



Universiteit
Leiden
The Netherlands

Power and dignity: the ends of online behavioral advertising in the European Union

Zardiashvili, A.

Citation

Zardiashvili, A. (2024, May 7). *Power and dignity: the ends of online behavioral advertising in the European Union*. Retrieved from <https://hdl.handle.net/1887/3753619>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/3753619>

Note: To cite this publication please use the final published version (if applicable).

ACKNOWLEDGMENTS

Francien Dechesne found me outside the *Kamerlingh Onnes Building* when I was looking for a purpose, and she took me in as her research assistant. She believed in me, stood by me, taught me to value authenticity and excellence, and encouraged me to define and pursue my purpose. In doing so, she has had a significant mark on my life, for which I will always be grateful. I am also profoundly thankful to Bart Custers and Simone van der Hof. They have always moved me forward and protected me from myself when needed. They have enabled me with time and resources and taught me patience and humility. I am lucky to have had them as supervisors.

eLaw – *Center for Law and Digital Technologies* has been the closest thing I had to a family for the past seven years. I am thankful to everyone there for warmly welcoming me and creating an ideal environment for me to work in.

I am grateful to Bart Schermer for giving me the first-ever lecture about the Internet, taking charge of my Ph.D. committee, and teaching me that academic excellence and joy go together. I am grateful to many others whose mentorship and intellectual friendship have shaped me as a researcher, teacher, and human being. I thank Gianclaudio Malgieri, Mark Leiser, Andreas Häuselmann, and Alan Sears for helping me purify and strengthen my ideas. I am grateful to Eduard-Fosch Villaronga for teaching me how things get done (“pam-pam”) and sending me to Berlin for the Axel Springer Award ceremony. Eduard, winning the prize with you and traveling to Italy are wonderful memories.

Many people have contributed to this thesis by discussing my ideas at conferences, workshops, and seminars. I am particularly grateful for the rare individuals who have carefully read and commented on the earlier drafts of the thesis. Daniel Susser, Marijn Sax, Christiana Santos, and Egelyn Braun gave me invaluable feedback and helped me resolve complex conceptual challenges. Some others have contributed to my thesis by their participation in discussions: Luciano Floridi, Brett Frischmann, Paul Nemitz, Mireille Hildebrandt, Marco Blocher, and Sandra Wachter have shaped my ideas by participating in the events I organized regarding my thesis.

Shoshana Zuboff has a particular imprint on the research underlying this thesis. In 2019, Francien handed me “The Age of Surveillance Capitalism,” which gave me a quantum leap. I see my first reading of this book as a personal (*2001: Space Odyssey*) black monolith moment, and it is a great honor that Prof. Zuboff is a member of my Ph.D. committee. I am also profoundly grateful that Frederik Zuiderveen Borgesius and Vanessa Mak, scholars I deeply respect and admire, also decided to join the committee. I could not have asked for a more ideal committee.

Some of my most cherished memories I made while writing this thesis were at the Oxford Internet Institute (OII) Summer Doctoral Program (SDP). I am so lucky to have met peers who mastered their fields and skillfully warmed my heart to their various beautiful perspectives. I am grateful to Simone van der Hof and Leiden law

ACKNOWLEDGMENTS

faculty for funding this experience and to the OII staff, especially Gemma Newlands and Vicky Nash, for helping us create this fantastic network.

Like everything in life, this thesis is not a product of an entirely solitary quest. We are entwined with the people in our lives, and many friends from Leiden and Oxford helped me move forward with various tasks. Thomas Rijntalder helped me with the *samenvatting* (the Dutch summary). Charlotte Spencer-Smith, Mora Matassi, Assia Wirth, Soumya Patnaik, and Seif Kabil proofread parts of my thesis. Dejan Tatic and Karolina Alama gave me valuable feedback. While *Borgman & Borgman* and *Bar Lokaal* provided me with quality coffee, friends at *Sporting Leiden* helped me find flow on many cold Sundays.

My family in Georgia gave me the fuel I needed to complete this thesis. My father opened my eyes to the future, my mother believed in me, and my brother taught me not to back down. My boys, with whom I grew up in the streets of Tbilisi, have taught me to fight for freedom and justice. The belief that my work contributes to a more just world that brings my family and friends a bit more joy was the idea that kept me going in the darkest of moments.

Lastly, I am grateful to my muse. Agata, you make everything beautiful. Having you close while working on this thesis marks the most idyllic time of my life.

BIBLIOGRAPHY

Law

European Union (EU) Primary Law

- Charter of Fundamental Rights of The European Union*, Oct. 26, 2012, O.J. (C 326) 391.
- Consolidated Version of the Treaty Establishing the European Community*, Dec. 24, 2002, O.J. (C 325).
- Consolidated Version of the Treaty of the European Union*, Oct. 26, 2012, O.J. (C 326) 15.
- Consolidated Version of the Treaty on the Functioning of the European Union*, Jun. 7, 2016 O.J. (C 2016) 47.
- Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community*, Dec. 13, 2007 O.J. (C 306).
- Treaty of Rome Establishing the European Economic Community*, Mar. 25, 1957.

EU Secondary Law

- Directive (EC) 2002/58 of the European Parliament and of the Council of 12 July 2002 Concerning the Processing of Personal Data and the Protection of Privacy in the Electronic Communications Sector (Directive on Privacy and Electronic Communications)* O.J. 2002 (L 201) 31.
- Directive (EC) 2005/29 of the European Parliament and of the Council of 11 May 2005 Concerning Unfair Business-to-Consumer Commercial Practices in the Internal Market and Amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council ('Unfair Commercial Practices Directive')* O.J. 2005 (L 149) 22.
- Directive (EEC) 93/13 of the Council of 5 April 1993 on Unfair Terms in Consumer Contracts*, O.J. 1993 (L 95) 29.
- Directive (EU) 2010/13 of the European Parliament and of the Council of 10 March 2010 on the Coordination of Certain Provisions Laid down by Law, Regulation or Administrative Action in Member States Concerning the Provision of Audiovisual Media Services (Audiovisual Media Services Directive) 2010* O.J. (L 95).
- Directive (EU) 2011/83 of the European Parliament and of the Council of 25 October 2011 on Consumer Rights, Amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and Repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council* O.J. 2011 (L 304).
- Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 Amending Directive 2010/13/EU on the Coordination of Certain Provisions Laid down by Law, Regulation or Administrative Action in Member States Concerning the Provision of Audiovisual Media Services (Audiovisual Media Services Directive) in View of Changing Market Realities* O.J. 2018 (L 303).
- Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 Amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC*

BIBLIOGRAPHY

- and 2011/83/EU of the European Parliament and of the Council as Regards the Better Enforcement and Modernisation of Union Consumer Protection Rules, O.J. 2019 (L 328) 7.*
- Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on Certain Aspects Concerning Contracts for the Supply of Digital Content and Digital Services O.J. (L 136) 1.*
- Directive (EU) 2020/1828 of the European Parliament and of the Council of 25 November 2020 on Representative Actions for the Protection of the Collective Interests of Consumers and Repealing Directive 2009/22/EC (Text with EEA Relevance) O.J. 2020 (L 409).*
- Regulation (EC) 2004/139 of 20 January 2004 on the Control of Concentrations between Undertakings (the EC Merger Regulation) (Text with EEA Relevance) O.J. 2004 (L 24).*
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data, and Repealing Directive 95/46/EC (General Data Protection Regulation) O.J. 2016 (L 119).*
- Regulation (EU) 2019/1150 of the European Parliament and of the Council of 20 June 2019 on Promoting Fairness and Transparency for Business Users of Online Intermediation Services, 2019 O.J. (L 186) 57.*
- Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on Contestable and Fair Markets in the Digital Sector and Amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) O.J. 2022 (L 265) 1.*
- Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and Amending Directive 2000/31/EC (Digital Services Act) (Text with EEA Relevance). O.J. 2022 (L 277).*

Council of Europe (CoE)

Council of Europe, European Convention for the Protection of Human Rights and Fundamental Freedoms, as Amended by Protocols Nos. 11 and 14, 4 November 1950, ETS 5.

United Nations (UN)

- G.A. Res. 217 (III)A, Universal Declaration of Human Rights (Dec. 10, 1948).*
- G.A. Res. 2200 (XXI)A, International Covenant on Civil and Political Rights (Dec. 16, 1966).*
- G.A. Res. 2200 (XXI)A, International Covenant on Economic, Social & Cultural Rights (Dec. 16, 1966).*
- G.A. Res. 44/25, Convention on the Rights of the Child (Nov. 20, 1989)*

Germany

Grundgesets[GG][Basic Law], translation at: https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html (accessed October 31, 2023).

Case Law

Court of Justice of the European Union (CJEU)

- Case C-54/99, *Église de Scientologie*, 14 March 2000, ECLI:EU:C:2000:124.
Case C-628/17, *Orange Polska*, 12 June 2019 ECLI:EU:C:2019:480.
Case C-673/17, *Planet49*, 1 October 2019, ECLI:EU:C:2019:801.
Case C-371/20, *Peek & Cloppenburg*, 2 September 2021, ECLI:EU:C:2021:674.
Case C-184/20, *Vyriausioji tarnybinės etikos komisija*, August 1, 2022, ECLI:EU:C:2022:601.
Case T-190/10, *Egan & Hackett v. Parliament*, 28 March 2012, ECLI:EU:T:2012:165.
Case C-252/21, *Meta Platforms and Others*, July 4, 2023, ECLI:EU:C:2023:537.
Case C-36/02, *Omega*, 14 October 2004, ECLI:EU:C:2004:614.
Case C-540/08, *Mediaprint Zeitungs- und Zeitschriftenverlag*, October 9, 2010. ECLI:EU:C:2010:660.
Case C-210/96, *Gut Springenheide & Tusky v. Oberkreisdirektor des Kreises Steinfurt*, 16 July 1998, ECLI:EU:C:1998:369.
Case 85/76, *Hoffmann-La Roche v. Commission*, 13 February 1979, ECLI:EU:C:1979:36.
Case C-634/21, *Schufa Holding and Others (Scoring)*, Request for a preliminary ruling, 2021.
Case C-646/22, *Compass Banca*. Request for a preliminary ruling, 2022.

European Court of Human Rights (ECtHR)

- Benedik v. Slovenia*, no. 62357/14 (ECHR, 24 April 2018).
Perry v. United Kingdom, no 63737/00, ECHR 2003-IX.
Vinter and Others v. the United Kingdom [GC], nos. 66069/09, 130/10 and 3896/10, ECHR 2013.

Germany

- Bundesgerichtshof [BGH][Federal Court of Justice] Jun. 23, 2020, (Bundeskartellamt v. Facebook) Case LVR 69/19, ECLI:DE:BGH:2020:230620BKVR69.19.0 (Ger.)
translation at: <https://doi-org.ezproxy.leidenuniv.nl/10.1007/s40319-020-00991-2>.
Bundesverfassungsgericht [BVerfG][Federal Constitutional Court] Dec. 15, 1983, (self-determination) 1 BvR 209/83, ECLI:DE:BVerfG:1983:rs19831215.1bvr020983 (Ger.)
translation at: https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/EN/1983/12/rs19831215_1bvr020983en.html.
Kammergericht Berlin [KG][Higher Court of Berlin] Jan. 24, 2014, 5 U 42/12 (Ger.)
Landgericht Berlin [LB] [Regional Court of Berlin] Apr. 30, 2013, 15 O 92/12 (Ger.).

Italy

The Netherlands

- Hof Amsterdam, 4 April 2023, JAR 2023, m.nt CM Jakimowicz (*Uber chauffeurs v. Uber*)
ECLI:NL:GHAMS:2023:796 (Neth.) [Uber ADM]

Policy Documents

EU Law Proposals

- Proposal for a Regulation of the European Parliament and of the Council Concerning the Respect for Private Life and the Protection of Personal Data in Electronic Communications and Repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communications) COM (2017) 10 [Proposal for ePrivacy Regulation].*
- Proposal for a Regulation of the European Parliament and of the Council Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act), COM (2021) 206 Final (Apr. 21, 2021) [Proposal for Artificial Intelligence Act].*
- Proposal for a Regulation of the European Parliament and of the Council on the Transparency and Targeting of Political Advertising, COM (2021) 731.*

European Commission Antitrust Decisions

- Commission Decision of 3 November 2008, Case No Comp/M4731 *Google/DoubleClick*, C (2008) 927.
- Commission Decision of 27 June 2017, Case AT.39740 *Google Search (Shopping)*, C (2017) 4444.
- Commission Decision of 7 July 2018, Case At.40099 *Google Android*, C (2018) 4761.
- Commission Decision of 20 March 2019, Case AT. 40411 *Google Search (AdSense)*, C (2019) 2173.

Other EU Policy Documents

- Amendments Adopted by the European Parliament on 20 January 2022 on the Proposal for a Regulation of the European Parliament and of the Council on a Single Market For Digital Services (Digital Services Act) and Amending Directive 2000/31/EC, COM(2020)0825 – C9-0418/2020 – 2020/0361(COD), P9_TA(2022)0014, O.J. 2022 (C336) 48. https://www.europarl.europa.eu/doceo/document/TA-9-2022-0014_EN.html (Accessed November 16, 2022).*
- Amendments by the European Parliament and Council on the Proposal for a Regulation of the European Parliament and of the Council Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act) and Amending Certain Union Legislative Acts, 2021/0106 (COD), June 20, 2023 Draft. <https://artificialintelligenceact.eu/wp-content/uploads/2023/08/AI-Mandates-20-June-2023.pdf> (Accessed October 31, 2023).*
- Article 29 Data Protection Working Party (2010) “Opinion 2/2010 on Online Behavioral Advertising.”
- Article 29 Data Protection Working Party (2011) “Opinion 16/2011 on EASA/IAB Best Practice Recommendation on Online Behavioural Advertising.”
- Article 29 Data Protection Working Party (2013) “Opinion 02/2013 on Apps on Smart Devices.”
- Article 29 Data Protection Working Party (2014) “Opinion 06/2014 on the Notion of Legitimate Interests of the Data Controller under Article 7 of Directive 95/46/EC.”
- Article 29 Data Protection Working Party (2016) “Cookie Sweep Combined Analysis – Report.”

BIBLIOGRAPHY

- Article 29 Data Protection Working Party (2017) “Guidelines on Data Protection Impact Assessment (DPIA) and determining whether processing is ‘likely to result in a high risk’ for the purposes of Regulation 2016/679.”
- Article 29 Data Protection Working Party (2018) “Guidelines on Automated Individual Decision-Making and Profiling for The Purposes of Regulation 2016/679.”
- Article 29 Data Protection Working Party (2018). “Guidelines on Consent Under Regulation 2016/679.
- Commission Notice, Guidance on Ranking Transparency Pursuant to Regulation (EU) 2019/1150 of the European Parliament and of the Council, O.J. 2020 (C 424)*
- Commission Notice, Guidance on the Interpretation and Application of Directive 2005/29/EC of the European Parliament and of the Council Concerning Unfair Business-to-Consumer Commercial Practices in the Internal Market (Text with EEA Relevance). 2021 C (526) 01.*
- Commission Notice, Guidance on the interpretation and application of Council Directive 93/13/EEC on unfair terms in consumer contracts, O.J. 2019 (C 323) 04.*
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and Committee of the Regions, 2030 Digital Compass: The European Way for the Digital Decade, 2021 COM (2021) 118.*
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and Committee of the Regions, A Digital Single Market Strategy for Europe, COM (2015) 192. 2015.*
- European Commission (2015), *Study on the Welfare of Dogs and Cats Involved in Commercial Practices – Final Report*. Specific Contract SANCO 2013/12364. https://food.ec.europa.eu/system/files/2016-10/aw_eu-strategy_study_dogs-cats-commercial-practices_en.pdf.
- European Commission Press Release. “Antitrust: Commission Opens Investigation into Possible Anticompetitive Conduct by Google and Meta, in Online Display Advertising” 11 March 2022, IP/22/1703, https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1703 (Accessed October 31, 2023).
- European Commission Press Release. “Commission Opens Investigation Into Possible Anticompetitive Conduct by Google and Meta, in Online Display Advertising,” 11 March 2022, IP/22/1703. https://ec.europa.eu/commission/presscorner/detail/es/ip_22_1703.
- European Commission Press Release. “Commission Sends Statement of Objections to Google,” 14 June 2023, IP/23/3207, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_3207. (Accessed October 31, 2023)
- European Commission Press Release. “Commission sends Statement of Objections to Meta over abusive practices benefiting Facebook Marketplace,” 19 December 2022, IP/22/7728 https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7728 (Accessed October 31, 2022)
- European Commission Press Release. “Consumer Scoreboard.” 27 March 2023. IP/22/1703. Accessed March 30, 2023. https://ec.europa.eu/commission/presscorner/detail/e/ip_23_1891.
- European Commission Press Release. “Digital Markets Act: Commission Designates Six Gatekeepers.” 6 September 2023, IP/23/4328. https://ec.europa.eu/commission/presscorner/detail/en/IP_23_4328. (Accessed November 2, 2023).

