



# TEAM BEAUTY

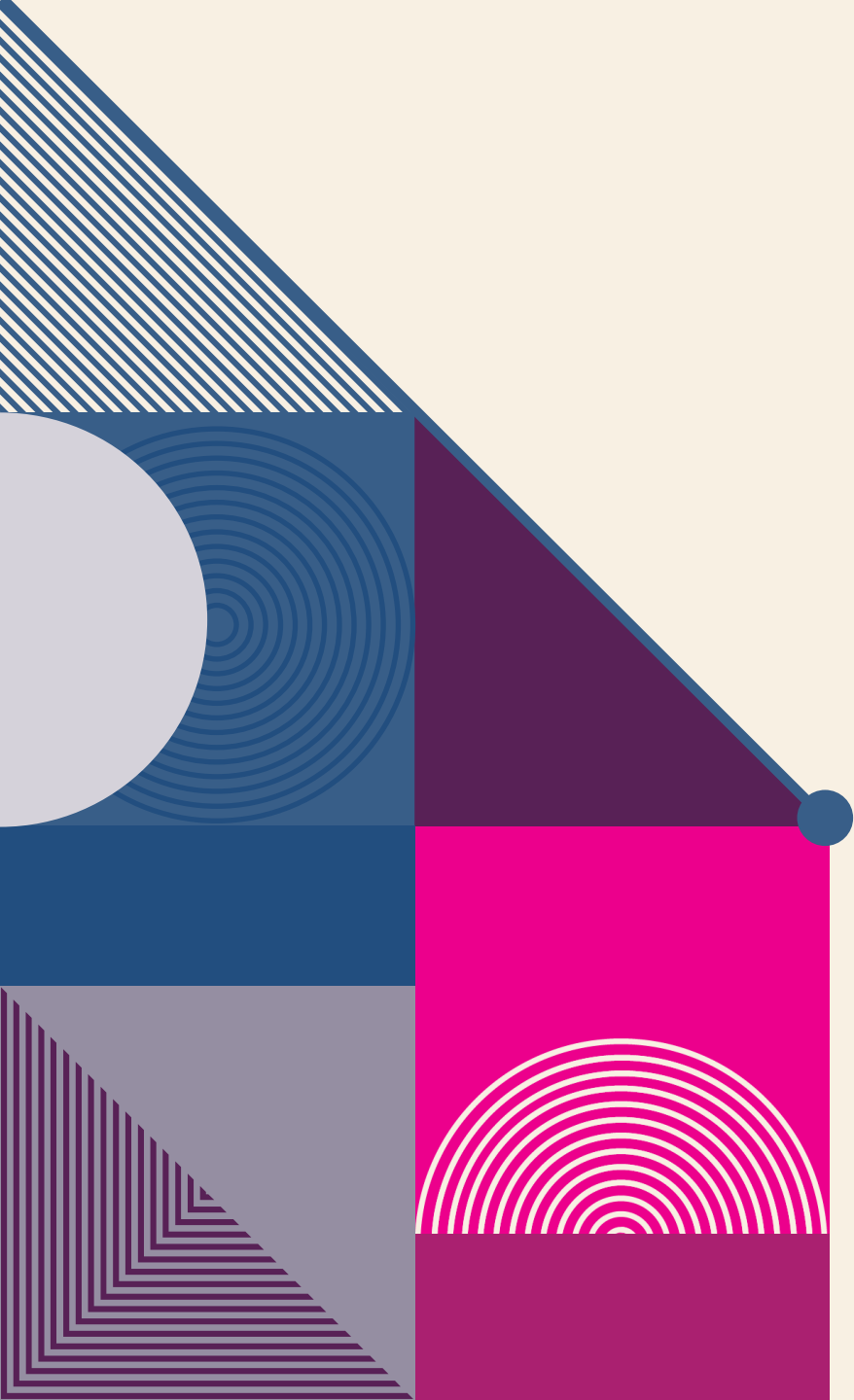
Future of Contracts Design Derby

Spring 2024



# THE PROBLEM WITH MODIFYING ONLINE TERMS OF SERVICE

The specific problems we are addressing related to modifying online terms of service is the consumers' **lack of choice mindset** (or the feel of an option contract), the consumers' **additional consideration** for modified terms, and **actual assent** by ensuring consumers understand the modified terms.



# 360 ENGAGE

We not only want to engage our consumers with our website services and products, but we also want 360° engagement of our consumers which includes their legal input on the business process.



# 360 ENGAGE

With 360 Engage, we hope to include the consumer in our business venture for a more engaging and familial experience in the online buying process. We will incorporate this by allowing consumers to provide input on legal terms to be modified and implement gamification to ensure consumers understand what they are signing up for and are motivated to continue doing business with us.



# HOW MIGHT WE...

## TRIPLE E!

- **Engage** the consumer to eliminate the lack of choice mindset.
- **Execute** the Terms of Service that are more digestible for the average consumer.
- **Encourage** the consumer to demonstrate their understanding the Terms of Service to ensure actual assent.



