

THE IMPORTANCE OF ONLINE REVIEWS AND WHAT THE LAW CAN(NOT) DO ABOUT THEM

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AMSTERDAM

LOOKING FURTHER

Protecting consumers from misleading reviews: 55% of screened websites violate EU law

Almost two thirds of the online shops, marketplaces, booking websites, search engines and comparison service sites analysed, triggered doubts about the reliability of the reviews: In 144 out of the 223 websites checked, authorities could not confirm that these traders were doing enough to ensure that reviews are authentic, i. e. that they were posted by consumers that actually used the product or service that they reviewed.

Commissioner for Justice, Didier **Reynders**, said: *“Consumers very often rely on online reviews when shopping or booking online. I don't want consumers to be tricked. I want them to be able to interact in a trustworthy environment. I insist on one specific point: online businesses must provide consumers with clear and visible information on the reliability of such reviews. Today's results are a clear call for action. We will ensure EU law is respected”*.

OTHER FINDINGS OF THE SCREENING OF WEBSITES ON ONLINE REVIEWS

- **104 out of the 223 of the websites examined do not inform consumers how reviews are collected and processed.** Only 84 websites make such information accessible to consumers on the review page itself, while the rest mention it in “small print”, for example in their legal terms and conditions.
- **118 websites did not contain information about how fake reviews are prevented.** In these cases consumers have no possibility to verify whether reviews were written by consumers that actually used the product or service.
- **176 of the websites do not mention that incentivised reviews (e.g. resulting from a monetary reward) are prohibited by their internal policies or if not how they ensure they are flagged as incentivised.**

AGENDA - WHAT TO DISCUSS

Online reviews

What is a commercial communication (and what is not)

Different types of commercial communications

EU legal online review initiative 2019

ONLINE REVIEWS

REVIEWS VALUE



Home › Blog › Media Monitoring › **7 Reasons Online Reviews are Essential for Your Brand**

Updated on September 30th 2021
Smith Willas | 8 min read

According to a study published in 2011 by Harvard Business School, a one star increase in a Yelp rating can increase a business's revenue by 5-9 percent

The Value of Online Customer Reviews, *ACM Conference on Recommender Systems (RecSys16)*

We find that, on average, the conversion rate of a product can increase by 142% as it accumulates reviews. To address the problem of simultaneity of increase of reviews and conversion rate, we explore the natural temporal trends throughout a product's lifecycle. We perform further controls by using user sessions where the reviews were not displayed. We also find diminishing marginal value as a product accumulates reviews, with the first five reviews driving the bulk of the aforementioned increase. Within categories, we find that the value of reviews is highest for Electronics (increase of 317%) followed by Home Living (increase of 182%) and Apparel (increase of 138%).

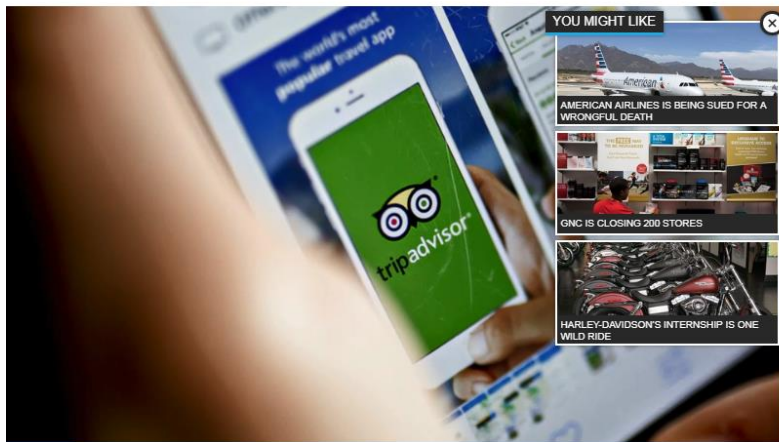
Search Engine Journal, Top Consumers Value Reviews Over Credentials

Reasons Why Consumers Make a Choice: price (50%), cost (14%), quality (14%)
review (13%), recommend (13%), friend (12%)

DECEMBER 2017 (AND FEB 2019)

TECH • TRIPADVISOR

How An Entirely Fake Restaurant Became London's Hottest Reservation



By DAVID Z. MORRIS December 10, 2017

A London-based writer has illustrated how easy it is to manipulate review sites like TripAdvisor by pushing an entirely nonexistent restaurant to the top spot in all of