BIBLIOGRAPHY

- European Commission Press Release. “DSA: Very Large Online Platforms and Search Engines.” April 25, 2023, IP/23/2413. https://ec.europa.eu/commission/presscorner/detail/en/IP_23_2413.
- European Commission Press Release. “Europeans’ Privacy Will Be Big Challenge in next Decade, Says EU Commissioner” 28 January 2010, IP/10/63 https://ec.europa.eu/commission/presscorner/detail/en/IP_10_63 (Accessed October 31, 2023).
- European Commission Press Release. “Manipulative Online Practices.” 30 January 2023, IP/23/418 Accessed March 2, 2023. https://ec.europa.eu/commission/presscorner/detail/en/ip_23_418.
- European Commission Speech 01/340, “The Future for Competition Policy in the European Union.” Mario Monti, July 9, 2001. https://ec.europa.eu/commission/presscorner/api/files/document/print/en/speech_01_340/SPEECH_01_340_EN.pdf (accessed November 2, 2023).
- European Commission Speech 10/16, “Viviane Reding Member of the European Commission Responsible for Information Society and Media Privacy: The Challenges Ahead for the European Union Keynote Speech at the Data Protection Day 28 January 2010, European Parliament, Brussels,” January 28, 2010. https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_10_16. (Acc. Oct. 31)
- European Commission Speech 19/6251, “Laudatio Speech for Axel Springer Award winner Shoshana Zuboff by President-elect Dr. Ursula von der Leyen,” November 10, 2019. https://ec.europa.eu/commission/presscorner/api/files/document/print/en/speech_19_6251/SPEECH_19_6251_EN.pdf (Acc. Oct. 31).
- European Commission Speech 23/3288, “Remarks by Executive Vice-President Vestager.” June 14, 2023. https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_23_3288. Accessed November 2, 2023.
- European Commission, Commissioner Thierry Breton Statement. “Here Are the First 7 Potential ‘Gatekeepers’ under the DMA.” 4 July 2023, S/23/3674 https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_23_3674. Accessed July (Accessed November 2, 2023).
- European Commission, Consumers, Health, Agriculture and Food Executive Agency (2018) *Consumer Market Study on Online Market Segmentation Through Personalised Pricing/Offers in the European Union – Final Report*, Publications Office of the European Union, <https://data.europa.eu/doi/10.2818/990439> (Acc. Oct. 31).
- European Commission, Directorate-General for Communications Networks, Content and Technology (2023) *Study on the Impact of Recent Developments in Digital Advertising on Privacy, Publishers, and Advertisers – Final Report*, Publications Office of the European Union, <https://data.europa.eu/doi/10.2759/294673> (Acc. Oct. 31).
- European Commission, Directorate-General for Justice (2010) *2010 Annual Report from the Commission on the Application of the EU Charter of Fundamental Rights*, Publications Office, 2011, <https://data.europa.eu/doi/10.2775/179>.
- European Commission, Directorate-General for Justice and Consumers (2017) *Study on Measuring Consumer Detriment in the European Union – Final Report, Part 1: Main Report*. Publications Office of the European Union, <https://data.europa.eu/doi/10.2818/87261> (Acc. Oct. 31).
- European Commission, Directorate-General for Justice and Consumers (2022) *Behavioural Study on Unfair Commercial Practices in the Digital Environment: Dark Patterns*

BIBLIOGRAPHY

- and Manipulative Personalisation – Final Report.*” Publications Office of the European Union, <https://data.europa.eu/doi/10.2838/859030>.
- European Data Protection Board (2019) “Guidelines 2/2019 on the Processing of Personal Data under Article 6(1)(b) GDPR in the Context of the Provision of Online Services to Data Subjects.”
- European Data Protection Board (2020) “Guidelines 05/2020 on Consent under Regulation 2016/679.”
- European Data Protection Board (2021) “Guidelines 8/2020 on the targeting of social media users.”
- European Data Protection Board (2022) “Guidelines 03/2022 on deceptive design patterns in social media platform interfaces: how to recognize and avoid them.”
- European Data Protection Board Press Release. “The CNIL’s Restricted Committee Imposes a Financial Penalty of 50 Million Euros against GOOGLE LLC.” 21 January 2019. https://edpb.europa.eu/news/national-news/2019/cnils-restricted-committee-imposes-financial-penalty-50-million-euros_en. Accessed November 2, 2023.
- European Data Protection Board Press Release. “EDPB Urgent Binding Decision on processing of personal data for behavioural advertising by Meta”, 1 November 2023. https://edpb.europa.eu/news/news/2023/edpb-urgent-binding-decision-processing-personal-data-behavioural-advertising-meta_en. Accessed November 2, 2023.
- European Data Protection Supervisor (2017). “Opinion 1/2021 On the Proposal For A Digital Services Act.”
- European Parliament Press Release. “Digital: EU Must Set the Standards for Regulating Online Platforms, Say MEPs.” October 20, 2020, 20201016IPR89543. <https://www.europarl.europa.eu/news/en/press-room/20201016IPR89543/digital-eu-must-set-the-standards-for-regulating-online-platforms-say-meps>.
- European Parliament Resolution of 18 June 2020 on Competition Policy, 2021 O.J. (C 362) 22.*
- European Parliament, Policy Department for Citizens’ Rights and Constitutional Affairs Directorate-General for Internal Policies (2021a) *Regulating Targeted and Behavioural Advertising in Digital Services: How to Ensure Users’ Informed Consent*, Study PE 694.680, [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694680/IPOL_STU\(2021\)694680_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694680/IPOL_STU(2021)694680_EN.pdf) (Acc. Oct. 31).
- European Parliament, Policy Department for Citizens’ Rights and Constitutional Affairs Directorate-General for Internal Policies (2021b) *Update the Unfair Contract Terms Directive for Digital Services*, Study PE 676.006, [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/676006/IPOL_STU\(2021\)676006_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/676006/IPOL_STU(2021)676006_EN.pdf) (Acc. Oct. 31).
- European Parliament, Policy Department for Citizens’ Rights and Constitutional Affairs Directorate-General for Internal Policies (2023) *Metaverse*, Study PE 751.222, [https://www.europarl.europa.eu/RegData/etudes/STUD/2023/751222/IPOL_STU\(2023\)751222_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2023/751222/IPOL_STU(2023)751222_EN.pdf) (Acc. Oct. 31).
- European Parliament, Policy Department for Economic, Scientific and Quality of Life Policies (2020) *New Aspects and Challenges in Consumer Protection: Digital Services and Artificial Intelligence*, Study PE 648.790, [https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648790/IPOL_STU\(2020\)648790_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/648790/IPOL_STU(2020)648790_EN.pdf) (Acc. Oct. 31).
- European Parliament, Policy Department for Economic, Scientific and Quality of Life Policies (2021) *Online Advertising: The Impact of Targeted Advertising on Advertisers, Market Access and Consumer Choice*. Study PE 662.913.

BIBLIOGRAPHY

- [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662913/IPOL_STU\(2021\)662913_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/662913/IPOL_STU(2021)662913_EN.pdf) (Acc. Oct. 31).
- Eurostat Press Release. “What Did We Use the Internet for in 2022?”. December 15, 2022. <https://ec.europa.eu/eurostat/web/products-eurostat-news/w/ddn-20221215-2> (Accessed February 23, 2023).

Non-EU Policy Documents

- Autorité de la concurrence (2018) *Opinion No. 18-A-03 of March 2018 on Data Processing in the Online Advertising Sector* (Fr.) https://www.autoritedelaconcurrence.fr/sites/default/files/integral_texts/2019-10/avis18a03_en.pdf (Acc. Oct. 31).
- Autorité de protection des données Gegevensbeschermingsautoriteit Press Release. “IAB Europe Case: The Market Court Refers Preliminary Questions to the Court of Justice of the EU.” July 9, 2022 (Be.) <https://www.dataprotectionauthority.be/citizen/iab-europe-case-the-market-court-refers-preliminary-questions-to-the-court-of-justice-of-the-eu> (Accessed November 2, 2023).
- Autorité de protection des données Gegevensbeschermingsautoriteit (2022). “Klacht inzake Transparency & Consent Framework”. Februari, 2022, DOS-2019-01377 (Be.) <https://www.gegevensbeschermingsautoriteit.be/publications/beslissing-ten-gronde-nr.-21-2022.pdf> (accessed November 2, 2023).
- Bundeskartellamt [BKartA] Case VI-Kart 1/19 (V), Facebook, Exploitative business terms pursuant to Section 19(1) GWB for inadequate data processing (Facebook), 26 August 2019, ECLI:DE:OLGD:2019:0826.VIKART1.19V.0A (Ger.)
- Bundeskartellamt Press Release. “CJEU Decision in Facebook Proceeding: Bundeskartellamt May Take Data Protection Rules into Consideration.” July 4, 2023. BUNDESKARTELLAMT (Ger.) https://www.bundeskartellamt.de/SharedDocs/Meldung/EN/Pressemitteilungen/2023/04_07_2023_EuGH.html. (Accessed April 7, 2023.)
- Comisión Nacional Del Mercado De Valores (2021) *Study On The Competition Conditions in The Online Advertising Sector in Spain* (Sp.) https://www.cnmc.es/sites/default/files/3696007_1.pdf (Acc. Oct. 31).
- Competition & Markets Authority (2020) *Online Platforms and Digital Advertising: Market Study – Final Report* (UK) <https://assets.publishing.service.gov.uk/media/5fa557668fa8f5788db46efc/> (Acc. Oct. 31).
- Data Protection Commission (2021). “Fundamentals for a Child-Oriented Approach to Data Processing.” (Ir.). <https://www.dataprotection.ie/en/dpc-guidance/fundamentals-child-oriented-approach-data-processing> (Accessed November 2, 2023).
- Datatilsynet (2021). “Administrative Fine - Grinder LLC.” Data Protection Authority (Nor.) <https://www.datatilsynet.no/contentassets/8ad827efefcb489ab1c7ba129609edb5/administrative-fine---grindr-llc.pdf> (Accessed November, 2023).
- Digital Competition Expert Panel (2019) “Unlocking Digital Competition: Report of the Digital Competition Expert Panel.” (UK) https://assets.publishing.service.gov.uk/media/5c88150ee5274a230219c35f/unlocking_digital_competition_furman_review_web.pdf (accessed November 2, 2023).
- European Court of Human Rights (2022) *Guide on Article 5 of the European Convention on Human Rights* (ECtHR) https://www.echr.coe.int/documents/d/echr/guide_art_5_eng (Acc. Oct. 31).

BIBLIOGRAPHY

- Federal Trade Commission (2013). *Com Disclosures: How to Make Effective Disclosures in Digital Advertising* (US) <https://www.ftc.gov/sites/default/files/attachments/press-releases/ftc-staff-revises-online-advertising-disclosure-guidelines/130312dotcomdisclosures.pdf> (Acc. Oct. 31)
- Federal Trade Commission Press Release. “FTC to Ban BetterHelp from Revealing Consumers’ Data, Including Sensitive Mental Health Information, to Facebook and Others for Targeted Advertising.” March 2, 2023. <https://www.ftc.gov/news-events/news/press-releases/2023/03/ftc-ban-betterhelp-revealing-consumers-data-including-sensitive-mental-health-information-facebook>.
- Forbrukerrådet (2018). *Deceived by Design: How Tech Companies Use Dark Patterns to Discourage Us from Exercising Our Rights to Privacy*. The Consumer Council of Norway (Nor.) <https://storage02.forbrukerradet.no/media/2018/06/2018-06-27-deceived-by-design-final.pdf> (Acc. Oct. 31).
- Min. Economische Zaken (2009), *Strpposchade – Rapport*, Den Haag: PRDF Advocaten 2009 (Neth.) Available at: <https://dendrou.eu/gallery/2009%20strooischade-onderzoeksrapport.pdf> (Acc Nov. 2, 2023).
- Organisation for Economic Co-operation and Development (2019) *An Introduction to Online Platforms and Their Role in the Digital Transformation* (OECD) <http://doi.org/10.1787/53e5f593-en> (Acc. Oct. 31).
- Stigler Committee (2019) *Digital Platforms – Final Report* (US) <https://www.chicagobooth.edu/-/media/research/stigler/pdfs/policy-brief---digital-platforms---stigler-center.pdf> (Accessed October 31, 2023).

Academic Literature

- Acar, Gunes and Eubank, Christian and Englehardt, Steven and Juarez, Marc and Narayanan, Arvind and Diaz, Claudia (2014) “The Web Never Forgets: Persistent Tracking Mechanisms in the Wild.” In *CCS ’14: Proceedings of the 2014 ACM SIGSAC*. <https://doi.org/10.1145/2660267.2660347>.
- Aguirre, Elizabeth, and Mahr, Dominik and Grewal, Dhruv and Ruyter, Ko de and Wetzels, Martin (2015). “Unraveling the Personalization Paradox: The Effect of Information Collection and Trust-Building Strategies on Online Advertisement Effectiveness.” *Journal of Retailing* 91 (1): 34–49. <https://doi.org/10.1016/j.jretai.2014.09.005>.
- Albæk, Svend (2013). “Consumer Welfare in EU Competition Policy.” In *Aims and Values in Competition Law*, by Caroline Heide-Jørgensen, Christian Bergqvist, Ulla B. Neergaard, and Sune Troels Poulsen (eds.). DJØF Publishing.
- AlHanai, Tuka, and Ghassemi, Mohammad (2017). “Predicting Latent Narrative Mood Using Audio and Physiologic Data.” *Proceedings of the Thirty-First AAAI Conference on Artificial Intelligence* 31 (1). <https://doi.org/10.1609/aaai.v31i1.10625>.
- Ali, Muhammad, and Sapiezynski, Piotr and Bogen, Miranda and Korolova, Aleksandra, and Mislove, Alan and Rieke, Aaron (2019). “Discrimination through Optimization: How Facebook’s Ad Delivery Can Lead to Skewed Outcomes.” *Proceedings of the ACM on Human-Computer Interaction* 3 (CSCW): 1–30. <https://doi.org/10.1145/3359301>.
- Alruwaily, Amaal, and Mangold, Chelsea and Greene, Tenay and Arshonsky, Josh and Cassidy, Omni and Pomeranz, Jennifer L. and Bragg, Marie (2020). “Child Social Media Influencers and Unhealthy Food Product Placement.” *Pediatrics* 146 (5): 20194057. <https://doi.org/10.1542/peds.2019-4057>.

BIBLIOGRAPHY

-
- Altman, Micah, Alexandra Wood, David R O'Brien, and Urs Gasser (2018). "Practical Approaches to Big Data Privacy over Time." *International Data Privacy Law* 8 (1): 29–51. <https://doi.org/10.1093/idpl/ix027>.
- An, Soontae, Gayle Kerr, and Hyun Seung Jin (2019). "Recognizing Native Ads as Advertising: Attitudinal and Behavioral Consequences." *Journal of Consumer Affairs* 53 (4): 1421–42. <https://doi.org/10.1111/joca.12235>.
- Ang, Ien (1991). *Desperately Seeking the Audience*. London: Routledge.
- Arvidsson, Adam (2003). "On the 'Pre-History of The Panoptic Sort': Mobility in Market Research." *Surveillance & Society* 1 (4). <https://doi.org/10.24908/ss.v1i4.3331>.
- Baldwin, Robert, and Cave, Martijn (2012). *Understanding Regulation: Theory Strategy, and Practice*. (2nd ed).
- Bartholomew, Abigail (2013). "Behaviorism's Impact on Advertising: Then and Now." Thesis. The College of Journalism and Mass Communications. Available at: <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=1042&context=journalsmtdiss>. Accessed November 2, 2023.
- Baumgartner, Susanne E, and Schuur, Winneke A van der, and Lemmens, Jeroen S. and Poel, Fam te (2018). "The Relationship Between Media Multitasking and Attention Problems in Adolescents: Results of Two Longitudinal Studies." *Human Communication Research* 44 (1): 3–30. <https://doi.org/10.1093/hcre.12111>.
- Bell, Daniel (2022). "Communitarianism." In *The Stanford Encyclopedia of Philosophy*, by Edward N. Zalta and Uri Nodelman (eds.), Fall 2022. Metaphysics Research Lab, Stanford University. <https://plato.stanford.edu/archives/fall2022/entries/communitarianism/> (Accessed November 2, 2023).
- Benedicte Fauvarque-Cosson (2011). "The Need for Codified Guiding Principles and Model Rules in European Contract Law." In *The Foundations of European Private Law*, Roger Brownsword, Hans-W Micklitz, Leone Niglia, and Stephen Weatherill (eds.). Hart Publishing. 2011. <https://hdl.handle.net/1814/20135>.
- Benkler, Yochai, and Farris, Robert and Roberts, Hal (2018). *Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics*. Oxford University Press. <https://doi.org/10.1093/oso/9780190923624.001.0001>.
- Berlin, Isaiah (1969). "Four Essays On Liberty." In *Two Concepts of Liberty*, 118–72. Oxford University Press.
- Bietti, Elettra (2022). "Structuring Digital Platform Markets: Antitrust and Utilities' Convergence" (November 11, 2022). University of Illinois Law Review, Vol. 2024 (4), Available at SSRN: <https://ssrn.com/abstract=4275143> or <http://dx.doi.org/10.2139/ssrn.4275143>.
- Bietti, Elettra (2023). "A Genealogy of Digital Platform Regulation." 7 *Georgetown Law Technology Review* 1.
- Binder, Alice, and Stubenvoll, Marlis and Hirsch, Melanie and Matthes, Jörg (2023). "Why Am I Getting This Ad? How the Degree of Targeting Disclosures and Political Fit Affect Persuasion Knowledge, Party Evaluation, and Online Privacy Behaviors." *Journal of Advertising* 51 (2). <https://doi.org/10.1080/00913367.2021.2015727>.
- Binns, Reuben, and Lyngs, Ulrik and Kleek, Max Van and Zhao, Jun and Libert, Timothy and Shadbolt, Nigel (2018). "Third Party Tracking in the Mobile Ecosystem." In *Proceedings of the 10th ACM Conference on Web Science*, 23–31. <https://doi.org/10.1145/3201064.3201089>.
- Boer, Maartje, and Stevens, Gonneke and Finkenauer, Catrin and Eijnden, Regina van den (2020). "Attention Deficit Hyperactivity Disorder-Symptoms, Social Media Use Intensity, and Social Media Use Problems in Adolescents: Investigating

