui plus d'informations que vous ne le souhaitez réellement.

Coucou !



Privacy Zuckering

Privacy
Zuckering



E-BOOK

The Game Developers Guide to Matchmaking

Download now

Business Email *

By submitting this form, I am agreeing to Redis' [privacy policy](#).

Keep Your Players Engaged and Playing

The image shows a promotional banner for an e-book. The banner has a dark blue background with a purple-to-blue gradient. It features the title "The Game Developers Guide to Matchmaking" in white. Below the title is a form with a "Business Email *" field and a "Download now" button. A checkbox area contains the text "By submitting this form, I am agreeing to Redis' privacy policy." with a link to the privacy policy. At the bottom of the banner, there is a sub-headline "Keep Your Players Engaged and Playing" and the Redis logo.

Est ce un Dark Pattern ?

Are you, or do you think, you may be pregnant? * ⓘ

Yes

No

Are you suffering from any medical conditions? If yes, what conditions? *

No

Yes

Est ce un Dark Pattern ?

Ce qui n'est pas un Dark Pattern ?

Dark Pattern



Bénéfices pour l'entreprise
(collections des données, gains financiers, ...)

Pousser à faire des choix que vous n'auriez pas fait en leur absence.

Sinon



Mauvais choix de conception
Erreur humaine (bug)



Et la loi dans tout ça ?



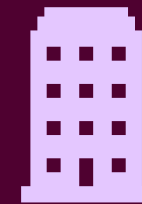
Illégal en Europe et aux US



300.000 euros
2 ans d'emprisonnement



Pratique commerciale déloyale, abusive,
agressive ou encore trompeuse



1,5 million d'euros
10 % du chiffre d'affaires moyen annuel
6 % du chiffre d'affaires mondial

C'est pas du vent !

Legal cases

Businesses that use deceptive patterns (aka 'dark patterns') often get hit with big fines and penalties.

Filters

Clear all

Sort by ▾

Showing 100 of 100

Administrative or judicial authority

Clear

- Federal Cartel Office (Bundeskartellamt)
- Superior Court of the State of Arizona - County of Maricopa
- United States District Court for the Southern District of New York (Manhattan County)
- United States District Court Northern District of California

Bundeskartellamt's Administrative Proceeding against Google

Google faced liability for processing user data across services without affording users adequate choice options through its selection dialogue interfaces.

Changes made to consent choices interface | EU & UK | Federal Cartel Office (Bundeskartellamt) | October 5, 2023

In the matter of TikTok Technology Limited

TikTok was held liable for nudging children towards privacy-intrusive settings using bold text in two pop-up notifications, hindering neutral and objective choices.

€345 million in fines | EU & UK | Irish Data Protection Commission (DPC) | September 1, 2023

FTC v. Amazon.com, Inc.

FTC enforcement action against Amazon relating to Amazon Prime subscription, including explicit mappings in the complaint to five types of "dark patterns"

Pending | USA | United States District Court Western District of Washington | June 21, 2023

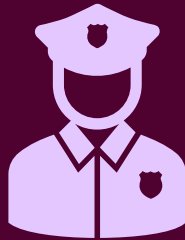


www.deceptive.design

En France ?

DGCCRF

Direction Générale de la Concurrence, de la Consommation
et de la Répression des Fraudes



Code de la consommation
Principe de loyauté et transparence
Clause abusive

CNIL

Commission Nationale Informatique & Libertés



RGPD

Consentement et de transparence
Loi informatique et libertés

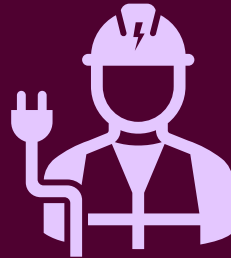
LCEN

Loi pour la confiance dans l'économie numérique
Transparence sur l'utilisation des cookies

Et nous ?



Notre responsabilité



Connaître
Éduquer
Vigilant



Tests utilisateurs
Solliciter des retours
Transparence

Et si on m'oblige ?

Éthique ≠ Business

Proposer des Alternatives Éthiques

Donner des exemples

Utiliser les feedback utilisateur

“C'est pas moi c'est l'utilisateur”

Respectez vous !

Envisager d'autres options professionnelles

Court Terme vs Long Terme

Et le retour sur investissement

Considérer l'aspect Légal

Impliquer le service juridique
de votre entreprise

Des liens

Web Foundation : <https://webfoundation.org/news/tag/dark-patterns/>

Deceptive.design : <https://www.deceptive.design/>

Hall of Shame : <https://hallofshame.design>

Dans les jeux video : <https://www.darkpattern.games/>

Le petit jeu : <https://www.termsandconditions.game/>

Playlist DGCCRF: https://www.youtube.com/watch?v=aOujXffsjK0&list=PLix3GPrwdnw5zUZ5l3Vsp_vTiD4TEkdvd

Autres liens :

<https://darkpatterns.uxp2.com/>

<https://thomasmildner.me/darkpatterns.html>

<https://www.malwarebytes.com/blog/news/2023/01/european-commission-goes-after-dark-patterns-in-web-shops>

<https://www.economie.gouv.fr/daj/lettre-de-la-daj-darks-patterns-les-conseils-de-la-direction-generale-de-la-concurrence-de-la>

<https://www.economie.gouv.fr/dgccrf/les-fiches-pratiques/pieges-sur-les-sites-de-commerce-en-ligne-attention-aux-dark-patterns>

Merci !