Zo kochten wij neprecensies voor ons neprestaurant

DO 28 FEBRUARI, 20:14 BINNENLAND, TECH



CUSTOMER REVIEWS

★★★★★ 5 out of 5

2 customer ratings

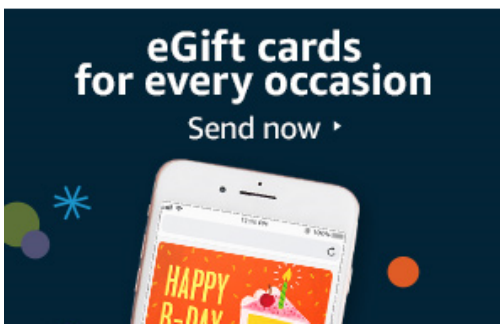


✓ [How does Amazon calculate star ratings?](#)

Review this product

Share your thoughts with other customers

Write a customer review



Top Reviews

 Phillip Taylor MBE

★★★★★ **PRIOR TO BREXIT:**

Reviewed in the United States on September 15, 2017

PRIOR TO BREXIT:

A DETAILED EXAMINATION OF CURRENT E-COMMERCE REGULATION WITHIN THE EUROPEAN UNION


An appreciation by Elizabeth Robson Taylor of Richmond Green Chambers and Phillip Taylor MBE, Head of Chambers and Reviews Editor, "The Barrister"

As Brexit is still almost two years off, this recent title from Edward Elgar Publishing has attracted considerable interest among lawyers or scholars seeking an enhanced understanding of e-commerce legislation. It presents a compendium of current thinking and commentary from an international team of contributors on, as the title indicates, EU regulation of e-commerce.

Having burst upon the international scene in about 1997 or earlier, e-commerce admittedly is no longer a new means of communication, having by now become a key component of global business activity and indispensable everyday life.

✓ [Read more](#)

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 A. Savin

★★★★★ **Recommended.**

Reviewed in the United States on August 7, 2017

This is one of the few books providing an article-by-article overview of all the relevant EU laws on the content layer. As such, it s a worthy sequel to the 2002 edition and the only text specifically targeting EU E-Commerce

For individuals and companies wanting to place a fake review on a specific site, they can search for postings offering five-dollar Amazon reviews, five-dollar Urbanspoon reviews, and so on. Other Fiverr users say they will post on any site the review solicitor chooses. The writers-for-hire try to entice purchasers by mentioning how “authentic” their writing sounds. Some offer to write several posts about the same business, just using different social media accounts on different days. Others say they will post a review supplied to them by the company using different accounts and different Internet Protocol (IP) addresses to prevent detection of the fake reviews.

POSTING

Do you want to

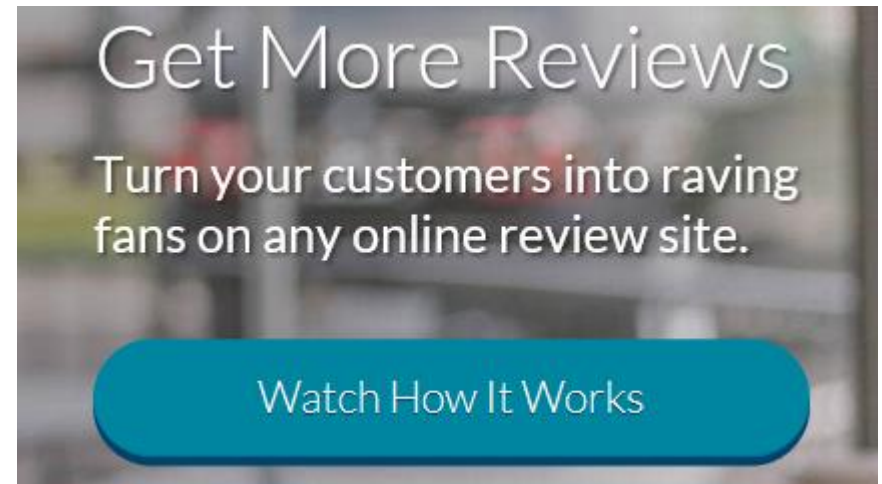
Get More Reviews

on sites like Google, Yelp, and Facebook?