BIBLIOGRAPHY

-
- Directionality.” *Child Development* 91 (4): e853–65.
<https://doi.org/10.1111/cdev.13334>.
- Boerman, Sophie C., and Kruijemeier, Sanne and Zuiderveen Borgesius, Frederik J. (2017). “Online Behavioral Advertising: A Literature Review and Research Agenda.” *Journal of Advertising* 46 (3): 363–76.
<https://doi.org/10.1080/00913367.2017.1339368>.
- Boerman, Sophie C., and Reijmersdal, Eva A. van and Rozendaal, Esther and Dima, Alexandra L. (2018). “Development of the Persuasion Knowledge Scales of Sponsored Content (PKS-SC).” *International Journal of Advertising* 37 (5): 671–97. <https://doi.org/10.1080/02650487.2018.1470485>.
- Braun, Frederik (2012) “Origin Policy Enforcement in Modern Browsers.” Thesis. Ruhr Universitat Bochum. Available at: <https://frederik-braun.com/publications/thesis/Thesis-Origin Policy Enforcement in Modern Browsers.pdf> (Accessed November 2, 2023).
- Brenncke, Martin (2018). “The Legal Framework for Financial Advertising: Curbing Behavioural Exploitation.” *European Business Organization Law Review* 19 (4): 853–82. <https://doi.org/10.1007/s40804-018-0111-9>.
- Brin, Sergey and Page, Lawrence (1998). “The Anatomy of a Large Scale Hypertextual Web Search Engine.” *Computer Networks and ISDN Systems* 30: 107–17.
<https://snap.stanford.edu/class/cs224w-readings/Brin98Anatomy.pdf>.
- Brooks, S. J., V. Savov, E. Allzén, C. Benedict, R. Fredriksson, and H. B. Schiöth (2012). “Exposure to Subliminal Arousing Stimuli Induces Robust Activation in the Amygdala, Hippocampus, Anterior Cingulate, Insular Cortex and Primary Visual Cortex: A Systematic Meta-Analysis of fMRI Studies.” *NeuroImage* 59 (3): 2962–73. <https://doi.org/10.1016/j.neuroimage.2011.09.077>.
- Burke, John J. A. (2000). “Contract as Commodity: A Nonfiction Approach.” *Seton Hall Legislative Journal* 24 (February): 285. Available at: <https://scholarship.shu.edu/shlj/vol24/iss2/4>.
- Burkeman, Oliver (2021). *Four Thousand Weeks: Time Management for Mortals*. Farrar, Straus and Giroux.
- Burri, Susanne (2015). “A Rights-Based Perspective on Permissible Harm.” Thesis. London School of Economics and Political Science. Available at: <http://etheses.lse.ac.uk/1060/> (Accessed November 2, 2023).
- Busch, Christoph, and Mak, Vanessa (2021). “Putting the Digital Services Act in Context.” *Journal of European Consumer and Market Law* 10 (3).
<https://kluwerlawonline.com/api/Product/CitationPDFURL?file=Journals\EuCML\EuCML2021025.pdf>.
- Calo, Ryan (2011). “The Boundaries of Privacy Harm.” *86 Indiana Law Journal* 1131 (2011) (3). <https://www.repository.law.indiana.edu/ilj/vol86/iss3/8>.
- Calo, Ryan (2014). “Digital Market Manipulation.” *82 George Washington Law Review* (1995). <https://doi.org/10.2139/ssrn.2309703>.
- Cara, Corina (2019). “Dark Patterns In The Media: A Systematic Review.” *Network Intelligence Studies* VII (14): 105–13.
https://seaopenresearch.eu/Journals/articles/NIS_14_3.pdf (Acc. Oct 31).
- Cave, Eric M. (2007). “What’s Wrong with Motive Manipulation?” *Ethical Theory and Moral Practice* 10 (2): 129–44. <https://doi.org/10.1007/s10677-006-9052-4>.
- Cave, Eric M. (2014). “Unsavoury Seduction and Manipulation,” In *Manipulation: Theory and Practice*, by Christian Coons and Michael Weber (eds.), 176–200.

BIBLIOGRAPHY

-
- Celis, L. Elisa, and Mehrotra, Anay and Vishnoi, Nisheeth K. (2019). "Toward Controlling Discrimination in Online Ad Auctions." arXiv (May, 2019). <https://doi.org/10.48550/arXiv.1901.10450>.
- Chang BA, Susie (1998). "Internet Segmentation: State-of-the-Art Marketing Applications: Journal of Segmentation in Marketing: Vol 2, No 1." *Journal of Segmentation in Marketing* 2 (1): 19–34. https://doi.org/10.1300/J142v02n01_03.
- Chen, Jiahong (2021). *Regulating Online Behavioural Advertising Through Data Protection Law*. Regulating Online Behavioural Advertising Through Data Protection Law. Edward Elgar Publishing. <https://www.elgaronline.com/display/9781839108297.00015.xml>.
- Cialdini, Robert B. (2007). *Influence: The Psychology of Persuasion*. Revised edition.; First Collins business essentials edition. Collins Business Essentials. New York: Collins Business.
- Citron, Daniel Keats, and Solove, Daniel J. (2022). "Privacy Harms." *Boston University Law Review* 102 (793). Available at: <https://www.bu.edu/bulawreview/files/2022/04/CITRON-SOLOVE.pdf>.
- Cohen, Julie E. (2017). "Law for the Platform Economy." *U.C. Davis Law Review* 51 (133). https://lawreview.law.ucdavis.edu/issues/51/1/symposium/51-1_Cohen.pdf.
- Cohen, Julie E. (2019). *Between Truth and Power: The Legal Constructions of Informational Capitalism*. New York: Oxford University Press. <https://doi.org/10.1093/oso/9780190246693.001.0001>.
- Cohen, Julie E. (2023). "Infrastructuring the Digital Public Sphere." 25 Yale J.L. & Tech. Special Issue 1, 1-40. https://yjolt.org/sites/default/files/cohen_julie_-_infrastructuring_the_digital_public_sphere.01.pdf.
- Coons, Christian and Weber, Michael (eds) (2014b) *Manipulation: Theory and Practice*. New York: Oxford University Press.
- Coons, Christian, and Weber, Michael (2014a). "Introduction: Manipulation: Investigating the Core Concept and Its Moral Status." In *Manipulation: Theory and Practice*, by Christian Coons and Michael Weber (eds.).
- Corrêa, Ana Maria (2022). "Regulating Targeted Advertising: Addressing Discrimination with Transparency, Fairness, and Auditing Tests Remedies." *Computer Law & Security Review* 46 (September): 105732. <https://doi.org/10.1016/j.clsr.2022.105732>.
- Crawford, Kate (2021). *Atlas of AI: Power, Politics, and the Planetary Costs of Artificial Intelligence*. Yale University Press.
- Creemers, Rogier (2018). "China's Social Credit System: An Evolving Practice of Control." Available at SSRN: <https://ssrn.com/abstract=3175792> or <http://dx.doi.org/10.2139/ssrn.3175792>.
- Croes, Marnix (2006). "The Holocaust in the Netherlands and the Rate of Jewish Survival." *Holocaust and Genocide Studies* 20 (3): 474–99. <https://doi.org/10.1093/hgs/dcl022>.
- Cseres, Kati J. (2024). "EU Competition Law and Democracy in the Shadow of Rule of Law Backsliding", THE EVOLVING GOVERNANCE OF EU COMPETITION LAW IN A TIME OF DISRUPTIONS: A CONSTITUTIONAL PERSPECTIVE (C. Colombo & M. Eliantonio, K. Wright, eds.)
- Curti, Merle (1967). "The Changing Concept of 'Human Nature' in the Literature of American Advertising." *The Business History Review* 41 (4): 335–57. <https://doi.org/10.2307/3112645>.
- Custers, Bart (2004). "The Power of Knowledge Ethical, Legal and Technological Aspects of Data Mining and Group Profiling in Epidemiology." Tilburg: Wolf Legal Publishers. Available at SSRN: <https://papers.ssrn.com/abstract=3186639>.

BIBLIOGRAPHY

- Custers, Bart, and Fosch-Villaronga, Eduard and Hof, Simone van der and Schermer, Bart and Sears, Alan M. and Tamò-Larrieux, Aurelia (2022). "The Role of Consent in an Algorithmic Society - Its Evolution, Scope, Failings and Re-Conceptualization." In *Research Handbook on EU Data Protection Law* by Eleni Kosta and Ronald Leenes (eds.), 455–73. Edward Elgar Publishing.
- Custers, Bart, and Malgieri, Gianclaudio (2022). "Priceless Data: Why the EU Fundamental Right to Data Protection Is at Odds with Trade in Personal Data." *Computer Law & Security Review* 45 (July): 105683. <https://doi.org/10.1016/j.clsr.2022.105683>.
- Datta, Amit, and Datta, Makagon and Anupam Jael and Mulligan, Deirdre K. and Tschantz, Michael Carl (2018). "Discrimination in Online Advertising: A Multidisciplinary Inquiry." In *Proceedings of the 1st Conference on Fairness, Accountability and Transparency*, 20–34. PMLR. <https://proceedings.mlr.press/v81/datta18a.html>.
- Davola, Antonio and Malgieri, Gianclaudio (2022). "Data, Power and Competition Law: The (Im)Possible Mission of the DMA?" Research in Law and Economics, (forthcoming, 2023). Available at SSRN: <https://ssrn.com/abstract=4242574> or <http://dx.doi.org/10.2139/ssrn.4242574>.
- De Gregorio, Giovanni (2022). *Digital Constitutionalism in Europe: Reframing Rights and Powers in the Algorithmic Society*. Cambridge Studies in European Law and Policy. Cambridge: Cambridge University Press. <https://doi.org/10.1017/9781009071215>.
- Dehling, Tobias, and Zhang, Yuchen and Sunyaev, Ali (2019). "Consumer Perceptions of Online Behavioral Advertising." In *2019 IEEE 21st Conference on Business Informatics (CBI)*, Moscow, Russia, 2019, pp. 345-354. <https://ieeexplore.ieee.org/document/8808011>.
- Dupr, Catherine (2015). *The Age of Dignity: Human Rights and Constitutionalism in Europe*. 1st ed. London: Hart Publication Ltd.
- Economides, Nicholas and Lianos, Ioannis (2021). "Restrictions On Privacy and Exploitation In The Digital Economy: A Market Failure Perspective," *Journal of Competition Law & Economics* 17 (4): 765–847. <https://doi.org/10.1093/joclec/nhab007>.
- Economides, Nicholas, and Lianos, Ioannis (2020). "Privacy and Antitrust in Digital Platforms." NET Institute Working Paper No. #21-01, NYU Stern School of Business (forthcoming). See: <https://ssrn.com/abstract=3755327> or <https://doi.org/10.2139/ssrn.3755327>.
- Elroy, Boers, and Afzali, Mohammad H. and Conrod, Patricia (2020). "A Longitudinal Study on the Relationship between Screen Time and Adolescent Alcohol Use: The Mediating Role of Social Norms." *Preventive Medicine* 132 (March): 105992. <https://doi.org/10.1016/j.ypmed.2020.105992>.
- Epictetus (2014). *Discourses, Fragments, Handbook*. Oxford World's Classics.
- Eubanks, Virginia (2019). *Automating Inequality: How High-Tech Tools Profile, Police, and Punish*. St. Martin's Press, Inc.
- Eyal, Nir (2014). *Hooked: How to Build Habit-Forming Products*. Portfolio Penguin, 2014.
- Ezrachi, Ariel and Stucke, Maurice E. (2016). "The Rise of Behavioural Discrimination." *European Competition Law Review* 37 (August): 484. <https://doi.org/10.2139/ssrn.2830206>.
- Faddoul, Marc and Kapuria, Rohan and Lin, Lily (2019). "Sniper Ad Targeting." *MIMS Final Project*.
- Fineman, Martha (2010). "The Vulnerable Subject and the Responsive State." *Emory Law Journal* 60 (2): 251.
- Floridi, Luciano (2016). "On Human Dignity and a Foundation for the Right to Privacy." *Philosophy & Technology* 29: 307-312 <https://doi.org/10.2139/ssrn.3839298>.

-
- Floridi, Luciano (2021). "The European Legislation on AI: A Brief Analysis of Its Philosophical Approach." *Philosophy & Technology* 34 (2): 215–22. <https://doi.org/10.1007/s13347-021-00460-9>.
- Florio, Massimo and Pancotti, Chiara (2022). *Applied Welfare Economics: Cost-Benefit Analysis of Projects and Policies*. 2nd ed. London: Routledge. <https://doi.org/10.4324/9781003191377>.
- Friestad, Marian, and Wright, Peter (1994). "The Persuasion Knowledge Model: How People Cope with Persuasion Attempts." *Journal of Consumer Research* 21: 1–31. <https://doi.org/10.1086/209380>.
- Galli, Federico (2022). "Digital Vulnerability." In *Algorithmic Marketing and EU Law on Unfair Commercial Practices*, edited by Federico Galli, 181–207. Law, Governance and Technology Series. Cham: Springer International Publishing. https://doi.org/10.1007/978-3-031-13603-0_7.
- Galli, Federico (2022a). *Algorithmic Marketing and EU Law on Unfair Commercial Practices*. Vol. 50. Law, Governance and Technology Series. Cham: Springer International Publishing. <https://doi.org/10.1007/978-3-031-13603-0>.
- Gardiner, Caterina (2022). *Unfair Contract Terms in the Digital Age*. Edward Elgar Publishing.
- Geradin, Damien, and Katsifis, Dimitrios (2019). "An EU Competition Law Analysis of Online Display Advertising in the Programmatic Age." *European Competition Journal* 15 (1): 55–96. <https://doi.org/10.1080/17441056.2019.1574440>.
- Goanta, Catalina, and Ranchordás, Sofia (eds.) (2020). *The Regulation of Social Media Influencers*. Elgar Law, Technology and Society Series. Edward Elgar Publishing. <https://doi.org/10.4337/9781788978286>.
- Goldenfein, Jake, and McGuigan, Lee. (2023). "Managed Sovereigns: How Inconsistent Accounts of the Human Rationalize Platform Advertising." *Journal of Law and Political Economy* 3 (3). <https://doi.org/10.5070/LP63361141>.
- González Fuster, Gloria (2014). "EU Fundamental Rights and Personal Data Protection." In *The Emergence of Personal Data Protection as a Fundamental Right of the EU*, by Gloria González Fuster (ed.), 163–212. Law, Governance and Technology Series. Cham: Springer International Publishing. https://doi.org/10.1007/978-3-319-05023-2_6.
- Goodin, Robert E. (1986). *Protecting the Vulnerable: A Re-Analysis of Our Social Responsibilities*. Chicago, IL: University of Chicago Press.
- Graef, Inge (2021). "Consumer Sovereignty and Competition Law: From Personalization to Diversity." *Common Market Law Review* 58 (2): 471–504.
- Griffin, James (2008). "Autonomy." In *On Human Rights*, edited by James Griffin, 0. Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199238781.003.0009>.
- Groot, Judith Irene Maria de. (2022). "The Personalization Paradox in Facebook Advertising: The Mediating Effect of Relevance on the Personalization–Brand Attitude Relationship and the Moderating Effect of Intrusiveness." *Journal of Interactive Advertising* 22 (1): 57–74. <https://doi.org/10.1080/15252019.2022.2032492>.
- Hacker, Philipp (2021). "Manipulation by Algorithms. Exploring the Triangle of Unfair Commercial Practice, Data Protection, and Privacy Law." *European Law Journal* 1–34 <https://doi.org/10.1111/eulj.12389>.
- Hannak, Aniko and Soeller, Gary and Lazer, David and Mislove, Alan and Wilson, Christo (2014). "Measuring Price Discrimination and Steering on E-Commerce Web Sites." In *Proceedings of the 2014 Conference on Internet Measurement Conference*, 305–18. Vancouver BC Canada: ACM. <https://doi.org/10.1145/2663716.2663744>.

