

RESEARCH ARTICLE

The Concept Of "Dark Pattern" In Competition Law and Its Legal Nature

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Abstract

The article explores the concept, types, origins, and applications of "dark pattern" within the framework of competition law, as well as their impact and various regulatory approaches and solutions in practice.

Theoretical and practical issues related to identifying and regulating dark pattern behaviors in competition law are analyzed based on the legislation of foreign countries and existing legal theories.

KEY WORDS

Dark pattern, manipulative design techniques.

INTRODUCTION

The rapid implementation of reforms based on free-market principles in our country, along with the growing number of digital platform operators and the expanding range of services they provide, is a direct result of initiatives aimed at protecting consumer interests. However, there are increasing instances where actions are taken contrary to consumer interests under the guise of "convenience" In particular, through advertisements, websites, and software applications, consumers are being steered toward choices they did not intend to make. In legal terminology, this conduct is referred to as "Dark pattern". Along with this concept, the term "deceptive pattern" is also frequently employed.

Dark pattern or deceptive pattern are digital manipulative tactics employed by platform designers to induce online users into utilizing services, making purchases, or completing registrations that they did not consciously intend to. In other words, influencing a consumer's conscious decision-making process through digital subterfuge is defined in competition law by the term "dark pattern".

It is widely held that the concept of "dark pattern" was first introduced in 2010 by Harry Brignell. Reference is also made to the fact that information regarding this concept is provided in the staff report titled "Bringing dark patterns to light".

Although the primary subject of dark pattern is often the consumer (user), this concept encompasses not only individual consumers but also entrepreneurs who act as participants in business activities. While consumers engage with various online platforms for personal purposes, entrepreneurs participate in the capacity of "users" with the aim of generating profit.

The rapid day-to-day development of the marketing sector in our country necessitates a progressive legal regulation of existing problems and those with a high probability of emerging. The fact that consumers engaging in online shopping frequently find themselves participating in various promotions and purchases they did not consciously intend to, indicates that this field still requires further study and

legislative refinement.

ANALYSIS OF RESEARCH MATERIALS AND RESULTS

The volume of products and services offered to users by digital platforms is increasing at a rapid pace. However, it is observed that the delivery of these digital conveniences to the user is not always conducted through appropriate or transparent methods.

Behind the “convenience” and “ease” offered by digital platforms, there exists an intent to induce users to incur additional expenses and waste time through the use of dark pattern. In other words, objectives are achieved via unethical marketing techniques. In academia, this is referred to as the “Dark Pattern” phenomenon. As an umbrella term, it signifies a consumer’s consumption of a product or service without having made a conscious decision to do so.

Furthermore, various forms of dark pattern exist (which will be discussed in detail below). Steering a user toward the unintended use of a product or service through dark pattern is primarily executed via the websites and applications of digital platform operators. Notably, these patterns are encountered not only during the phase of service utilization but also when attempting to cancel existing services. For instance, if you encounter a series of complex, sequential steps that require excessive information and time when attempting to cancel an online order or service, it is highly probable that a form of dark pattern is being employed.

Below, we discuss the various manifestations of dark pattern and examine how their utilization can influence and manipulate user decision-making processes. The first type of dark pattern is forced action”.

Forced action refers to the requirement for users to provide additional information, engage in prolonged procedures, or perform other tasks that compel the consumer to expend extra time and data. For example, when purchasing goods for personal use via an online platform, artificial barriers are created by requiring users to input personal data, subscribe to platform notifications, or use “share with others” buttons to proceed. Without completing these stages, the consumer cannot achieve their objective — namely, making the necessary purchase.

While registering on a digital platform and providing personal

information may seem routine at first glance, the underlying intent of such actions by digital platforms is to artificially steer the user toward other services or fulfill different objectives. Additionally, by registering on the platform, the user is deemed to have consented to receive unsolicited future offers related to the platform.

DIFFICULTY OF SERVICE CANCELLATION

The application of dark pattern technologies within digital interfaces is primarily aimed at restricting user autonomy. A clear manifestation of this is the creation of artificial barriers during the subscription cancellation process. If a platform requests excessive personal data not required during the initial registration or unjustifiably complicates the cancellation procedure, such conduct is characterized as the manipulation of the user experience. Through these “forced actions” the user’s time and data are exploited.