Check out how ReputationStacker works:

[Yes! Show Me How It Works](#)

[No Thanks](#)



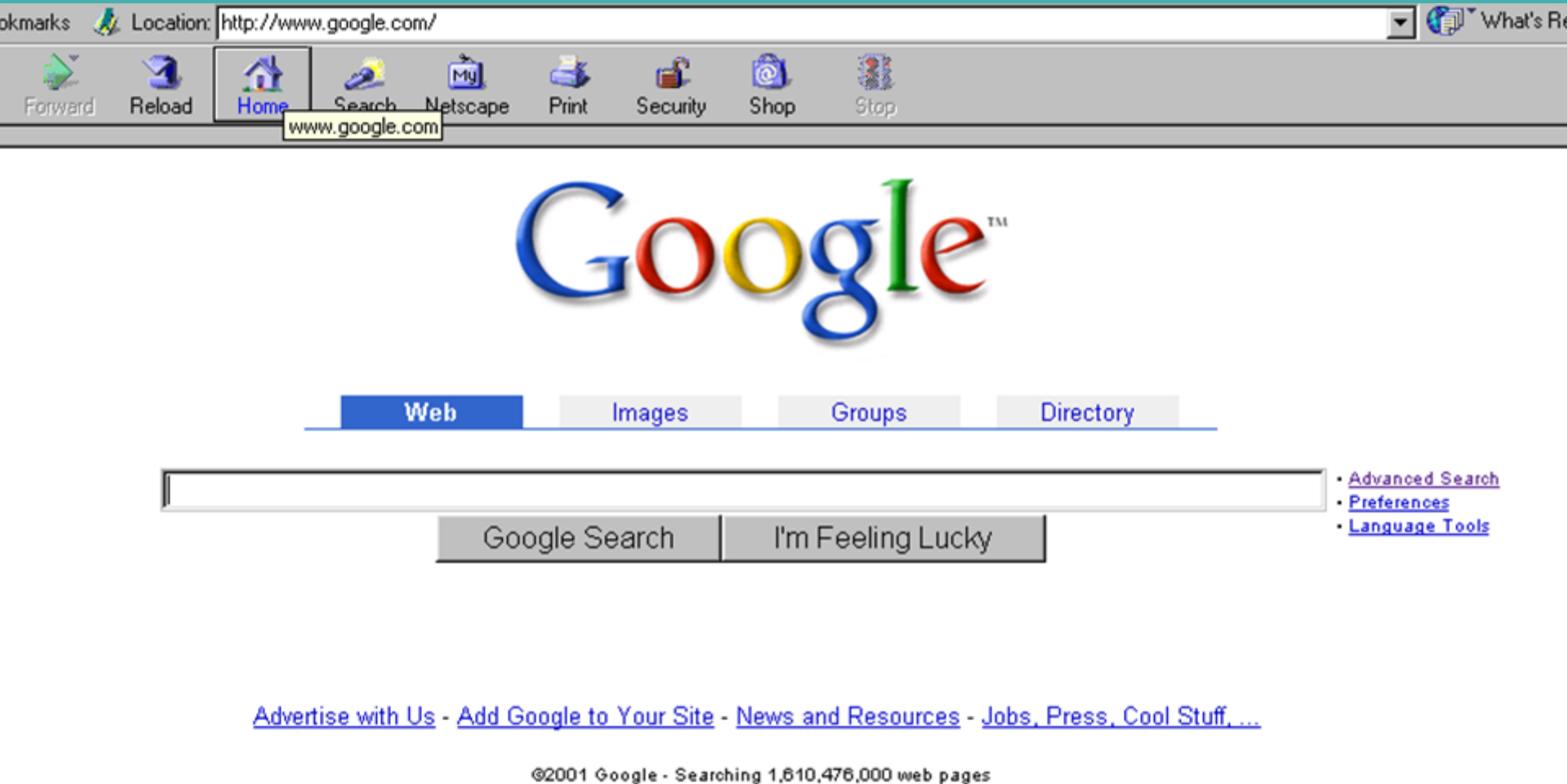
Old Dutch (?) saying
“If you are satisfied, tell your friends,
if not, tell us”

COMMERCIAL COMMUNICATIONS



IS VERDER KIJKEN

GOOGLE 21 YEARS AGO



WHAT IS A COMMERCIAL COMMUNICATION?

Article 2(f)

any form of communication designed to promote, directly or indirectly, the goods, services or image of a company, organisation or person pursuing a commercial, industrial or craft activity or exercising a regulated profession.

What is not?