BIBLIOGRAPHY

- Hanson, Jon D., and Kysar, Douglas A (1999). "Taking Behavioralism Seriously: The Problem of Market Manipulation." *NYU Law Review* 74 (3): 630–749.
- Hanson, Jon D., and Kysar, Douglas A. (2000). "Taking Behavioralism Seriously: A Response to Market Manipulation." 6 *Roger Williams U. L. Rev.* 259. Available at: <http://nrs.harvard.edu/urn-3:HUL.InstRepos:3175148>.
- Hartmann, Patrick, and Marcos, Aitor and Castro, Juana and Apaolaza, Vanessa (2023). "Perspectives: Advertising and Climate Change – Part of the Problem or Part of the Solution?" *International Journal of Advertising* 42 (2): 430–57. <https://doi.org/10.1080/02650487.2022.2140963>.
- Hayek, Friedrich A (2013). *The Market and Other Orders*. Edited by Bruce Caldwell.
- He, Qinghua, and Turel, Ofir and Bechara, Antoine (2017). "Brain Anatomy Alterations Associated with Social Networking Site (SNS) Addiction." *Scientific Reports* 7 (1): 45064. <https://doi.org/10.1038/srep45064>.
- Heimann, Jim (1999). *The Golden Age of Advertising: The 50s*. TASCHEN's 25th anniversary special edition. Barnes & Noble.
- Helberger, Natali, and Lynskey, Orla, and Micklitz, Hans-Wolfgang and Rott, Peter and Sax, Marijn and Strycharz, Joanna (2021). "EU Consumer Protection 2.0: Structural Asymmetries in Digital Consumer Markets, A Joint Report from Research Conducted under the EUCP2.0 Project" <https://dare.uva.nl/search?identifier=81f5aca7-6b01-4ade-90fa-e02d3024bc3a> (accessed November 2, 2023).
- Helberger, Natali, and Sax, Marijn and Strycharz, Joanna and Micklitz Hans-Wolfgang (2022). "Choice Architectures in the Digital Economy: Towards a New Understanding of Digital Vulnerability." *Journal of Consumer Policy* 45 (2): 175–200. <https://doi.org/10.1007/s10603-021-09500-5>.
- Helberger, Natali, and Zuiderveen Borgesius, Frederik and Reyna, Agustin (2017). "The Perfect Match? A Closer Look at the Relationship between EU Consumer Law and Data Protection Law." *Common Market Law Review* 54 (5).
- Herring, Jonathan (2019). *Law and the Relational Self*. 1st ed. Cambridge University Press. <https://doi.org/10.1017/9781108348171>.
- Hildebrandt, Mireille (2008). "Defining Profiling: A New Type of Knowledge?" In *Profiling the European Citizen: Cross-Disciplinary Perspectives*, edited by Mireille Hildebrandt and Serge Gutwirth, 17–45. Dordrecht: Springer Netherlands. https://doi.org/10.1007/978-1-4020-6914-7_2.
- Hirsh, Jacob B. and Kang, Sonia K. and Bodenhausen, Galen V. (2012). "Personalized Persuasion: Tailoring Persuasive Appeals to Recipients' Personality Traits." *Psychological Science* 23 (6): 578–81.
- Howard, John A. and Hulbert, James (1973). "Advertising and The Public Interest: A Staff Report to the Federal Trade Commission." ED 074777.
- Hutton, John S. and Dudley, Jonathan and Horowitz-Kraus, Tzipi and DeWitt, Tom and Holland, Scott K. (2020). "Associations Between Screen-Based Media Use and Brain White Matter Integrity in Preschool-Aged Children." *JAMA Pediatrics* 174 (1): e193869. <https://doi.org/10.1001/jamapediatrics.2019.3869>.
- Huxley, Aldous (1932). *Brave New World*. Vintage.
- Jadil, Yassine, and Rana, Nripendra P. and Dwivedi, Yogesh K. (2022). "Understanding the Drivers of Online Trust and Intention to Buy on a Website: An Emerging Market Perspective." *International Journal of Information Management Data Insights* 2 (1): 100065. <https://doi.org/10.1016/j.jiime.2022.100065>.
- Jagielska, Monika, and Jagielski, Mariusz (2012). "Are Consumer Rights Human Rights?" In *European Consumer Protection: Theory and Practice*, James Devenney and Mel

BIBLIOGRAPHY

-
- Kenny (eds.), 336–53. Cambridge: Cambridge University Press. <https://doi.org/10.1017/CBO9781139003452.021>.
- Jones, Alison and Sufrin, Brenda (2011). *EU Competition Law: Text, Cases, and Materials*. Fourth. Oxford University Press.
- Jongepier, Fleur, and Klenk, Michael (2022). *The Philosophy of Online Manipulation*. 1st ed. New York: Routledge. <https://doi.org/10.4324/9781003205425>.
- Kahneman, Daniel (2011). *Thinking Fast and Slow*. Farrar, Straus and Giroux.
- Kant, Immanuel (2019). *Groundwork for the Metaphysics of Morals*. Oxford University Press.
- Karaj, Arjaldo, and Macbeth, Sam and Berson, Rémi and Pujol, Josep M. (2019). “WhoTracks.Me: Shedding Light on the Opaque World of Online Tracking.” arXiv (April 2019). <https://doi.org/10.48550/arXiv.1804.08959>.
- Kaushik, Basu, and Luis F. López-Calva (2011). “Functionings and Capabilities.” In *Handbook of Social Choice and Welfare*, by Kenneth J. Arrow, Amartya Sen, and Kotaro Suzumura (eds.), 2:153–87. Handbook of Social Choice and Welfare. Elsevier. [https://doi.org/10.1016/S0169-7218\(10\)00016-X](https://doi.org/10.1016/S0169-7218(10)00016-X).
- Kennedy, Duncan (2011). “A Transnational Genealogy of Proportionality in Private Law.” In *The Foundations of European Private Law*, by Roger Brownsword, Hans-W Micklitz, Leone Niglia, and Stephen Weatherill (eds.)
- Keymolen, Esther (2018). “Trust In the Networked Era: When Phones Become Hotel Keys.” *Techne: Research in Philosophy and Technology* 22 (1): 51-75. <https://doi.org/10.5840/techne201792271>.
- Kilovaty, Ido (2019). “Legally Cognizable Manipulation.” *Berkeley Technology Law Journal* 34: 449–501. <https://doi.org/10.2139/ssrn.3224952>.
- Kilovaty, Ido (2021). “Psychological Data Breach Harms,” *North Carolina Journal of Law & Technology* 23 (1): 1. Available at: <https://scholarship.law.unc.edu/ncjolt/vol23/iss1/2>.
- Kim, Tami, and Barasz, Kate and John, Leslie K. (2019). “Why Am I Seeing This Ad? The Effect of Ad Transparency on Ad Effectiveness.” by Eileen Fischer and Andrea Morales (eds.). *Journal of Consumer Research* 45 (5): 906–32. <https://doi.org/10.1093/jcr/ucy039>.
- Klenk, Michael (2022). “(Online) Manipulation: Sometimes Hidden, Always Careless.” *Review of Social Economy* 80 (1): 85–105. <https://doi.org/10.1080/00346764.2021.1894350>.
- Koolen, Christof (2023). “Consumer Protection in the Age of Artificial Intelligence: Breaking Down the Silo Mentality Between Consumer, Competition, and Data.” *European Review of Private Law* 31 (2/3). <https://kluwerlawonline.com/api/Product/CitationPDFURL?file=Journals\ERPL\ERPL2023018.pdf>.
- Kosinski, Michal, and Stillwell, David and Graepel, Thore (2013). “Private Traits and Attributes Are Predictable from Digital Records of Human Behavior.” *Proceedings of the National Academy of Sciences* 110 (15): 5802–5. <https://doi.org/10.1073/pnas.1218772110>.
- Lanzing, Marolijn (2019). “The Transparent Self: A Normative Investigation of Changing Selves And Relationships In The Age Of Quantified Self.” Thesis. Eindhoven University of Technology. Available at: https://pure.tue.nl/ws/portalfiles/portal/140533915/20191211_Lanzing.pdf.
- Laux, Johann (2021b) “Taming the Few: Platform Regulation, Independent Audits, and the Risks of Capture Created by the DMA and DSA.” *Computer Law & Security Review* 43 (November): 105613. <https://doi.org/10.1016/j.clsr.2021.105613>.

BIBLIOGRAPHY

- Laux, Johann, and Wachter, Sandra and Mittelstadt, Brent (2021a). "Neutralizing Online Behavioural Advertising: Algorithmic Targeting with Market Power as an Unfair Commercial Practice." *Common Market Law Review* 58 (3): 719-750. <https://doi.org.ezproxy.leidenuniv.nl/10.54648/cola2021048>.
- Lee, Jenny (2020). "The Google-DoubleClick Merger: Lessons From the Federal Trade Commission's Limitations on Protecting Privacy." *Communication Law and Policy* 25 (1): 77–103. <https://doi.org/10.1080/10811680.2020.1690330>.
- Lee, Jin-Myong, and Rha, Jong-Youn (2016). "Personalization–Privacy Paradox and Consumer Conflict with the Use of Location-Based Mobile Commerce." *Computers in Human Behavior* 63 (October): 453–62. <https://doi.org/10.1016/j.chb.2016.05.056>.
- Leiser, Mark R. (2022). "Dark Patterns: The Case for Regulatory Pluralism Between the European Unions Consumer and Data Protection Regimes." In *Research Handbook on EU Data Protection Law*, by Eleni Kosta and Ronald Leenes (eds.) 240–69. Edward Elgar Publishing.
- Lemley, Mark A. (2022) "The Benefit of the Bargain" (August 8, 2022). Stanford Law and Economics Olin Working Paper 575. Available at: SSRN <https://ssrn.com/abstract=4184946> or <https://dx.doi.org/10.2139/ssrn.4184946>.
- Lemley, Mark A. 1995. "Intellectual Property and Shrinkwrap Licenses." *Southern California Law Review* 68 (1239). Available at SSRN: <https://ssrn.com/abstract=2126845> or <http://dx.doi.org/10.2139/ssrn.2126845>.
- LiKamWa, Robert, and Liu, Yunxin and Lane, Nicholas D. and Zhong, Lin (2013). "MoodScope: Building a Mood Sensor from Smartphone Usage Patterns." In *Proceeding of the 11th Annual International Conference on Mobile Systems, Applications, and Services*, 389–402. MobiSys '13. New York, NY, USA: Association for Computing Machinery. <https://doi.org/10.1145/2462456.2464449>.
- Lingel, Jessa (2020). *An Internet for the People: The Politics and Promise of Craigslist*. Princeton Studies in Culture and Technology Series. Princeton University Press. <https://doi.org/10.2307/j.ctvp2n5q4>.
- Loos, Marco and Helberger, Natali and Guibault, Lucie and Mak, Chantal (2011). "The Regulation of Digital Content Contracts in the Optional Instrument of Contract Law." *European Review of Private Law* 6: 729–58. <https://hdl.handle.net/11245/1.353862>.
- Luna, Florencia (2019). "Identifying and Evaluating Layers of Vulnerability – A Way Forward." *Developing World Bioethics* 19 (2): 86–95. <https://doi.org/10.1111/dewb.12206>.
- Machiavelli, Niccolò (2006). *The Prince*. Translated by W. K. (William Kenaz) Marriott. Project Gutenberg (eBook).
- Mackenzie, Catriona, Rogers, Wendy and Dodds, Sandy (eds.) (2014). *Vulnerability: New Essays in Ethics and Feminist Philosophy*. Studies in Feminist Philosophy. New York: Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199316649.001.0001>.
- Mak, Vanessa (2016). "The Consumer in European Regulatory Private Law. A Functional Perspective on Responsibility, Protection and Empowerment." In *The Image(s) of the Consumer in EU Law: Legislation, Free Movement and Competition Law*, by Dorota Leczykiewicz and Stephen Weatherill (eds.), 381–400. Oxford: Hart Publishing.
- Mak, Vanessa (2022). "A Primavera for European Consumer Law: Re-Birth of the Consumer Image in the Light of Digitalisation and Sustainability." *Journal of European Consumer and Market Law* 11 (3): 77–80.

BIBLIOGRAPHY

- Malgieri, Gianclaudio (2020). "The Concept of Fairness in the GDPR: A Linguistic and Contextual Interpretation." In *Proceedings of the 2020 Conference on Fairness, Accountability, and Transparency*, 154–66. FAT* '20. New York, NY, USA: Association for Computing Machinery. <https://doi.org/10.1145/3351095.3372868>.
- Malgieri, Gianclaudio, and Custers Bart (2017). "Pricing Privacy – The Right to Know the Value of Your Personal Data." *Computer Law & Security Review* 34 (2): 289–303. <https://doi.org/doi:10.1016/j.clsr.2017.08.006>.
- Malgieri, Gianclaudio, and Davola, Antonio. 2022. "Data-Powerful." Available at SSRN: <https://ssrn.com/abstract=4027370> or <http://dx.doi.org/10.2139/ssrn.4027370>.
- Malgieri, Gianclaudio, and Niklas, Jędrzej (2020). "Vulnerable Data Subjects." *Computer Law and Security Review* 37 (July). <https://doi.org/10.1016/j.clsr.2020.105415>.
- Marcuse, Herbert (1965). "Industrialization and Capitalism." *New Left Review*, no. 1/30 (April): 3–17.
- Marotta, Veronica, and Wu, Yue and Zhang, Kaifu and Acquisti, Alessandro (2022). "The Welfare Impact of Targeted Advertising Technologies." *Information Systems Research* 33 (1): 131–51. <https://doi.org/10.1287/isre.2021.1024>.
- Mathur, Arunesh, and Mayer, Jonathan and Kshirsagar, Mihir (2021). "What Makes a Dark Pattern... Dark? Design Attributes, Normative Considerations, and Measurement Methods." In *Proceedings of the 2021 CHI Conference on Human Factors in Computing Systems*, 1–18. <https://doi.org/10.1145/3411764.3445610>.
- Matz, Sandra C, and Appel, Ruth E. and Kosinski, Michal (2020). "Privacy in the Age of Psychological Targeting." *Current Opinion in Psychology*, Privacy and Disclosure, Online and in Social Interactions, 31 (February): 116–21. <https://doi.org/10.1016/j.copsyc.2019.08.010>.
- Maurits, Kaptein (2015). *Persuasion Profiling: How the Internet Knows What Makes You Tick*. Business Contact.
- McCann, Michael A. (2014). "Dietary Supplement Labeling: Cognitive Biases, Market Manipulation & Consumer Choice." *American Journal of Law & Medicine* 31 (2–3): 215–68. <https://doi.org/10.1177/009885880503100204>.
- McCrudden, Christopher (2008). "Human Dignity and Judicial Interpretation of Human Rights." *European Journal of International Law* 19 (4): 655–724. <https://doi.org/10.1093/ejil/chn043>.
- Mill, John Stuart (2011). *Essays on Some Unsettled Questions of Political Economy*. Luton: Andrews UK (eBook ed.).
- Mill, John Stuart (2011). *On Liberty*. Cambridge University Press (1st ed. 1859). <https://doi-org.ezproxy.leidenuniv.nl/10.1017/CBO9781139149785>.
- Millns, Susan (1996). "Dwarf-Throwing and Human Dignity: A French Perspective." *Journal of Social Welfare and Family Law* 18 (3): 375–91. <https://doi.org/10.1080/09649069608410182>.
- Moon, Youngme (2002). "Personalization and Personality: Some Effects of Customizing Message Style Based on Consumer Personality." *Journal of Consumer Psychology* 12 (4): 313–25. [https://doi.org/10.1016/S1057-7408\(16\)30083-3](https://doi.org/10.1016/S1057-7408(16)30083-3).
- Moore, Robert, and Moore, Melissa and Shanahan, Kevin and Horky, Alisha and Britney Mack (2015). "Creepy Marketing: Three Dimensions of Perceived Excessive Online Privacy Violation." *The Marketing Management Journal* 25 (1): 42–53.
- Morel, Victor, and Santos, Cristiana and Fredholm, Viktor and Thunberg, Adam (2023). "Legitimate Interest Is the New Consent -- Large-Scale Measurement and Legal Compliance of IAB Europe TCF Paywalls." arXiv (September 2023) <https://arxiv.org/abs/2309.11625v3>.

BIBLIOGRAPHY

-
- Morey, Timothy, and Forbath, Theodore, and Schoop, Allison (2015). "Customer Data: Designing for Transparency and Trust." *Harvard Business Review*, May 1, 2015. <https://hbr.org/2015/05/customer-data-designing-for-transparency-and-trust>.
- Moriarty, Jeffrey (2021). "Why Online Personalized Pricing Is Unfair." *Ethics and Information Technology* 23 (3): 495–503. <https://doi.org/10.1007/s10676-021-09592-0>.
- Musgrave, Richard A. (2017). "Merit Goods." In *The New Palgrave Dictionary of Economics*, 1–5. London: Palgrave Macmillan UK. https://doi.org/10.1057/978-1-349-95121-5_1139-2.
- Neal, Mary (2012). "Not Gods but Animals: Human Dignity and Vulnerable Subjecthood." *Liverpool Law Review* 23 (3): 177–200. <https://doi.org/10.1007/s10991-012-9124-6>.
- Nielsen, Janne (2021). "Using Mixed Methods to Study the Historical Use of Web Beacons in Web Tracking." *International Journal of Digital Humanities* 2 (November): 1–24. <https://doi.org/10.1007/s42803-021-00033-4>.
- Nikiforakis, Nick, and Kapravelos, Alexandros and Joosen, Wouter and Kruegel, Christopher and Piessens, Frank and Vigna, Giovanni (2013). "Cookieless Monster: Exploring the Ecosystem of Web-Based Device Fingerprinting." In *2013 IEEE Symposium on Security and Privacy*, 541–55. IEEE Computer Society. <https://doi.org/10.1109/SP.2013.43>.
- Noggle, Robert (1996). "Manipulative Actions: A Conceptual and Moral Analysis." *American Philosophical Quarterly* 33 (1): 43–55. <https://www.jstor.org/stable/20009846>.
- Noggle, Robert (2018) "Manipulation, Salience, and Nudges," *Bioethics* 32 (3): 164–70. <https://doi.org/10.1111/bioe.12421>.
- Noggle, Robert (2020), "Pressure, Trickery, and a Unified Account of Manipulation," *American Philosophical Quarterly* 3 (57): 241–52.
- Noggle, Robert (2022). "The Ethics of Manipulation," In *The Stanford Encyclopedia of Philosophy*, Edward N. Zalta (ed.). <https://plato.stanford.edu/archives/sum2022/entries/ethics-manipulation/> (Acc. Oct. 31).
- Nouwens, Midas, and Liccardi, Ilaria and Veale, Michael and Karger, David and Kagal, Lalana (2020). "Dark Patterns after the GDPR: Scraping Consent Pop-Ups and Demonstrating Their Influence." In *Proceedings of the 2020 CHI Conference on Human Factors in Computing Systems*, 1–13. <https://doi.org/10.1145/3313831.3376321>.
- Nussbaum, Martha C. (2007). *Frontiers of Justice: Disability, Nationality, Species Membership*. The Tanner Lectures on Human Values. Cambridge, MA: Belknap Press. <https://doi-org.ezproxy.leidenuniv.nl/10.2307/j.ctv1c7zftw>.
- Nussbaum, Martha C. (2011), *Creating Capabilities: The Human Development Approach*. Harvard University Press. <https://doi-org.ezproxy.leidenuniv.nl/10.2307/j.ctt2jbt31>.
- Nussbaum, Martha C. 1997. "Capabilities and Human Rights." *Fordham Law Review* 66 (2): 273. <https://ir.lawnet.fordham.edu/flr/vol66/iss2/2>.
- Nys, Thomas RV, and Engelen, Bart (2017). "Judging Nudging: Answering the Manipulation Objection." *Political Studies* 65 (1): 199–214. <https://doi.org/10.1177/0032321716629487>.
- O’Neil, Cathy (2017). *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy*. Penguin Books.
- Odlyzko, Andrew (2003). "Privacy, Economics, and Price Discrimination on the Internet." *ICEC2003: Fifth International Conference on Electronic Commerce*, N. Sadeh, (ed.), ACM, 2003, 355-366, Available at SSRN: <https://ssrn.com/abstract=429762> or <http://dx.doi.org/10.2139/ssrn.429762>.

