
ClickWrapGod

— Future of Contracts Design Derby —

Problem: Consumers Lack Clarity and Agency

Clickwrap agreements, as practiced today, too often leave consumers **without** substantive **knowledge** of what Terms of Service (“TOS”) they’re actually agreeing to.

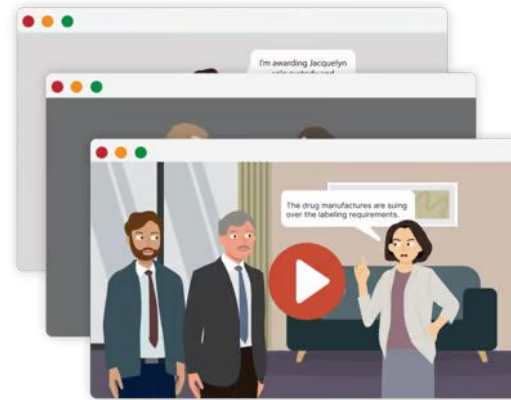
Moreover, even where they **do** take the time to understand the agreement, the terms are offered on a **take-it-or-leave-it** basis, with **no bargaining power** for the consumer.

Solution: ClickWrapGod - A ClickWrap Analyser Plugin

Our product, ClickWrapGod, is a generative-AI plugin targeted at consumers who are bombarded by constant clickwrap service agreements. Our plugin will be directly downloaded onto the user's browser and "pop up" when it detects a clickwrap agreement being signed by the user. During the original download phase, the user will be presented with an **onboarding survey** intended to ascertain which aspects of clickwrap agreements (i.e. notice, amendments, privacy, etc...) are most important to them. When the plugin is activated, the generative-AI produces a **TOS Risk Report Card™**. Notably, if the user has any question regarding the results or processes the program includes a **service-chatbot** designed to answer any and all inquiries. After the AI gives the user the TOS Risk Report Card, it will **compare and suggest similar services** that may have more user-friendly terms. This aspect gives users more autonomy in choosing between services, and ultimately incentivises larger companies to use more user-friendly and transparent clickwrap agreements.

Clarity

- Plug-in creates itemized risk report (TOS Risk Report Card™)
 - Most likely, least likely, most catastrophic, etc....
- Break down of terms (similar to [TOSDR](#) linked herein)
- Option for short (30 second) quippy video descriptions of individual terms
 - Akin to Quimbee cartoon video explanations and crash course study aids as pictured to the right



Clarity (cont'd): TOS Risk Report Card™

A web-browser plugin that automatically reviews clickwrap agreements, highlights and explains risks in digestible terms, and provides comparative risk analysis for competing products, all bringing greater understanding and agency to consumers.

Agency

- Upon installation, consumers can self-identify their risk areas of greatest concern
 - E.g., privacy, ability to recover data, arbitration clause, etc.

ClickWrap Compare™

- Plugin will also provide comparative analysis of the TOS for competing products, allowing consumers to seamlessly identify alternative products.
 - E.g., a review of DropBox's clickwrap will include a comparison to the TOS Google Photos, AWS, etc.

Anticipated Questions & Answers

- How do we access the data we're basing the risk report on?
 - Web crawler bots (spiders) will scour the internet for clickwrap agreements to build a database of terms and agreements.
 - AI will then help categorize, analyze, and assign consumer favorability rating at both the agreement and individual term level.
 - Available data on litigation trends will be used to assess the risk that a given term or clickwrap agreement might result in a legal dispute for the consumer.
- How is this profitable?
 - "Free"-mium model - free version allows checks/comparisons of 5 TOS (including this plug-in's very own TOS). Users will then be charged a tiered subscription fee
 - Potential Ad Space
 - Paid placement for Companies in the list of alternative services provided
- How to encourage buy-in from companies
 - A company who scores well on the TOS Risk report Card and regularly has more favorable terms in the competitive market can be certified as a "Consumer Friendly TOS" Business akin to certified LEED buildings
 - Increased transparency and ratings of TOS will hopefully incentivize companies to create more user friendly terms since ClickWrapGod now provides consumers valid alternatives to major companies

Artifact Step 1: Complete Onboarding Survey

ClickWrapGod

We at ClickWrapGod strive to curate an individual risk report suited to your personalized needs. Please complete the following survey so we can better understand your priorities as a consumer or business alike.