The following do not in themselves constitute commercial communications:

- information allowing direct access to the activity of the company, organisation or person, in particular a domain name or an electronic-mail address
- communications relating to the goods, services or image of the company, organisation or person compiled in an independent manner, particularly when this is without financial consideration

ARTICLE 6 DIRECTIVE 2000/31 ON E-COMMERCE

commercial communications which are part of, or constitute, an information society service comply at least with the following conditions:

(a) the commercial communication shall be clearly identifiable as such;

ADVERTISEMENTS



IS VERDER KIJKEN

MOTOROLA
G6 EN G6+
TUDELIJK MET DRAADLOZE HEADSET

MEER INFO

e-commerce law

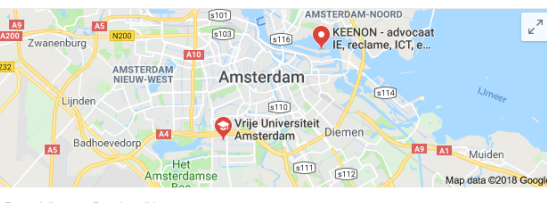
Alle Afbeeldingen Nieuws Video's Maps Meer Instellingen Tools

Ongeveer 101.000.000 resultaten (0,90 seconden)

Wetenschappelijke artikelen voor e-commerce law

E-commerce Law - Todd - Geciteerd door 16
Electronic commerce: **law** and practice - Chissick - Geciteerd door 137
E-Commerce, E-Disputes, and E-Dispute Resolution: in ... - Katsch - Geciteerd door 195

E-Commerce Law - Vrije Universiteit Amsterdam
https://www.vu.nl/studiegids/2017-2018/master/p-1/.../index.aspx?view...id...
so is consumer e-commerce. The European Union has enacted several regulations and directives over the years. The course gives insight into the main issues such as liability of service providers, electronic contracting, fintech, electronic identification, competition law, and online dispute resolution.



KEENON - advocaat | E, reclame, ICT, e-commerce & privacy
Geen reviews · Advocatenkantoor
Piraeusplein 57 · 06 53538737
Geopend · Sluit om 18:00

Vrije Universiteit Amsterdam
4.2 ★★★★★ (183) · Universiteit
De Boelelaan 1105 · 020 598 9098

E-Commerce Law

Boek

Vind je dit een leuk boek?

Oorspronkelijk gepubliceerd: 2005
Auteur: Paul Todd

Gerelateerd Nog 5+ weergeven

Spies, Lies and the War on Terror Patrick Fitzgerald	Industry Thieves Paul Todd	Me, Myself and I Paul Todd	Maritime Fraud Paul Todd	Cell Separation Science a...

Feedback

Resultaten voor

Research Handbook on Electronic Commerce Law (Boek)
Oorspronkelijk gepubliceerd: 2016

Sponsored content

Alle outfits nu op **ABOUTYOU.NL**

Now playing

02:19

01:03

II WEBCARE



Arno R. Lodder

@ARLodder

@KLM website: many contact details, but violates 5(1)(c) EU Directive 2000/31 & 2011/83 "Send us an e-mail" links to form, not e-mail address



Arno R. Lodder

@ARLodder

Good to hear while flying @klm that they comply with Court ruling C-298/07 from 2008. They react within one hour on Twitter, 24/7

9:24 PM - 15 Apr 2014



Reply to @KLM



Royal Dutch Airlines @KLM · 15 Apr 2014

@ARLodder We value our customers so we try to do our best as much as we can, Arno. ;-)



ARTICLE 6

(b) the natural or legal person on whose behalf the commercial communication is made shall be clearly identifiable;

In the case of commercial financing, an icon or logo with a hypertext link to a page containing the information which is visible on all the site's pages would, for example, be enough to meet this requirement.

NOT RELEVANT FOR TODAY

Article 6(C)

promotional offers, such as discounts, premiums and gifts

Article 6(D)

promotional competitions or games

AMENDMENT UNFAIR PRACTICES DIRECTIVE 2005/29

DIRECTIVE (EU) 2019/2161

Recitals 47-49

Article 7 - Misleading omissions, Directive 2005/29/EC

‘6. Where a trader provides access to consumer reviews of products, information about whether and how the trader ensures that the published reviews originate from consumers who have actually used or purchased the product shall be regarded as material.’;

- that the average consumer needs, according to the context, to take an informed transactional decision and thereby causes or is likely to cause the average consumer to take a transactional decision that he would not have taken otherwise.

ANNEX I COMMERCIAL PRACTICES WHICH ARE IN ALL CIRCUMSTANCES CONSIDERED UNFAIR

23b.

Stating that reviews of a product are submitted by consumers who have actually used or purchased the product without taking reasonable and proportionate steps to check that they originate from such consumers.

23c.

Submitting or commissioning another legal or natural person to submit false consumer reviews or endorsements, or misrepresenting consumer reviews or social endorsements, in order to promote products.’.

CONCLUDING OBSERVATIONS

Being able to recognize commercial communications as such, remains important

Online commercial communication landscape “exploded” after 2000 - from no idea how to make money online, via GoogleAds, to business models built on processing personal data

Fake reviews a legal issue? And if so, how to deal with it.
Does EU Regulation help?

THANK YOU



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