BIBLIOGRAPHY

- Odlyzko, Andrew (2009). "Network Neutrality, Search Neutrality, and the Never-Ending Conflict between Efficiency and Fairness in Markets." *Review of Network Economics* 8 (1), 40-60 <https://doi.org/10.2202/1446-9022.1169>.
- Pachilakis, Michalis, and Papadopoulos, Panagiotis and Markatos, Evangelos P. and Kourtellis, Nicolas (2019). "No More Chasing Waterfalls: A Measurement Study of the Header Bidding Ad-Ecosystem." arXiv. <https://doi.org/10.48550/arXiv.1907.12649>.
- Packard, Vance (1957). *The Hidden Persuaders*. New York: David McKay.
- Pariser, Eli (2012). *The Filter Bubble: How the New Personalized Web Is Changing What We Read and How We Think*. Penguin Books. London.
- Park, Gregory, H. and Schwartz, Andrew and Eichstaedt, Johannes C. and Kern, Margaret L. and Kosinski, Michal and Stillwell, David J. and Ungar, Lyle H. and Seligman, Martin E. P. (2015). "Automatic Personality Assessment Through Social Media Language." *Journal of Personality and Social Psychology* 108: 934–52. <https://doi.org/10.1037/pspp0000020>.
- Pärssinen, Matti, and Kotila, Mikko, and Cuevas, Rubén and Phansalkar, Amit and Manner, Jukka M.J. (2018). "Environmental Impact Assessment of Online Advertising." *Environmental Impact Assessment Review* 73 (November): 177–200. <https://doi.org/10.1016/j.eiar.2018.08.004>.
- Pettit, Philip (2002). *Republicanism: A Theory of Freedom and Government*. Oxford Political Theory. Oxford: Clarendon Press.
- Pitofsky, Robert (1977). "Beyond Nader: Consumer Protection and the Regulation of Advertising." *Harvard Law Review* 90 (4): 661–701. <https://doi.org/10.2307/1340281>.
- Plantin, Jean-Christophe, Carl Lagoze, Paul N Edwards, and Christian Sandvig (2018). "Infrastructure Studies Meet Platform Studies in the Age of Google and Facebook." *New Media & Society* 20 (1): 293–310. <https://doi.org/10.1177/1461444816661553>.
- Plato (2008). *Republic*. Oxford World's Classics.
- Preston, Ivan L. (1997). "Regulatory Positions toward Advertising Puffery of the Uniform Commercial Code and the Federal Trade Commission." *Journal of Public Policy & Marketing* 16 (2): 336–44. <https://www.jstor.org/stable/30000457>.
- Prosser, Tony (2006). "Regulation and Social Solidarity." *Journal of Law and Society* 33 (3): 364–87. <https://www.jstor.org/stable/3838855>.
- Purohit, Aditya Kumar, and Barclay, Louis and Holzer, Adrian (2020). "Designing for Digital Detox: Making Social Media Less Addictive with Digital Nudges." In . <https://dl.acm.org/doi/abs/10.1145/3334480.3382810>.
- Rajanala, Susruthi, and Maymone, Mayra B. C. and Vashi, Neelam A. (2018). "Selfies—Living in the Era of Filtered Photographs." *JAMA Facial Plastic Surgery* 20 (6): 443–44. <https://doi.org/10.1001/jamafacial.2018.0486>.
- Rathje, Steve and Van Bavel, Jay J., and van der Linden, Sander (2020) "Out-Group Animosity Drives Engagement on Social Media." *PNAS* 118(26): e2024292118 <https://doi.org/10.1073/pnas.2024292118>.
- Rawls, John (1971). *A Theory of Justice: Original Edition*. Harvard University Press. <https://doi.org/10.2307/j.ctvjf9z6v>.
- Richards, Neil M. (2013). "The Dangers of Surveillance." *Harvard Law Review* 126 (7): 1934–65. <https://www.jstor.org/stable/23415062>.
- Riddle, Elizabeth, and MacKay, Jill R. D. (2020). "Social Media Contexts Moderate Perceptions of Animals." *Animals: An Open Access Journal from MDPI* 10 (5): 845. <https://doi.org/10.3390/ani10050845>.
- Riley, Stephen (2013). "The Function of Dignity." *Amsterdam Law Forum* 5 (2) 90-106. Available at: <https://ssrn.com/abstract=2293363>.

BIBLIOGRAPHY

-
- Rimer, Barbara K., and Kreuter, Matthew W. (2006). "Advancing Tailored Health Communication: A Persuasion and Message Effects Perspective." *Journal of Communication* 56 (suppl_1): S184–201. <https://doi.org/10.1111/j.1460-2466.2006.00289.x>.
- Robeyns, Ingrid, and Byskov, Morten Fibieger (2023). "The Capability Approach." In *The Stanford Encyclopedia of Philosophy*, by Edward N. Zalta and Uri Nodelman (eds), Stanford University. <https://plato.stanford.edu/archives/sum2023/entries/capability-approach/>.
- Rodgers, Shelly, Hugh Cannon, and Jensen Moore (2007). "Segmenting Internet Markets." In *Internet Advertising: Theory and Research*, David W. Schumann and Esther Thorson (eds.), Mahwah, NJ: Lawrence Erlbaum Associates, 149–83.
- Roessler, Beate (2005). *The Value of Privacy*. Polity Press.
- Rogers, Wendy (2013). "Vulnerability and Bioethics." In *Vulnerability: New Essays in Ethics and Feminist Philosophy*, by Catriona Mackenzie, Wendy Rogers, and Susan Dodds (eds.), 60–87. Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199316649.003.0003>.
- Rose, Blaire (2021). "The Commodification of Personal Data and The Road to Consumer Autonomy through the CCPA" 15 (521). <https://brooklynworks.brooklaw.edu/bjcfcl/vol15/iss2/8>.
- Rudinow, Joel (1978). "Manipulation." *Ethics* 88 (4): 338–47. <https://doi.org/10.1086/292086>.
- Salpeter, Laura R. and Swirsky, Jennifer I. (2012). "Historical and Legal Implications of Subliminal Messaging in the Multimedia: Unconscious Subjects." *Nova Law Review* 36 (3): 497–520.
- Santos, Cristiana, and Rossi, Arianna and Chamorro, Lorena Sanchez Bongard-Blanchy, Kerstin and Abu-Salma, Ruba (2021). "Cookie Banners, What's the Purpose? Analyzing Cookie Banner Text Through a Legal Lens." In *Proceedings of the 20th Workshop on Workshop on Privacy in the Electronic Society*, 187–94. WPES '21. New York, NY, USA: Association for Computing Machinery. <https://doi.org/10.1145/3463676.3485611>.
- Sax, Marijn (2021). *Between Empowerment and Manipulation: The Ethics and Regulation of for-Profit Health Apps*. Information Law Series, 47. Alphen aan den Rijn, The Netherlands: Kluwer Law International B. V.
- Schermer, Bart W., Custers, Bart and van der Hof, Simone (2014). "The Crisis of Consent: How Stronger Legal Protection May Lead to Weaker Consent in Data Protection." *Ethics and Information Technology* 16 (2): 171–82. <https://doi.org/10.1007/s10676-014-9343-8>.
- Schull, Natasha Dow (2014). *Addiction by Design*. Princeton University Press.
- Sears, Alan M (2021) "The Limits of Online Price Discrimination in Europe." *Science and Technology Law Review* 21 (1): 1–42. <https://doi.org/10.7916/stlr.v21i1.5761>.
- Seaton, A.V. (1986). "Cope's and the Promotion of Tobacco in Victorian England." *European Journal of Marketing* 20 (9): 5–26. <https://doi.org/10.1108/EUM00000000004664>.
- Segalin, Cristina, and Perina, Alessandro and Cristani, Marco and Vinciarelli, Alessandro (2017). "The Pictures We Like Are Our Image: Continuous Mapping of Favorite Pictures into Self-Assessed and Attributed Personality Traits." *IEEE Transactions on Affective Computing* 8 (2): 268–85. <https://doi.org/10.1109/TAFFC.2016.2516994>.
- Simon, Herbert A. (1971). "Designing Organizations for an Information-Rich World." In *Computers, Communications, and the Public Interest*. The John Hopkins Press.

BIBLIOGRAPHY

- Sipior, Janice, and Ward, Burke and Mendoza, Rubén (2011). "Online Privacy Concerns Associated with Cookies, Flash Cookies, and Web Beacons." *Journal of Internet Commerce* 10 (March): 1–16. <https://doi.org/10.1080/15332861.2011.558454>.
- Smith, Adam (2000). *The Wealth of Nations*. Robert B. Reich (ed.). Westminster, US: Random House Publishing Group.
- Sobieszek, Robert A. (1988). *The Art of Persuasion: A History of Advertising Photography*. Harry N. Abrams, Inc.
- Solove, Daniel J. (2013). "Introduction: Privacy Self-Management and the Consent Dilemma." *Harvard Law Review*. 126 (7): 1880-1903. <https://harvardlawreview.org/print/vol-126/introduction-privacy-self-management-and-the-consent-dilemma/>.
- Solove, Daniel J. (2023). "Data Is What Data Does: Regulating Use, Harm, and Risk Instead of Sensitive Data." 118 Northwestern University Law Review (forthcoming 2023). Available at SSRN: <https://ssrn.com/abstract=4322198> or <http://dx.doi.org/10.2139/ssrn.4322198>
- Solove, Daniel J., and Keats Citron, Danielle (2018). "Risk and Anxiety: A Theory of Data Breach Harms." 96 Texas Law Review 737. <https://doi.org/10.2139/ssrn.2885638>.
- Spencer, Shaun B. (2020). "The Problem of Online Manipulation." *University of Illinois Law Review* 3: 960–1006. <https://doi.org/10.2139/ssrn.3341653>.
- Spiekermann, Sarah, and Korunovska, Jana (2017). "Towards a Value Theory for Personal Data." *Journal of Information Technology* 32 (1): 62–84. <https://doi.org/10.1057/jit.2016.4>.
- Stigler, George J. (1961). "The Economics of Information." *The Journal of Political Economy* 69 (3): 213–25. <https://www.jstor.org/stable/1829263>.
- Strycharz, Joanna, and Duivenvoorde, Bram (2021). "The Exploitation of Vulnerability Through Personalised Marketing Communication: Are Consumers Protected?" *Internet Policy Review* 10 (4). <https://doi.org/10.14763/2021.4.1585>.
- Sunstein, Cass R (2016). *The Ethics of Influence*. Cambridge University Press.
- Sunstein, Cass R (2021). "Manipulation As Theft." Harvard Public Law Working Paper No. 21-30, Available at SSRN: <https://ssrn.com/abstract=3880048> or <http://dx.doi.org/10.2139/ssrn.3880048>.
- Susser, Daniel, and Roessler, Beate and Nissenbaum, Helen F. (2019). "Online Manipulation: Hidden Influences in a Digital World." *Georgetown Law Technology Review* 4 (1). <https://doi.org/10.2139/ssrn.3306006>.
- Sweeney, Latanya (2013) "Discrimination in Online Ad Delivery: Google Ads, Black Names and White Names, Racial Discrimination, and Click Advertising." *Queue* 11 (3): 10–29. <https://queue.acm.org/detail.cfm?id=2460278>.
- Taleb, Nassim Nicholas (2013). *Antifragile: Things That Gain From Disorder*. London: Penguin.
- Taleb, Nassim Nicholas (2018). *Skin In The Game: Hidden Asymmetries in Daily Life*. New York: Random House.
- Teixeira, Thales, and Wedel, Michel and Pieters, Rik (2012). "Emotion-Induced Engagement in Internet Video Advertisements." *Journal of Marketing Research* 49 (2): 144–59. <https://doi.org/10.1509/jmr.10.0207>.
- Tekbasan, Tolga (2019). "The Effects of Ad-Blocking on the Online Customer Behavior." Master Thesis, University of Twente. <https://essay.utwente.nl/79763/>.
- Thaler, Richard H., and Sunstein, Cass R. (2021). *Nudge: The Final Edition*. Updated edition. New York: Penguin Books.
- Toen Vu, Hong and Saldaña, Magdalena (2021) "Chillin' Effects of Fake News: Changes in Practices Related to Accountability and Transparency in American Newsrooms Under the Influence of Misinformation and Accusations Against the News Media".

BIBLIOGRAPHY

-
- Journalism & Mass Communication Quarterly* 98(3): 769-789.
<https://journals.sagepub.com/doi/10.1177/1077699020984781>.
- Toubiana, Vincent, and Narayanan, Arvind and Boneh, Dan and Nissenbaum, Helen F. and Nissenbaum, Helen F. and Barocas, Solon. (2010) "Adnostic: Privacy Preserving Targeted Advertising", *Proceedings of the Network and Distributed System Symposium*, March 2010, Available at SSRN: <https://ssrn.com/abstract=2567076>.
- Trzaskowski, Jan (2021). *Your Privacy Is Important to US!* Ex København: Tuto Publishing.
- Turner, Ernest S. (1965). *The Shocking History of Advertising*. [Rev. ed.]. Penguin Book 2012. Harmondsworth, England: Penguin Books.
- Turow, Joseph (1998) *Breaking up America: Advertisers and The New Media World*. University of Chicago Press. <https://doi.org/10.1604/9780226817514>.
- Turow, Joseph (2017). *The Aisles Have Eyes : How Retailers Track Your Shopping, Strip Your Privacy, and Define Your Power*. New Haven, Conn: Yale University Press.
- Tversky, Amos, and Kahneman, Daniel (1974). "Judgment under Uncertainty: Heuristics and Biases." *Science* 185 (4157): 1124–31.
<https://doi.org/10.1126/science.185.4157.1124>.
- Tversky, Amos, and Kahneman, Daniel (1986). "Rational Choice and the Framing of Decisions." *The Journal of Business* 59 (4): S251–78.
<https://www.jstor.org/stable/2352759>.
- van der Hof, Simone and Lievens, Eva (2017). "The Importance of Privacy by Design and Data Protection Impact Assessments in Strengthening Protection of Children's Personal Data Under the GDPR." *Communications Law* 23 (1). Available at SSRN: <https://ssrn.com/abstract=3107660>.
- van der Hof, Simone and Lievens, Eva and Milkaite, Ingrida and Verdoodt, Valerie, and Hannema, Thijs and Liefwaard, Tom (2020). "The Child's Right to Protection against Economic Exploitation in the Digital World in: The International Journal of Children's Rights" 28(4), 833-859. <https://doi.org/10.1163/15718182-28040003>.
- van der Hof, Simone, and van Hilten, Stijn and Ouburg, Sanne, and Birk, Max V. and van Rooij, Antonius J. (2022). "'Don't Gamble With Children's Rights'-How Behavioral Design Impacts the Right of Children to a Playful and Healthy Game Environment." *Frontiers in Digital Health* 4: 822933.
<https://doi.org/10.3389/fdgth.2022.822933>.
- van der Wal, Goossen A. 1989. "The Individualism of Human Rights." *Rechtsfilosofie En Rechtstheorie* 18 (3): 195–206.
- van Santen, Esther (2022). "Cookie Monsters on Media Websites: Dark Patterns in Cookie Consent Notices." In *ICCGI 2022 - The Seventeenth International Multi-Conference on Computing in the Global Information Technology*. Juho Mäkiö, Hochschule Emden/Leer (eds.).
http://personales.upv.es/thinkmind/ICCGI/ICCGI_2022/iccgi_2022_1_20_18003.html.
- Varnali, Kaan (2021). "Online Behavioral Advertising: An Integrative Review." *Journal of Marketing Communications* 27 (1): 93–114.
<https://doi.org/10.1080/13527266.2019.1630664>.
- Veale, Michael, and Zuiderveen Borgesius, Frederik (2021). "Demystifying the Draft EU Artificial Intelligence Act." SocArXiv. <https://doi.org/10.31235/osf.io/38p5f>.
- Veale, Michael, and Zuiderveen Borgesius, Frederik (2022). "Adtech and Real-Time Bidding under European Data Protection Law." *German Law Journal* 23 (2): 226–56. <https://doi.org/10.1017/glj.2022.18>.
- Veale, Michael, Nouwens, Midas and Santos, Cristiana (2022). "Impossible Asks: Can the Transparency and Consent Framework Ever Authorise Real-Time Bidding After the