Are you using this plug in primarily for individual consumer needs or business needs

- Individual Consumer Contracting with a Business
- Business Contracting with a Business

Rank the Following in Terms of Importance to You/Your Business *

- 1 Favorable Arbitration Agreements
- 2 Privacy and Data Sharing Concerns
- 3 Ownership of Content
- 4 Notification of Changes to Terms of Service (Transparency)
- 5 Frequency of Enforcement

Artifact Step 2: “What do these Words Mean”

- Summary Explanation of Individual Terms
 - Akin to TOSDR

Facebook **Grade E**

- Facebook stores your data whether you have an account or not.
- Your identity is used in ads that are shown to other users.
- The service can read your private messages.
- This service can view your browser history.
- Deleted content is not really deleted.

[View All Points on Phoenix!](#)

[View Documents](#) [Visit Service](#) [Facebook Privacy Grade E](#)

Amazon **Grade E**

- Third-party cookies are used for advertising.
- Terms may be changed any time at their discretion, without notice to the user.
- The service can delete your account without prior notice and without a reason.
- This service tracks you on other websites.
- The service can sell or otherwise transfer your personal data as part of a bankruptcy proceeding or other type of financial transaction.

[View All Points on Phoenix!](#)

[View Documents](#) [Visit Service](#) [Amazon Privacy Grade E](#)

Reddit **Grade E**

- The service can read your private messages.
- You sign away moral rights.
- The service can delete specific content without prior notice and without a reason.
- Tracking via third-party cookies for other purposes without your consent.
- This service may keep personal data after a request for erasure for business interests or legal obligations.

[View All Points on Phoenix!](#)

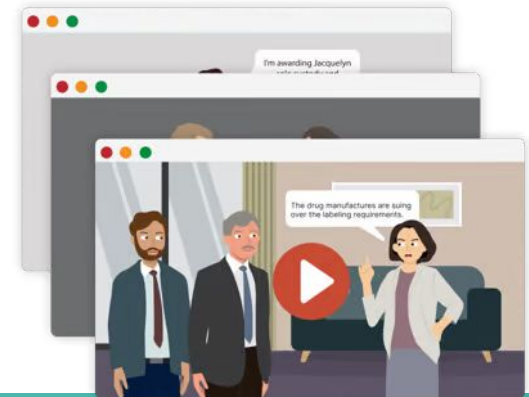
[View Documents](#) [Visit Service](#) [Reddit Privacy Grade E](#)

Wikipedia **Grade B**

- The service can delete your account without prior notice and without a reason.
- Users have a reduced time period to take legal action against the service.
- The service may use tracking pixels, web beacons, browser fingerprinting, and/or device fingerprinting on users.
- Your data may be processed and stored anywhere in the world.
- You publish your contributions under free licenses.

[View Documents](#) [Visit Service](#) [Wikipedia Privacy Grade B](#)

- Standardized short cartoon videos explaining specific terms (e.g., one explaining privacy concerns, one explaining implications of arbitration agreements)
 - Akin to Quimbee



Artifact Step 3: TOS Risk Report Card™

Terms have no likely user consequences	1	This provision is very user friendly and is extremely unlikely to yield negative consequences.
Terms merit careful monitoring	2	This provision is user friendly and is unlikely to yield negative consequences.
Terms merit concern	3	This provision is mostly user friendly but could potentially yield negative consequences.
Terms are likely harmful	4	This provision is not user friendly and is likely to yield negative consequences.
STAY AWAY	5	STAY AWAY

Artifact Step 4: Comparison

- Comparison of Individual Terms Across Market Alternatives
- **Example:**
 - (1) Consumer Runs a ClickWrapGod analysis DropBox's TOS.
 - (2) ClickWrapGod provides summary of TOS and compares DropBox's arbitration provision to the arbitration provision of market alternatives like Google Drive, One Drive, etc....
 - (3) ClickWrapGod then highlights most favorable terms across each market alternative (Google Drive has a better privacy rating but worse arbitration agreement than Drop Box, but Drop Box's TOS on content ownership is standard)

