

# Digital Arms for Digital Consumer Harms

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# Propositions

1. Some dark patterns may lead to well-established consumer harms in digital markets. Regulators should intervene in digital markets to protect consumer interests.
2. Effective legal solutions for dark patterns in digital consumer markets may need to engage with technological design, i.e. become more technology-specific.
3. Technical solutions, i.e. computational tools for the detection of unlawful dark patterns, could increase the effectiveness of public enforcement efforts in digital consumer markets.
4. Technical solutions require more technology-specific legal solutions.
5. The legal and technical solutions proposed by this thesis could contribute to more consumer-friendly digital markets.
6. New technology in and of itself does not require regulation. Harmful (including to consumers) uses of technology may require regulation.
7. Technology-neutral regulation is not suitable for each and every technology-related regulatory problem. Technology specificity should not indiscriminately guide the design of technology regulation either. The choice as to the appropriate level of engagement with technology in regulation should be guided by the nature of the regulatory problem to be addressed.
8. Interdisciplinary regulatory problems call for interdisciplinary research.
9. To discipline digital markets, policymakers and enforcement authorities will need unicorns who understand both the legal and technical aspects of regulatory problems in the years to come. It is not enough for law faculties to train lawyers, and it is not enough for computer science faculties to train technologists.
10. Tim Berners-Lee, the inventor of the World Wide Web, said in 2009, 'The Web as I envisaged it, we have not seen it yet. The future is still so much bigger than the past'. May the future of the Web also be brighter than its past.