- Belgian DPA Decision?" *Technology and Regulation* 2022 (February): 12–22. <https://doi.org/10.26116/techreg.2022.002>.
- Verdoordt, Valerie, and Lievens, Eva (2017). "Targeting Children with Personalised Advertising : How to Reconcile the (Best) Interests of Children and Advertisers." In *Data Protection and Privacy under Pressure: Transatlantic Tensions, EU Surveillance, and Big Data*, 313–41. Maklu. <http://hdl.handle.net/1854/LU-8541057>.
- Vizard, Polly, and Fukuda-Parr, Sakiko and Elson, Diane (2011). "Introduction: The Capability Approach and Human Rights." *Journal of Human Development and Capabilities* 12 (1): 1–22. <https://doi.org/10.1080/19452829.2010.541728>.
- Vrabec, Helena U. (2019). "Uncontrollable: Data Subject Rights and the Data-Driven Economy." PhD Thesis. Leiden University. <https://hdl.handle.net/1887/68574>.
- Wachter, Sandra (2020). "Affinity Profiling and Discrimination by Association in Online Behavioural Advertising." *Berkley Technology Law Journal* 35 (2). <https://doi.org/10.2139/ssrn.3388639>.
- Wachter, Sandra, and Mittelstadt, Brent (2019). "A Right to Reasonable Inferences: Re-Thinking Data Protection Law in the Age of Big Data and AI." *Columbia Business Law Review* 2019 (2): 494–620. <https://doi.org/10.7916/cblr.v2019i2.3424>.
- Walker, Margaret Urban (2013). "Moral Vulnerability and the Task of Reparations." In *Vulnerability: New Essays in Ethics and Feminist Philosophy*, by Catriona Mackenzie, Wendy Rogers, and Susan Dodds.
- Wallace, R. Jay (2020) "Practical Reason." The Stanford Encyclopedia of Philosophy (Spring 2020 Edition), Edward N. Zalta (ed.), <https://plato.stanford.edu/archives/spr2020/entries/practical-reason/> (accessed November 2, 2023)..
- Warren, Samuel D. and Brandeis, Louis D. (1890). "The Right to Privacy." *Harvard Law Review* 4 (5): 193–220. <https://doi.org/10.2307/1321160>.
- Weiser, Mark (1991). "The Computer for the 21 St Century." *Scientific American* 265 (3): 94–105. <https://doi.org/10.1145/329124.329126>.
- Westin, Alan (1967). *Privacy And Freedom*. New York: Ig Publishing.
- White, Ryen W. and Doraiswamy, P. Murali and Horvitz, Eric (2018). "Detecting Neurodegenerative Disorders from Web Search Signals." *NPJ Digital Medicine* 1 (April): 8. <https://doi.org/10.1038/s41746-018-0016-6>.
- Whittington, Jan and Hoofnagle, Chris Jay (2012). "Unpacking Privacy's Price." *The North Carolina Law Review* 90 (1327).
- Wood, Allen W (2014). "Coercion, Manipulation, Exploitation." In *Manipulation: Theory and Practice*, 17-50, Christian Coons and Michael Weber (eds.), Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199338207.003.0002>.
- Wu, Tim (2011). *The Master Switch: The Rise and Fall of Information Empires*. New York: Knopf.
- Wu, Tim (2016). *The Attention Merchants: The Epic Scramble to Get Inside Our Heads*. New York: Knopf.
- Yeung, Karen (2016). "'Hypernudge': Big Data as a Mode of Regulation by Design." *Information, Communication & Society* 20 (May): 1–19. <https://doi.org/10.1080/1369118X.2016.1186713>.
- Zard, Lex, and Fosch-Villaronga, Eduard (2020). "'Oh, Dignity Too?' Said the Robot: Human Dignity as the Basis for the Governance of Robotics." *Minds and Machines* 30 (1): 121–43. <https://doi.org/10.1007/s11023-019-09514-6>.
- Zard, Lex, and Sears, Alan M. (2023). "Targeted Advertising and Consumer Protection Law in the European Union." *Vanderbilt Journal of Transnational Law* 56 (559): 795–848.

BIBLIOGRAPHY

- Zarsky, Tal (2017). "Incompatible: The GDPR in the Age of Big Data." *Seton Hall Law Review* 47 (4). <https://scholarship.shu.edu/shlr/vol47/iss4/2>.
- Zarsky, Tal (2019). "Privacy and Manipulation in the Digital Age." *Theoretical Inquiries in Law* 20 (1). <https://www7.tau.ac.il/ojs/index.php/til/article/view/1612>.
- Zhang, Kaifu, and Katona, Zsolt (2012). "Contextual Advertising." *Marketing Science* 31 (6): 980–94. <https://doi.org/10.1287/mksc.1120.0740>.
- Zimmeck, Sebastian, and Li, Jie S. and Kim, Hyungtae and Bellovin, Steven M. and Jebara, Tony (2017). "A Privacy Analysis of Cross-Device Tracking." In *Open Access to the Proceedings of the 26th USENIX Security Symposium Is Sponsored by USENIX*. <https://www.usenix.org/conference/usenixsecurity17/technical-sessions/presentation/zimmeck>.
- Zittrain, Jonathan (2006). "A History of Online Gatekeeping." *Harvard Journal of Law and Technology* 19 (253). <http://nrs.harvard.edu/urn-3:HUL.InstRepos:4455491>.
- Zuboff, Shoshana (2015). "Big Other: Surveillance Capitalism and the Prospects of an Information Civilization." *Journal of Information Technology* 30 (1): 75-89 <https://doi-org.ezproxy.leidenuniv.nl/10.1057/jit.2015.5>.
- Zuboff, Shoshana (2019). *The Age of Surveillance Capitalism: The Fight For A Human Future at The New Frontier of Power*. First edition. New York: PublicAffairs.
- Zuboff, Shoshana (2022). "Surveillance Capitalism or Democracy? The Death Match of Institutional Orders and the Politics of Knowledge in Our Information Civilization." *Organization Theory*, 3(3). <https://doi-org.ezproxy.leidenuniv.nl/10.1177/26317877221129290>.
- Zuiderveen Borgesius, Frederik J. (2013). "Consent to Behavioural Targeting in European Law - What Are Policy Implications of Insights from Behavioural Economics?" Amsterdam Law School Legal Studies Research Paper No. 2013-43. Available at SSRN: <https://ssrn.com/abstract=2300969> or <http://dx.doi.org/10.2139/ssrn.2300969>.
- Zuiderveen Borgesius, Frederik J. (2015). "Personal Data Processing for Behavioural Targeting: Which Legal Basis?" *International Data Privacy Law* 5 (3). <https://academic.oup.com/idpl/article/5/3/163/730611>.
- Zuiderveen Borgesius, Frederik J. (2015). *Improving Privacy Protection in the Area of Behavioral Targeting*. Information Law Series 33. Kluwer Law International.
- Zuiderveen Borgesius, Frederik J. (2016). "Singling out People without Knowing Their Names – Behavioural Targeting, Pseudonymous Data, and the New Data Protection Regulation." *Computer Law & Security Review* 32 (2): 256–71. <https://doi.org/10.1016/j.clsr.2015.12.013>.
- Zuiderveen Borgesius, Frederik, and Poort, Joost (2017). "Online Price Discrimination and EU Data Privacy Law." *Journal of Consumer Policy* 40 (3): 347–66. <https://doi.org/10.1007/s10603-017-9354-z>.

Online Sources

News Articles and Blog Posts

- Bertuzzi, Luca (February 28, 2023). "EU Policymakers Have Adtech in Sight for Future Regulation." IAPP. <https://iapp.org/news/a/eu-policymakers-have-adtech-in-sight-for-future-regulation/> (accessed October 4, 2023).
- Bertuzzi, Luca (May, 11, 2023). "AI Act Moves Ahead in EU Parliament with Key Committee Vote." EURACTIV. <https://www.euractiv.com/section/artificial->

BIBLIOGRAPHY

- [intelligence/news/ai-act-moves-ahead-in-eu-parliament-with-key-committee-vote/](#) (accessed November 2, 2023).
- Birch, Jacey* (February 28, 2023). "Social Media Now Having Influence on Pet Adoptions." LOCAL10.COM. <https://www.local10.com/news/local/2023/02/28/social-media-now-having-influence-on-pet-adoptions/> (accessed November 2, 2023).
- Bohn, Dieter* (June 24, 2021). "Google Chrome Third-Party Cookies Block Delayed Until 2023." THE VERGE. <https://www.theverge.com/2021/6/24/22547339/google-chrome-cookiepocalypse-delayed-2023> (accessed January 5, 2023).
- Burgess, Kaya* (August 3, 2018). "Teacup Dogs Have Big Health Problems," THE TIMES. <https://www.thetimes.co.uk/article/teacup-dogs-have-big-health-problems-t3zvzmtnd> (accessed November 2, 2023).
- Burgess, Matt* (January 27, 2022). "Google Has a New Plan to Kill Cookies. People Are Still Mad." WIRED. <https://www.wired.com/story/google-floc-cookies-chrome-topics/> (accessed January 5, 2023).
- Chavez, Anthony* (July 27, 2022). "Expanding Testing for the Privacy Sandbox for the Web." GOOGLE: THE KEYWORD. <https://blog.google/products/chrome/update-testing-privacy-sandbox-web/> (accessed November 2, 2023).
- Chee, Foo Yun* (July 5, 2023). "Meta Loses as Top EU Court Backs Antitrust Regulators over Privacy Breach Checks." REUTERS. <https://www.reuters.com/technology/german-antitrust-watchdog-can-add-privacy-breaches-meta-probe-eu-court-says-2023-07-04/> (accessed November 2, 2023).
- Chen, Brian X.* (December 2, 2008). "Apple: Our Ads Don't Lie, But You're a Fool If You Believe Them." WIRED. <https://www.wired.com/2008/12/apple-says-cust/> (accessed November 2, 2023).
- Clasen, Aline* (April 12, 2023). "Austria Challenges EU Newspapers' Pay-or-Cookie Walls." 2023. EURACTIV. <https://www.euractiv.com/section/media/news/austria-challenges-eu-newspapers-pay-or-cookie-walls/> (accessed October 31, 2023).
- Crawford, Angus and Bell, Bethan* (September 30, 2022). "Molly Russell Inquest: Father Makes Social Media Plea," BBC NEWS. <https://www.bbc.com/news/uk-england-london-63073489> (accessed October 31, 2023).
- Cross, Tim* (May 16, 2023). "IAB Removes Legitimate Interest from Reworked TCF." VIDEOWEEK. <https://videoweek.com/2023/05/16/iab-removes-legitimate-interest-from-reworked-tcf/> (accessed November 2, 2023).
- da Rosa Lazarotto, Bárbara and Malgieri, Gianclaudio* (May 4, 2023). "The Data Act: A (Slippery) Third Way Beyond Personal/Non-Personal Data Dualism?" EUROPEAN LAW BLOG. <https://europeanlawblog.eu/2023/05/04/the-data-act-a-slippery-third-way-beyond-personal-non-personal-data-dualism/> (accessed November 2, 2023).
- Davies, Jessica* (January 16, 2019). "After GDPR, The New York Times Cut off Ad Exchanges in Europe -- and Kept Growing Ad Revenue." DIGIDAY. <https://digiday.com/media/gumgumtest-new-york-times-gdpr-cut-off-ad-exchanges-europe-ad-revenue/> (accessed November 2, 2023).
- Derudder, Kimberley* (October 26, 2021). "What Is The Environmental Footprint For Social Media Applications? 2021 Edition." GREENSPECTOR. <https://greenspector.com/en/social-media-2021/> (accessed November 2, 2023).
- Dodgson, Lindsay* (July 26, 2022). "Why TikTok Makes the Hours Seem to Melt Away, According to Experts Who Study How Our Brains Perceive Time." INSIDER. <https://www.insider.com/why-time-passes-so-quickly-scrolling-on-tiktok-2022-7> (accessed April 10, 2023).
- Duhigg, Charles* (February 16, 2012). "How Companies Learn Your Secrets." THE NEW YORK TIMES, <https://www.nytimes.com/2012/02/19/magazine/shopping-habits.html> (accessed November 2, 2023).

BIBLIOGRAPHY

- Dumitrascu, Mihnea* (March 28, 2023). “DSA - Targeted Advertising Aimed at Minors: A Future Ban?” *BIRD & BIRD*. <https://www.twobirds.com/en/insights/2023/global/dsa-publicite-ciblee-destinee-aux-mineurs-une-interdiction-a-venir> (accessed May 8, 2023).
- Eagle, James* (September 9, 2022). “Animation: The Most Popular Websites by Web Traffic (1993-2022).” *VISUAL CAPITALIST*. <https://www.visualcapitalist.com/cp/most-popular-websites-by-web-traffic/> (accessed November 2, 2023).
- Edelman, Gilad* (March 22, 2020). “Why Don’t We Just Ban Targeted Advertising?” *WIRED*, 2020. <https://www.wired.com/story/why-dont-we-just-ban-targeted-advertising/> (accessed November 2, 2023).
- Erickson, D’arcy/McCaan* (February 1, 2012). “The History of Coca-Cola’s It’s the Real Thing Sogan.” *CREATIVE REVIEW*. <https://www.creativereview.co.uk/its-the-real-thing-coca-cola/> (accessed November 2, 2023).
- Felicity, Thea* (May 8, 2022). “Top 5 Best Consent Management Platforms in 2022 To Easily and Legally Manage User Data.” *TECHTIMES*. <https://www.techtimes.com/articles/272671/20220308/top-5-best-consent-management-platforms-in-2022-to-easily-and-legally-manage-user-data.htm> (accessed November 2, 2023).
- Forester* (September 4, 2019) “Google, Facebook, and Amazon: From Duopoly To Triopoly of Advertising.” *Forbes*. <https://www.forbes.com/sites/forrester/2019/09/04/google-facebook-and-amazon-from-duopoly-to-triopoly-of-advertising/?sh=6ae96ead6343> (accessed January 4, 2023.)
- Franklin, Matija, and Ashton, Hal and Gorman, Rebecca and Armstrong, Stuart* (March, 21 2023). “The EU’s AI Act Needs to Address Critical Manipulation Methods.” *OECD.AI POLICY OBSERVATORY*. <https://oecd.ai/en/wonk/ai-act-manipulation-methods> (accessed November 2, 2023).
- Goujard, Clothilde* (January 13, 2022). “CEOs Make Final Push to Ban Targeted Ads.” 2022. *POLITICO*. <https://www.politico.eu/article/activist-ceo-mep-crack-down-targeted-ads-vote-digital-services-act-2/> (accessed October 31, 2023).
- Greene, Diane* (June 23, 2017). “As G Suite Gains Traction in the Enterprise, G Suite’s Gmail and Consumer Gmail to More Closely Align.” *GOOGLE: THE KEYWORD*. <https://blog.google/products/gmail/g-suite-gains-traction-in-the-enterprise-g-suites-gmail-and-consumer-gmail-to-more-closely-align/> (accessed October 31, 2023).
- Hackett, Robert* (November 18, 2019). “Harvard Economist Calls to Outlaw Online Advertising Markets—Just Like ‘Organs, Babies, or Slaves.’” *FORTUNE*. <https://fortune.com/2019/11/18/google-facebook-online-advertising-ban-surveillance-capitalism/> (accessed November 2, 2023).
- Hansell, Saul* (April 8, 2002). “Google’s Toughest Search Is for a Business Model.” *THE NEW YORK TIMES*. <https://www.nytimes.com/2002/04/08/business/google-s-toughest-search-is-for-a-business-model.html> (accessed November 2, 2023).
- Hansen, Royal* (February 1, 2023). “How We Achieve Privacy through Innovation.” *GOOGLE*. <https://blog.google/technology/safety-security/how-we-achieve-privacy-through-innovation/> (accessed November 2, 2023).
- Häuselmann, Andreas* (February 20, 2023). “The ECJ’s First Landmark Case on Automated Decision-Making – a Report from the Oral Hearing before the First Chamber.” *EUROPEAN LAW BLOG*. <https://europeanlawblog.eu/2023/02/20/the-ecjs-first-landmark-case-on-automated-decision-making-a-report-from-the-oral-hearing-before-the-first-chamber/> (accessed November 2, 2023).
- Hern, Alex, and Ledegaard, Frederik Hugo* (October 9, 2019). “Children ‘interested in’ Gambling and Alcohol, According to Facebook.” *THE GUARDIAN*.

BIBLIOGRAPHY

- <https://www.theguardian.com/technology/2019/oct/09/children-interested-in-gambling-and-alcohol-facebook> (accessed November 2, 2023).
- Hill, Kashmir (February 16, 2012). "How Target Figured Out A Teen Girl Was Pregnant Before Her Father Did." FORBES. <https://www.forbes.com/sites/kashmirhill/2012/02/16/how-target-figured-out-a-teen-girl-was-pregnant-before-her-father-did/> (accessed January 2, 2023).
- Ikeda, Scott (May 24, 2022). "Report on RTB: Adtech 'Biggest Data Breach Ever Recorded,' Online Behavior More Exposed in Countries Without Privacy Regulations." CPO MAGAZINE. <https://www.cpomagazine.com/data-privacy/report-on-rtb-adtech-biggest-data-breach-ever-recorded-online-behavior-more-exposed-in-countries-without-privacy-regulations/> (accessed November 2, 2023).
- Isaac, Mike, and Hsu, Tiffany (November 9, 2021). "Meta Plans to Remove Thousands of Sensitive Ad-Targeting Categories." THE NEW YORK TIMES. <https://www.nytimes.com/2021/11/09/technology/meta-facebook-ad-targeting.html> (accessed November 2, 2023).
- Kahn, Robert and Dennis, Michael Aaron (October 10, 2023) "Internet: Description, History, Uses, & Facts." BRITANNICA. <https://www.britannica.com/technology/Internet> (accessed January 17, 2023).
- Koren, Marina (March 20, 2013). "B.F. Skinner: The Man Who Taught Pigeons to Play Ping-Pong and Rats to Pull Levers." SMITHSONIAN MAGAZINE. <https://www.smithsonianmag.com/science-nature/bf-skinner-the-man-who-taught-pigeons-to-play-ping-pong-and-rats-to-pull-levers-5363946/> (accessed March 20, 2023).
- Lomas, Natasha (January 20, 2019). "The Case Against Behavioral Advertising Is Stacking Up." TECHCRUNCH. <https://techcrunch.com/2019/01/20/dont-be-creepy/> (accessed November 2, 2023).
- Lomas, Natasha (July 4, 2023). "CJEU Ruling on Meta Referral Could Close the Chapter on Surveillance Capitalism," TECHCRUNCH. <https://techcrunch.com/2023/07/04/cjeu-meta-superprofiling-decision/> (accessed November 2, 2023).
- Loveless, Jacob (August 22, 2022). "Council Post: How Does Apple's App Tracking Transparency Framework Affect Advertisers?" FORBES. <https://www.forbes.com/sites/forbesbusinesscouncil/2022/08/22/how-does-apples-app-tracking-transparency-framework-affect-advertisers/> (accessed January 5, 2023).
- Machkovech, Sam (May 1, 2017). "Report: Facebook Helped Advertisers Target Teens Who Feel 'Worthless' [Updated]." ARS TECHNICA. <https://arstechnica.com/information-technology/2017/05/facebook-helped-advertisers-target-teens-who-feel-worthless/> (accessed March 3, 2023).
- MacMillan, Douglas (July 2, 2018). "Tech's 'Dirty Secret': The App Developers Sifting Through Your Gmail." WALL STREET JOURNAL. <https://www.wsj.com/articles/techs-dirty-secret-the-app-developers-sifting-through-your-gmail-1530544442> (accessed November 2, 2023).
- Mathews, Lee (April 17, 2019). "A Dangerous Flaw In Popular Ad Blockers Put 100 Million Users At Risk." FORBES <https://www.forbes.com/sites/leemathews/2019/04/17/a-dangerous-flaw-in-popular-ad-blockers-put-100-million-users-at-risk/> (accessed November 2, 2023).
- McDonald Ellis, Magee John (November 27, 2020). "European Law on Cookies." DLA PIPER. <https://www.dlapiper.com/en-gb/insights/publications/2020/11/european-law-on-cookies> (accessed January 5, 2023).