Strengths	Weaknesses	Business	Business
<ul style="list-style-type: none"> -Ease of use -Multiple devices -Automatic cloud backup 	Fewer IT admin controls than other cloud storage services	2 GB: free 1 TB: \$9.99/mo or \$99/yr	Pro for Individuals, 1 TB: \$8.25/user/mo Business for Teams, "as much space as needed": \$12.50/user/mo
	Administrative controls Can seem overwhelming to use for non-technical employees	Personal Pro, 100 GB: \$10/mo	Starter, 100 GB: \$5/user/mo Business, unlimited storage: \$15/user/mo (minimum 3 users)
	-Part of Google Apps -Collaboration and sharing	No option to buy Google Drive as a standalone service for business 15 GB: Free 100 GB: \$1.99/mo 1 TB: \$9.99/mo 10 TB: \$99.99/mo	Google Apps, 30 GB: \$5/user/mo Google Apps with unlimited storage and Vault: \$10/user/mo
	-Designed for business -Cloud storage available a la carte or as part of Office 365	File organization system takes some getting used to n/a	OneDrive for Business 1 TB: \$5/user/mo 5 TB: \$10/user/mo (minimum 5 users) Office 365 with Cloud Storage Business Essentials, 1 TB: \$5/user/mo (email not included) Business, 1 TB: \$8.25/user/mo (includes email and other apps) Business Premium, 1 TB: \$12.50/user/mo (includes email and all Office 365 apps plus fully installed Office Suite on PC or Mac)
	-Flexibility -Options for developers -Pay as you go pricing available	Complexity makes it difficult to use for non-technical users n/a	Amazon has a wide variety of pricing plans. You could pay as little as a few pennies a month for the service, or as much as hundreds of dollars per month, depending on how you use the service.
	Works well across multiple Apple devices Designed for personal use, not business purposes Does not integrate with other services Difficult to share files or collaborate	5 GB: Free 99 GB: \$0.99/mo 200 GB: \$2.99/mo 1 TB: \$9.99/mo	n/a

COMPARE WEBSITE BUILDERS www.estimando.com					
SSL Security	✓	✓	✓	✓	✓
Export Website	✓	✓	✓	✓	✓
Restore Website	✓	✓	✓	✓	✓
Mobile Apps	✓	✓	✓	✓	✓
Multiple Editors	✓	✓	✓	✓	✓
Email	✓	✓	✓	✓	✓
Phone	✓	✓	✓	✓	✓
Live Chat	✓	✓	✓	✓	✓
Forum	✓	✓	✓	✓	✓
OVERALL RATING	4.7	4.3	4.1	4	3.8

Mechanics

- Plugin will show an alert icon when a clickwrap is detected
- Clicking on the plugin will open a sub-window displaying the TOS Risk Report Card™
- Report will be sortable by topic, severity, etc.
- Each potential risk (e.g. data privacy) will display its color-coded risk rating
- Clicking on individual risk assessments will open a further sub-window
 - Explanation, link to video, link to market alternative comparison

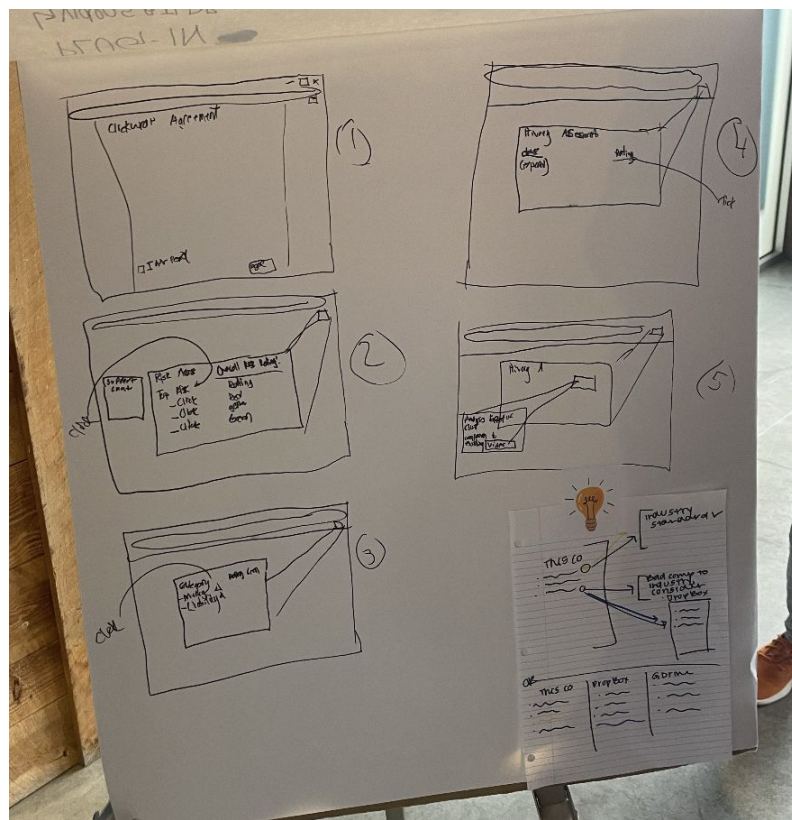


Diagram from Derby 2/23/24