It is highly probable that similar practices are being employed by major digital market operators within our country. While there are no difficulties encountered when subscribing to these digital platforms, users are required to disclose their reasons for cancellation to the platform operator during the termination process. As previously noted, such conduct should be evaluated as an action perpetrated through dark pattern technology and must serve as grounds for the competition authority to apply appropriate enforcement measures.

FAKE SOCIAL PROOF

Whether intentionally or not, when making online purchases through digital platforms and applications, we examine the comments and reviews left under products. The opinions expressed in these reviews play a pivotal role in our decision to proceed with a purchase or refrain from it. However, it is highly probable that not all posted comments originate from actual buyers. Furthermore, the practice where a seller registered on a digital platform deletes negative reviews and ensures only positive ones are prominently displayed inevitably influences the consumer’s purchasing decision. What this implies is that certain purchases are driven by artificially generated reviews, or the value of a product (work or service) that does not possess specific qualities is artificially inflated. Consequently, the user suffers direct financial harm, as their decision was based on the sentiments expressed in those comments — decisions made under the impression that the feedback was provided by individuals who had previously

purchased and utilized the goods.

Consequently, it is evident to what extent decisions made as a result of fake social proof are driven by artificial and manipulated actions.

Furthermore, fake social proof can lead to instances where a user, who did not initially intend to make a purchase, is compelled to do so. How does this occur? You may enter a platform without any immediate intention of buying a product, or perhaps merely for preliminary browsing with a view toward a future purchase. However, the “positive” reviews left under relevant goods urge you to buy the product immediately, fostering a conclusion that it might sell out tomorrow or another day, and that you might ultimately miss out.

CONCLUSION

Analysis indicates that in today’s rapidly evolving digital economy, “dark pattern” pose a significant threat to the consumer’s right to free choice. As examined in this article, manipulative design techniques compel not only ordinary users but also business participants to make decisions they did not consciously intend.

Specifically, through methods such as “forced action” “complicating subscription cancellation” and “fake social proof” digital platforms exploit the user’s time and financial resources. Such instances exert a negative impact on the competitive environment and result in direct pecuniary loss for consumers.

Based on the foregoing, it is considered expedient to implement the following measures within the legislation of our country:

- Improving the legal framework: Incorporating the concept of “dark pattern” into competition and advertising legislation and establishing its defining legal criteria;
- Strengthening oversight mechanisms: Ensuring regular monitoring by the competition authority of interface designs employed by digital platforms to verify their compliance with consumer rights and the principles of fair competition;
- Ensuring transparency: Imposing obligations on platform operators to ensure that the service cancellation process is as simple and effortless as the initial subscription process;

In conclusion, the establishment of effective legal barriers against digital deception will enhance consumer confidence in

the digital marketplace and serve to ensure a healthy competitive environment.

REFERENCES

1. Xodjayev, B.K., va boshq. Raqobat huquqi [matn]: darslik / Xodjayev B.K., Radjapov X.M., Qalandarov A.O., Abduazizov D.B. – T.: TDYU nashriyoti, 2025. – 384 b.
2. “Deceptive Patterns in UX: How to Recognize and Avoid Them” by Maria Rosala.
3. Regulating dark patterns in the EU: Towards digital fairness. <http://www.europarl.europa.eu/thinktank>.
4. ダークパターンを巡る競争政策及び独占禁止法上の論点. CPDP-101-J May 2025. https://www.jftc.go.jp/cprc/reports/disucussionpapers/r7/CPDP-101-J_abstract.html.
5. Forced action - <https://www.deceptive.design/types/forced-action>.
6. CMA Begins to Crack Down on Fake Website Reviews. Author Barbora Korcova.
7. Bringing Dark Patterns to Light STAFF REPORT. STAFF REPORT | SEPTEMBER 2022.
8. EU Digital Services Act (DSA) & Digital Markets Act (DMA).
9. An Ontology of Dark Patterns Knowledge: Foundations, Definitions, and a Pathway for Shared Knowledge-Building Colin M. Gray, Cristiana Santos, Nataliia Bielova, Thomas Milder.