BIBLIOGRAPHY

- Moser, Katie* (May 11, 2023). "How to Personalize Content Using First Party Cookies and Data." ZESTY. <https://www.zesty.io/mindshare/how-to-personalize-content-using-first-party-cookies-and-data/> (accessed January 4, 2023).
- Newman, Daniel* (February 10, 2022). "Apple, Meta And The \$10 Billion Impact Of Privacy Changes." FORBES. <https://www.forbes.com/sites/danielnewman/2022/02/10/apple-meta-and-the-ten-billion-dollar-impact-of-privacy-changes/> (accessed November 2, 2023).
- Newton, Casey* (January 18, 2018). "'Time Well Spent' Is Shaping up to Be Tech's next Big Debate." THE VERGE. <https://www.theverge.com/2018/1/17/16903844/time-well-spent-facebook-tristan-harris-mark-zuckerberg> (accessed November 2, 2023).
- Nunes, Ciao* (July 7, 2023). "CJEU Lands Groundbreaking Decision on Data Protection and Antitrust." LEXOLOGY. TREVISAN & CUONZO. <https://www.lexology.com/library/detail.aspx?g=e722bd9d-5135-4536-90aa-5b58c4a268d7> (accessed November 2, 2023).
- Oehlenschläger, Mie* (October 19, 2020). "Open Letter: Children Are Subjected To Behavioural Advertising - End It!" *Dataetisk Tænkehandlebank*. <https://dataethics.eu/open-letter-children-are-subjected-to-behavioural-advertising-end-it/> (accessed November 2, 2023).
- Poulsen, Kevin* (February, 10 2019). "Inside the Secret Facebook War For Mormon Hearts and Minds." THE DAILY BEAST. <https://www.thedailybeast.com/inside-the-secret-facebook-war-for-mormon-hearts-and-minds> (accessed November 2, 2023).
- Qayyah, Asenjo and Moynihan, Alba* (2019). "Facebook Quietly Ditched the 'It's Free and Always Will Be' Slogan From Its Homepage." BUSINESS INSIDER. <https://www.businessinsider.com/facebook-changes-free-and-always-will-be-slogan-on-homepage-2019-8> (accessed November 2, 2023).
- Rijks Maarten* (September 19, 2022). "The DSA: Advertising, Dark Patterns and Recommender Systems." TAYLORWESING. <https://www.taylorwessing.com/en/interface/2022/the-eus-digital-services-act/the-dsa-advertising-dark-patterns-and-recommender-systems> (accessed November 2, 2023).
- Ritchie, Hannah, and Roser, Max and Rosado, Pablo* (2020). "Netherlands: CO₂ Country Profile." OUR WORLD IN DATA. <https://ourworldindata.org/co2/country/netherlands> (accessed November 2, 2023).
- Rosen, Rebecca J.* (October 3, 2013). "Is This the Grossest Advertising Strategy of All Time?" THE ATLANTIC. <https://www.theatlantic.com/technology/archive/2013/10/is-this-the-grossest-advertising-strategy-of-all-time/280242/> (accessed November 2, 2023).
- Ryan, Johnny* (May 24, 2023). "Don't Be Fooled By Meta's Fine For Data Breaches, Says Johnny Ryan." THE ECONOMIST. <https://www.economist.com/by-invitation/2023/05/24/dont-be-fooled-by-metas-fine-for-data-breaches-says-johnny-ryan> (accessed May 30, 2023).
- Sattiraju, Nikitha* (April 2, 2020). "Secret Cost of Google's Data Centers: Billions of Gallons of Water." TIME. <https://time.com/5814276/google-data-centers-water/> (accessed November 2, 2023).
- Schechner, Sam* (October 3, 2023). "Meta Plans to Charge \$14 a Month for Ad-Free Instagram or Facebook." WALL STREET JOURNAL. <https://www.wsj.com/tech/meta-floats-charging-14-a-month-for-ad-free-instagram-or-facebook-5dbaf4d5> (accessed November 2, 2023).
- Schiffman, Betsy* (December 4, 2007). "Facebook Is Always Watching You." WIRED. <https://www.wired.com/2007/12/facebooks-is-al/> (accessed November 2, 2023).

BIBLIOGRAPHY

- Schwartz, John* (September 4, 2001). "Giving Web a Memory Cost Its Users Privacy." THE NEW YORK TIMES. <https://www.nytimes.com/2001/09/04/business/giving-web-a-memory-cost-its-users-privacy.html> (accessed November 2, 2023).
- Shellenbarger, Sue* (November 21, 2016). "Most Students Don't Know When News Is Fake, Stanford Study Finds." WALL STREET JOURNAL. <https://www.wsj.com/articles/most-students-dont-know-when-news-is-fake-stanford-study-finds-1479752576> (accessed April 10, 2023).
- Shields, Ronan* (December 13, 2022). "Here Are the 2022 Global Media Rankings by Ad Spend: Google, Facebook Remain Dominant -- Alibaba, ByteDance in the Mix." DIGIDAY. <https://digiday.com/media/the-rundown-here-are-the-2022-global-media-rankings-by-ad-spend-google-facebook-remain-dominate-alibaba-bytedance-in-the-mix/> (accessed November 2, 2023).
- Silverman, Ryan and Mac, Craig* (January 14, 2021). "Facebook Has Been Showing Military Gear Ads Next To Insurrection Posts." BUZZFEED NEWS. <https://www.buzzfeednews.com/article/ryanmac/facebook-profits-military-gear-ads-capitol-riot> (accessed November 2, 2023).
- Statt, Nick* (March 24, 2020). "Apple Updates Safari's Anti-Tracking Tech With Full Third-Party Cookie Blocking." THE VERGE. <https://www.theverge.com/2020/3/24/21192830/apple-safari-intelligent-tracking-privacy-full-third-party-cookie-blocking> (accessed January 5, 2023).
- Valentino-DeVries, Jennifer, and Singer-Vine, Jeremy and Soltani, Ashkan* (December 24, 2012). "Websites Vary Prices, Deals Based on Users' Information." WALL STREET JOURNAL. <https://online.wsj.com/article/SB10001424127887323777204578189391813881534.html> (accessed November 2, 2023).
- Varese, Elena* (November 29, 2021). "Animal Welfare and the Depiction of Animals in Advertising." DLA PIPER. <https://www.dlapiper.com/en-sg/insights/publications/2021/11/animal-welfare-and-the-depiction-of-animals-in-advertising> (accessed October 31, 2023).
- Wickramasinghe, Shanika and Zoltan, Miklos* (July 9, 2022). "A Complete Guide To Google FLoC - What It Does and How It Works - How FloC Affects Privacy," PRIVACY AFFAIRS. <https://www.privacyaffairs.com/google-floc/> (accessed October 31, 2023).
- Wood, Marissa* (September 3, 2019). "Today's Firefox Blocks Third-Party Tracking Cookies and Cryptomining by Default." DIST://ED. <https://blog.mozilla.org/en/products/firefox/firefox-news/todays-firefox-blocks-third-party-tracking-cookies-and-cryptomining-by-default/> (accessed January 5, 2023.)
- Yonego, Joris Toonders* (July 23, 2014). "Data Is the New Oil of the Digital Economy." WIRED, July 23, 2014. <https://www.wired.com/insights/2014/07/data-new-oil-digital-economy/> (accessed November 2, 2023).

Web Recourses

- "'Pay or Okay' on Tech News Site Heise.de Illegal, Decides German DPA." NOYB (July 14, 2023). <https://noyb.eu/en/pay-or-okay-tech-news-site-heisede-illegal-decides-german-dpa> (accessed October 31, 2023).
- "10 Evil Vintage Cigarette Ads Promising Better Health." Healthcare Administration Degree Programs. (April 16, 2013). <https://www.healthcare-administration-degree.net/10-evil-vintage-cigarette-ads-promising-better-health/> (accessed November 2, 2023).

BIBLIOGRAPHY

- “About Audience Targeting.” GOOGLE ADS HELP. Accessed October 31, 2023. <https://support.google.com/google-ads/answer/2497941?hl=en>.
- “About Demographic Targeting.” GOOGLE ADS HELP. Accessed January 2, 2023. <https://support.google.com/google-ads/answer/2580383>.
- “About Detailed Targeting.” META BUSINESS HELP CENTER. Accessed January 3, 2023. <https://www.facebook.com/business/help/182371508761821>.
- “About Lookalike Audiences.” META BUSINESS HELP CENTER. Accessed January 3, 2023. <https://www.facebook.com/business/help/164749007013531?id=401668390442328>.
- “About Quality Score.” GOOGLE ADS HELP. Accessed January 3, 2023. <https://support.google.com/google-ads/answer/6167118?hl=en>.
- “About Similar Segments for Search.” GOOGLE ADS HELP. Accessed January 3, 2023. <https://support.google.com/google-ads/answer/7151628>.
- “Ad Selection White Paper.” GOOGLE AD MANAGER HELP. Accessed January 5, 2023. <https://support.google.com/admanager/answer/1143651>.
- “AdBlock VPN: Get It Now.” ADBLOCK VPN. Accessed March 30, 2023. <https://vpn.getadblock.com/en/purchase/>.
- “AdChoices for the Google Display Network.” GOOGLE AD MANAGER. Accessed March 1, 2023. <https://support.google.com/admanager/answer/2695279?hl=en#zippy=%2Cexample-in-display-ads%2Cexample-in-video-ads>.
- “Adnostic: Privacy Preserving Targeted Advertising.” ADNOSTIC. Accessed January 19, 2023. <https://crypto.stanford.edu/adnostic/>.
- “Advertising the Model T.” THE HENRY FORD BLOG. Accessed January 18, 2023. <https://www.thehenryford.org/explore/blog/advertising-the-model-t/>.
- “Advertising with Google Ad Manager.” GOOGLE AD MANAGER HELP. Accessed January 5, 2023. <https://support.google.com/admanager/answer/6022000?hl=en>.
- “Alphabet.” ALPHABET. Accessed October 10, 2022. <https://abc.xyz/>.
- “Apple Media Services Terms and Conditions.” APPLE LEGAL. Accessed November 15, 2022. <https://www.apple.com/legal/internet-services/itunes/us/terms.html>.
- “Authorized Buyers Real-Time Bidding Proto.” GOOGLE DEVELOPERS. Accessed January 5, 2023. <https://developers.google.com/authorized-buyers/rtb/realtime-bidding-guide>.
- “Ban Surveillance Advertising.” BAN SURVEILLANCE ADVERTISING. Accessed May 6, 2023. <https://www.bansurveillanceadvertising.com/>.
- “Big Data Is Watching You.” CORPORATE EUROPE OBSERVATORY. (October 17, 2017). <https://corporateeurope.org/en/power-lobbies/2017/10/big-data-watching-you> (accessed November 2, 2023).
- “BREAKING: Meta Prohibited from Use of Personal Data for Advertising.” NOYB. January 4, 2023. <https://noyb.eu/en/breaking-meta-prohibited-use-personal-data-advertising> (accessed November 2, 2023).
- “Browser Market Share Worldwide.” STATCOUNTER GLOBAL STATS. Accessed January 5, 2023. <https://gs.statcounter.com/browser-market-share>.
- “Clickthrough Rate (CTR): Definition.” GOOGLE ADS HELP. Accessed January 4, 2023. https://support.google.com/google-ads/answer/2615875?hl=en&ref_topic=24937.
- “Commerce Ranking Disclosure.” FACEBOOK. Accessed January 3, 2023. https://www.facebook.com/legal/commerce_ranking.
- “Consent Management, Cookie Consent According to EU GDPR.” CIDAAS. Accessed February 27, 2023. <https://www.cidaas.com/consent-management/#::~:~:text=Cookie%20Management&text=According%20to%20the%20EU's%20e.%2Dcalled%20opt%2Din%20procedure>.
- “Contextual Targeting.” GOOGLE ADS HELP. Accessed January 2, 2023. <https://support.google.com/google-ads/answer/1726458?hl=en>.

BIBLIOGRAPHY

- “Cookie walls : la CNIL publie des premiers critères d’évaluation.” CNIL (May 16, 2022). <https://www.cnil.fr/fr/cookie-walls-la-cnil-publie-des-premiers-criteres-devaluation>.
- “Cover Your Tracks.” ELECTRONIC FRONTIER FOUNDATION. Accessed January 19, 2023. <https://coveryourtracks EFF.org/learn>.
- “Craigslist: Amsterdam.” CRAIGSLIST. Accessed January 11, 2023. <https://amsterdam.craigslist.org>.
- “Critics Pan Google-DoubleClick Ruling.” POLITICO (March 18, 2008). <https://www.politico.eu/article/critics-pan-google-doubleclick-ruling/> (accessed November 2, 2023).
- “Cybersecurity Vulnerabilities: Types, Examples, and More.” GREAT LEARNING. (August 14, 2023). <https://www.mygreatlearning.com/blog/cybersecurity-vulnerabilities/> (accessed November 2, 2023).
- “Data Privacy Act: A Brief History of Modern Data Privacy Laws.” EPERI. (2018). <https://blog.eperi.com/en/data-privacy-act-a-brief-history-of-modern-data-privacy-laws> (accessed November 2, 2023).
- “Definition of Vulnerable.” MERRIAM-WEBSTER. Accessed January 17, 2023. <https://www.merriam-webster.com/dictionary/vulnerable>.
- “Digital Advertising - Europe.” STATISTA. Accessed May 2, 2023. <https://www.statista.com/outlook/dmo/digital-advertising/europe>.
- “Digital Services Act: How Does It Protect Animals From The Illegal Online Trade?” EUROGROUPFORANIMALS. Accessed April 10, 2023. <https://www.eurogroupforanimals.org/news/digital-services-act-how-does-it-protect-animals-illegal-online-trade>.
- “Embed Videos & Playlists.” YOUTUBE HELP. Accessed January 19, 2023. <https://support.google.com/youtube/answer/171780?hl=en>.
- “Estimate Your Results with Bid, Budget and Target Simulators.” GOOGLE ADS HELP. Accessed January 4, 2023. https://support.google.com/google-ads/answer/2470105?hl=en&ref_topic=3122864.
- “EU Audiovisual and Media Policies.” EUROPEAN COMMISSION. Accessed July 17, 2023. https://ec.europa.eu/archives/information_society/avpolicy/reg/tvwf/provisions/scopc/index_en.htm.
- “EU: Put Fundamental Rights at Top of Digital Regulation.” (January 7, 2022). HUMAN RIGHTS WATCH. <https://www.hrw.org/news/2022/01/07/eu-put-fundamental-rights-top-digital-regulation> (accessed November 2, 2023).
- “EUR-Lex.” An Official Website of the European Union. Accessed November 29, 2022. <https://eur-lex.europa.eu/homepage.html>.
- “Explore Advanced Advertising Strategies.” GOOGLE ADS. Accessed June 9, 2023. https://ads.google.com/intl/en_ie/home/resources/advanced/.
- “Facebook Does Not Make the Laws! S&Ds Launch Pan-European Campaign To Stop Online Data Abuse.” SOCIALISTS & DEMOCRATS (February 23, 2021). <https://www.socialistsanddemocrats.eu/newsroom/facebook-does-not-make-laws-sds-launch-pan-european-campaign-stop-online-data-abuse> (accessed November 2, 2023).
- “Federated Learning of Cohorts (FLoC).” GOOGLE THE PRIVACY SANDBOX. Accessed January 19, 2023. <https://privacysandbox.com/proposals/floc/>.
- “Global Daily Social Media Usage 2022.” STATISTA. Accessed March 29, 2023. <https://www.statista.com/statistics/433871/daily-social-media-usage-worldwide/>.
- “Glossary of Terminology.” IAB. Accessed January 3, 2023. <https://www.iab.com/insights/glossary-of-terminology/>.

BIBLIOGRAPHY

- “Google and IAB TCF v2.2: How Publishers Can Stay Ahead with CookieYes.” COOKIEYES. (August 22, 2023). <https://www.cookieyes.com/blog/iab-tcf-cmp-for-publishers/> (accessed June 2, 2023).
- “Google Mission.” GOOGLE SEARCH. Accessed February 23, 2023. <https://www.google.com/search/howsearchworks/our-approach/>
- “Google Revenue 2002-2022.” STATISTA. Accessed April 23, 2023. <https://www.statista.com/statistics/266206/googles-annual-global-revenue/>.
- “History of Advertising.” WIKIPEDIA. Accessed January 4, 2023 https://en.wikipedia.org/wiki/History_of_advertising.
- “How Online Ads Discriminate: Unequal Harms of Online Advertising in Europe.” EUROPEAN DIGITAL RIGHTS (EDRI). Accessed November 2, 2023. <https://edri.org/our-work/how-online-ads-discriminate/>.
- “How the European Parliament’s Proposals on Surveillance Advertising Changed Over Time,” CORPORATE EUROPE OBSERVATORY (January 18, 2022). <https://corporateeurope.org/en/2022/01/how-corporate-lobbying-undermined-eus-push-ban-surveillance-ads> (accessed October 31, 2023).
- “How to Sell on Amazon.” AMAZON. Accessed November 15, 2022. <https://sell.amazon.com/sell>.
- “How We Make Money with Advertising.” GOOGLE. Accessed November 15, 2022. <https://howwemakemoney.withgoogle.com>.
- “HTTP Cookie.” WIKIPEDIA. Accessed November 2, 2023. https://en.wikipedia.org/wiki/HTTP_cookie.
- “HUDOC.” EUROPEAN COURT OF HUMAN RIGHTS. Accessed November 2, 2023. <https://hudoc.echr.coe.int>.
- “IAB Europe Seeks Court Decision on Validation Of The Action Plan as It Moves Forward With TCF Evolutions.” IAB EUROPE. (February 10, 2023). <https://iabeurope.eu/all-news/iab-europe-seeks-court-decision-on-validation-of-the-action-plan-as-it-moves-forward-with-tcf-evolutions/>. (Accessed May 4, 2023).
- “Introducing Campaign Manager 360.” CAMPAIGN MANAGER 360 HELP. Accessed January 5, 2023. <https://support.google.com/campaignmanager/answer/10157783?hl=en>.
- “Introducing Meta: A Social Technology Company.” META. (October 28, 2021). <https://about.fb.com/news/2021/10/facebook-company-is-now-meta/> (accessed November 2, 2023).
- “Introducing New Ways to Verify Age on Instagram.” META. (June 23, 2022). <https://about.fb.com/news/2022/06/new-ways-to-verify-age-on-instagram/>. (accessed November 2, 2023).
- “Largest Companies by Market Cap.” COMPANIESMARKETCAP. Accessed October 10, 2022. <https://companiesmarketcap.com/>.
- “Largest Global Advertisers 2021.” STATISTA. Accessed January 12, 2023. <https://www.statista.com/statistics/286448/largest-global-advertisers/>.
- “Laura Moy & Amanda Conley, Paying the Wealthy for Being Wealthy: The Hidden Costs of Behavioral Marketing.” BERKELEY LAW. (May 24, 2013). <https://sites.law.berkeley.edu/privacylaw/2013/05/24/laura-moy-amanda-conley-paying-the-wealthy-for-being-wealthy-the-hidden-costs-of-behavioral-marketing/> (accessed March 27, 2023).
- “Ledger of Harms.” CENTER FOR HUMANE TECHNOLOGY. (June 2021). <https://ledger.humanetech.com/> (accessed November 2, 2023).
- “Lingchi.” WIKIPEDIA. Accessed April 12, 2023. <https://en.wikipedia.org/wiki/Lingchi>.
- “Manipulate.” BRITANNICA DICTIONARY. Accessed January 24, 2023. <https://www.britannica.com/dictionary/manipulate>.
- “MediaMath.” MEDIAMATH. Accessed January 18, 2023. <https://www.mediamath.com/>.

BIBLIOGRAPHY

-
- “Meta Audience Network.” META. Accessed June 9, 2023. <https://www.facebook.com/audiencenetwork/>.
- “Meta: Annual Revenue and Net Income 2022.” STATISTA. 2023. Accessed November 2, 2023 <https://www.statista.com/statistics/277229/facebooks-annual-revenue-and-net-income/>.
- “Methods and Apparatus for Ordering Advertisements Based on Performance Information.” US Patent US20160162931A1, filed: March 29, 2002, by Georges Harik, Lawrence Page, and Jane Manning. Issued. June 9, 2016. Accessed November 2, 2023. <https://patents.google.com/patent/US20160162931A1/en?q=~patent%2fUS9152718B2&q=G06Q30%2f0254>.
- “More Cookie Banners to Go: Second Wave of Complaints Underway.” NOYB. (March 4, 2022). <https://noyb.eu/en/more-cookie-banners-go-second-wave-complaints-underway> (accessed March 30, 2023).
- “Most Visited Websites - Top Websites Ranking for December 2022.” SIMILARWEB. Accessed January 12, 2023. <https://www.similarweb.com/top-websites/>.
- “Netflix Terms of Use.” NETFLIX. Accessed January 12, 2023. <https://help.netflix.com/legal/termsofuse>.
- “Noyb.Eu Filed Complaints over ‘Forced Consent’ against Google, Instagram, WhatsApp and Facebook.” NOYB. (May 25, 2018). <https://noyb.eu/en/noybeu-filed-complaints-over-forced-consent-against-google-instagram-whatsapp-and-facebook> (accessed May 2, 2023).
- “On Interests and Values” MAASTRICHT UNIVERSITY LAW BLOG (September 6, 2019). <https://www.maastrichtuniversity.nl/blog/2019/09/interests-and-values> (accessed July 3, 2023).
- “OpenRTB (Real-Time Bidding).” IAB TECH LAB. Accessed January 19, 2023. <https://iabtechlab.com/standards/openrtb/>.
- “OpenRTB Integration.” GOOGLE DEVELOPERS. Accessed January 5, 2023. <https://developers.google.com/authorized-buyers/rtb/openrtb-guide>.
- “Personalized Advertising.” GOOGLE ADVERTISING POLICIES HELP. Accessed January 2, 2023. <https://support.google.com/adspolicy/answer/143465?hl=en>.
- “Privacy and Civil Liberties Organizations Urge Google to Suspend Gmail.” PRIVACYRIGHTS.ORG. Accessed February 27, 2023. <https://privacyrights.org/resources/privacy-and-civil-liberties-organizations-urge-google-suspend-gmail>.
- “Privacy Zuckering: Deceiving Your Privacy by Design.” MEDIUM. (April 10, 2017). <https://medium.com/@mohityadav0493/privacy-zuckering-deceiving-your-privacy-by-design-d41b6263b564> (accessed November 2, 2023).
- “Publisher Platforms.” XANDR. Accessed January 18, 2023. <https://www.xandr.com/solutions/monetize/>.
- “Quackery.” 2023. BRITANNICA. Accessed January 17, 2023. <https://www.britannica.com/topic/quackery>.
- “Quantcast Choice Powers One Billion Consumer Consent Choices in Two Months Since GDPR.” QUANTCAST. (July 30, 2018). <https://www.quantcast.com/press-release/quantcast-choice-powers-one-billion-consumer-consent-choices/> (accessed February 27, 2023).
- “reCAPTCHA: Easy on Humans, Hard on Bots.” GOOGLE RECAPTCHA. Accessed February 23, 2023. <https://www.google.com/recaptcha/intro/?hl=es/index.html>.
- “Removing Certain Ad Targeting Options and Expanding Our Ad Controls.” META FOR BUSINESS. Accessed March 30, 2023. <https://www.facebook.com/business/news/removing-certain-ad-targeting-options-and-expanding-our-ad-controls>.

BIBLIOGRAPHY

- “RescueTime: Fully Automated Time Tracking Software.” RESCUETIME. Accessed April 1, 2023. <https://www.rescuetime.com/>.
- “Roach Motel.” WIKIPEDIA. Accessed November 2, 2023. [https://en.wikipedia.org/w/index.php?title=Roach Motel](https://en.wikipedia.org/w/index.php?title=Roach_Motel).
- “Share of Ad-Selling Companies in Digital Advertising Revenue in the United States from 2020 to 2025.” STATISTA. (May 2023). <https://www.statista.com/statistics/242549/digital-ad-market-share-of-major-ad-selling-companies-in-the-us-by-revenue/> (accessed November 2, 2023).
- “Snake Charming.” WIKIPEDIA. Accessed November 2, 2023. [https://en.wikipedia.org/w/index.php?title=Snake charming](https://en.wikipedia.org/w/index.php?title=Snake_charming).
- “Supply and Demand.” BRITANNICA. Accessed March 1, 2023. <https://www.britannica.com/topic/supply-and-demand>.
- “Surveillance Giants: How the Business Model of Google and Facebook Threatens Human Rights.” AMNESTY INTERNATIONAL. (November 21, 2019). <https://www.amnesty.org/en/documents/pol30/1404/2019/en/> (accessed November 2, 2023).
- “TCF 2.2 Launches! All You Need To Know.” IAB.EUROPE. (May 16, 2023). <https://iab europe.eu/all-news/tcf-2-2-launches-all-you-need-to-know/> (accessed November 2, 2023).
- “Temporarily Deactivate Your Facebook Account.” FACEBOOK HELP CENTER. Accessed February 22, 2023. https://www.facebook.com/help/214376678584711?helpref=faq_content.
- “Terms and Conditions of Use.” SPOTIFY. Accessed February 23, 2023. <https://www.spotify.com/uk/legal/end-user-agreement/>.
- “Terms of Service.” FACEBOOK. Accessed November 15, 2022. <https://www.facebook.com/terms.php>.
- “The Biggest Companies in the World in 2021.” VISUAL CAPITALIST. Accessed October 10, 2022. <https://ourworldindata.org/explorers/population-and-demography>.
- “The Cost of Ad Blocking.” DARKPONY DIGITAL. Accessed March 30, 2023. <https://www.darkpony.com/blog-en/the-cost-of-ad-blocking/>.
- “The Digital Services Act Package.” EUROPEAN COMMISSION. (April 25, 2023). <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package> (accessed November 2, 2023).
- “The Economic Value of Behavioral Targeting in Digital Advertising.” IHS MARKIT. (2017). https://datadrivenadvertising.eu/wp-content/uploads/2017/09/BehaviouralTargeting_FINAL.pdf (accessed November 2, 2023).
- “The Illegal Pet Trade: Game Over.” EUROGROUP FOR ANIMALS. (June 1, 2020). <https://www.eurogroupforanimals.org/library/illegal-pet-trade-game-over> (accessed November 2, 2023).
- “The Power of Emotion Analytics.” THINK WITH GOOGLE. Accessed March 7, 2023. <https://www.thinkwithgoogle.com/intl/en-154/marketing-strategies/data-and-measurement/emotion-analytics-powerful-tool-augment-gut-instinct/>.
- “The Power of Emotional Targeting in Advertising.” THEVIEWPOINT. (July 6, 2021). <https://theviewpoint.com/insights/the-power-of-emotional-targeting-in-advertising> (accessed November 2, 2023).
- “The Privacy Sandbox: Technology for a More Private Web.” GOOGLE PRIVACY SANBOX. Accessed April 23, 2023. <https://privacysandbox.com/>.
- “The Value of Digital Advertising.” IAB EUROPE. Accessed January 16, 2023. <https://iab europe.eu/the-value-of-digital-advertising/>.

BIBLIOGRAPHY

- “Topics API Overview.” 2022. CHROME FOR DEVELOPERS. Accessed January 25, 2022. <https://developer.chrome.com/docs/privacy-sandbox/topics/overview/>.
- “Tracking-Free Ads Coalition.” TRACKING-FREE ADS COALITION. Accessed May 5, 2023. <https://trackingfreeads.eu/>.
- “VPN Cost?” 2022. NORDVPN. Accessed June 10, 2022. <https://nordvpn.com/pricing/>.
- “Vulnerability and Flourishing – Martha Nussbaum.” HIGHBROW. (October 26, 2017). <https://gohighbrow.com/vulnerability-and-flourishing-martha-nussbaum/> (accessed November 2, 2023).
- “Web Beacon.” NAI: NETWORK ADVERTISING INITIATIVE. Accessed January 4, 2023. <https://thenai.org/glossary/web-beacon/>.
- “Where Did All the ‘Reject’ Buttons Come From?!” NOYB. Accessed October 27, 2023. <https://noyb.eu/en/where-did-all-reject-buttons-come>.
- “World Wide Web.” WIKIPEDIA. Accessed November 2, 2023 https://en.wikipedia.org/w/index.php?title=World_Wide_Web.
- “Young Kids and YouTube: How Ads, Toys, and Games Dominate Viewing.” COMMON SENSE, AND C.S. MOTT CHILDREN’S HOSPITAL (MICHIGAN MEDICINE). Accessed November 2, 2023. https://www.common sense media.org/sites/default/files/research/report/2020_young_kidsyoutube-report_final-release_forweb_1.pdf.
- “YourAdChoices.” YOURADCHOICES. Accessed March 1, 2023. <https://youradchoices.com/about>.

Audiovisual Recourses

- Belfast Buddhist* (2016). “Alan Watts – Choice.” YOUTUBE. Accessed November 2, 2023. <https://www.youtube.com/watch?v=wyUJ5l3hyTo>.
- Chicago Symphony Orchestra* (2015). Beethoven 9 – Chicago Symphony Orchestra – Riccardo Muti, YOUTUBE. Accessed November 2, 2023. <https://www.youtube.com/watch?v=rOjHhS5MtvA>
- Coppola, Francis Ford (1972). *The Godfather*. Paramount Pictures.
- CPDP Conferences (2023) “The End of Online Behavioral Advertising.” YOUTUBE. Accessed November 2, 2023. <https://www.youtube.com/watch?v=FwMz7OLoOXI>.
- Ewafa* (2017). “Sean Parker - Facebook Exploits Human Vulnerability (We Are Dopamine Addicts)”. YOUTUBE. Accessed November 2, 2023. <https://www.youtube.com/watch?v=R7jar4KgKxs>.
- Kubrick, Stanley (1971). *A Clockwork Orange*. Warner Bros. Pictures.
- Lex Zard* (2021). “Online Targeted Advertising and Human Dignity: Prof. Floridi, Prof. Frischmann, Prof. Zuboff.” YOUTUBE. Accessed November 2, 2023. <https://www.youtube.com/watch?v=WwXG4ZiKw6s>.
- Nolan, Christopher (2008). *The Dark Knight*. Warner Bros. Pictures.
- Nolan, Christopher (2010). *Inception*. Warner Bros. Pictures
- Taylor, Alan (2007) *Mad Men: Smoke Gets Into Your Eyes*. Weiner Bros. Productions.
- The Wachowskis (1999). *The Matrix*. Warner Bros. Pictures
- Weir, Peter (1990). *Dead Poet Society*. Buena Vista Pictures Distribution.

GLOSSARY

AdTech	broadly understood “AdTech” refers to advertising technology, including all technical tools for online advertising. This thesis refers to AdTech with its narrow meaning, often used within the policy to describe the industry and supply chain of open advertising exchange (“open exchange”).
Ad Exchange	ad intermediary that provides a sales channel and a technology platform that facilitates programmatic real-time auction in the open exchange of online advertising.
Ad Intermediary	digital service providers that intermediate online advertising, including ad networks, ad exchanges, Demand Side Platforms (DSP), Supply Side Platforms (SSPs), Data Management Platforms (DMPs), and Consent Management Platforms (CMPs).
Ad Network	ad intermediary provides publishers with outsourced sales ability, and advertisers aggregate advertising spaces from numerous publishers.
Advertiser	a legal or natural person paying for the advertisement.
Alphabet	<i>Alphabet Inc.</i> provides the following core platform services: Google Search, YouTube, Google Maps, Google Shopping, and Google Play, including ad intermediaries Google Ads (ad server), AdSense (ad network), Google Display Network (ad network), DV360 (DSP), Google AdX (ad exchange), DFP (SSP).
Capability Approach	a theoretical framework that focuses on the actual capability of persons to achieve lives they value instead of focusing on having a right or freedom to do so.
Core Platform Service	“platforms” listed in Article 2(2) Digital Markets Act (DMA), including online search engines.
Data Management Platforms	ad intermediaries that enrich vendors with consumer data. DMPs sometimes also provide

	algorithmic tools for OBA optimization and targeting.
Demand Side Platform	ad intermediary that provides advertisers with the capability to buy aggregated advertising spaces from numerous ad intermediaries and publishers
Digital Services	“information society services” with the meaning of Article 3(a)DSA
Gatekeepers	core platform service providers are designated as “gatekeepers” according to Article (3) DMA.
Harms	legally relevant adverse effects.
Human dignity	a legal concept that recognizes human beings as the source and the boundary of political and economic power. EU case-law has used the concept to recognize and protect the minimum quality of life that all human beings are entitled to live.
Meta	<i>Meta Inc.</i> provides the following core platform services: Facebook, Instagram, WhatsApp, including Meta Audience Network (ad network).
Non-platform Publisher	publishers that do not provide platform services.
Online Platform	platform service as within the meaning of Article 3 (i) Digital Services Act (DSA): “that at the request of a recipient of the service, stores and disseminates information to the public, unless that activity is a minor and purely ancillary feature of another service or a minor functionality of the principal service.” Such a definition covers platform services that provide social media, including social networks and video-sharing platform services.
Online Search Engine	platform service as defined by Article 3 (j) DSA: “that allows users to input queries in order to perform searches of, in principle, all websites, or all websites in a particular language, on the basis of a query on any subject in the form of a keyword, voice request, phrase or other input, and returns results in any format in which information related to the requested content can be found.”

GLOSSARY

Open Exchange	an open market for online advertising where advertising spaces are traded over ad exchanges. Open exchange is sometimes referred to as “AdTech”.
Platform	digital service that provides intermediation. Defined as “intermediation service” by the Article 3(g) DSA. Platform services include “online platform” and “online search engine” services as defined by the DSA.
Publisher	digital service provider that publishes advertising on their online interface, including platform providers and non-platform publishers.
Supply Side Platform	ad intermediary that provides publishers with outsourced sales ability.
Vendor	digital service provider that engages in online advertising as a publisher, advertiser, or advertising intermediary.
Walled Garden	ad networks provided by the platform service providers, such as Alphabet and Meta, are closed ecosystems that provide complete end-to-end technical solutions for advertisers and publishers.