# OUR FACT PATTERN

Our team created an idea that can engage, execute, and encourage consumer input and satisfaction on a website that sells dresses and formal event wear for Barrister's Ball. The company is call Barrister's Beauty and they are an online boutique that does not have a store front.

Now, that covid is over, online shopping for balls and formals are growing just like Barrister's Beauty is growing. This growth has required some modifications to the Terms of Service. Barrister's Beauty is looking to modify their Terms of Service that will not deter consumers from their beautiful gowns.

## GOALS:

1. Wants consumer input
2. Terms consumers can understand
3. Confirmation that consumers understand their modified terms
4. To incorporate a **REWARDS** Program to facilitate engagement

# ENGAGE THE CONSUMER

WWN. BarristersBeauty.com (X) (-) (E)

15% off use code: TAKE15 Student Discount  
Unidays

Hey Beauty!

We're updating our terms of service soon and we want to hear from YOU! Fill out the survey below for 5 rewards points.

1. Do you agree to have which org handle disputes? +5

3L CLASS counsel OR  SBA

2. Do you agree for Barrister's Photographer on the GRAM? +1

YES OR  NO

3. Do you agree to be the best dressed Beauty at Barrister's Ball? +1

YES OR  NO

**SUBMIT** \*Choices made here are not binding to the consumer or company\*



# ENGAGE THE CONSUMER

## THE SURVEY:

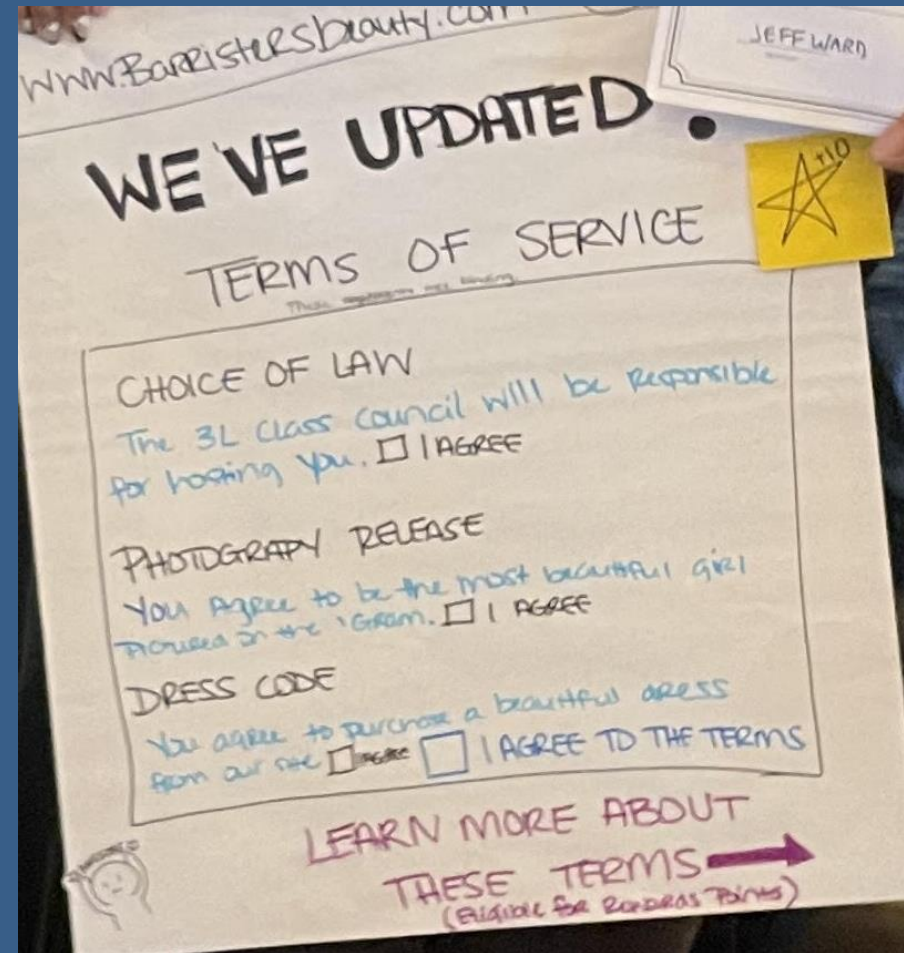
- Survey will come a few months before the Terms of Service will change.
- Allow time for consumers to access their accounts or email to participate.
- Inform them of when the modified terms become in effect.
- Give the consumer **REWARDS POINTS** for completing the survey.

To **engage** the consumer, we have come up with a survey to provide to consumers prior to any modifications to the Terms of Service. The survey will ask consumer input on how they would like to do business with Barrister's Beauty.

The Survey will include open ended comment sections in addition to specific terms that the company was interested in changing.

The goal is to defeat the idea of this being an option contract or the lack of choice mindset. Although all suggestions and comments in the survey may not be included in the modified Terms of Service, it includes the consumer in this business relationship.

# EXECUTE MORE DIGESTIBLE MODIFIED TERMS



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After the legal team for Barrister's Beauty combs through consumer input, they will **execute**, or create, the modified Terms of Service.

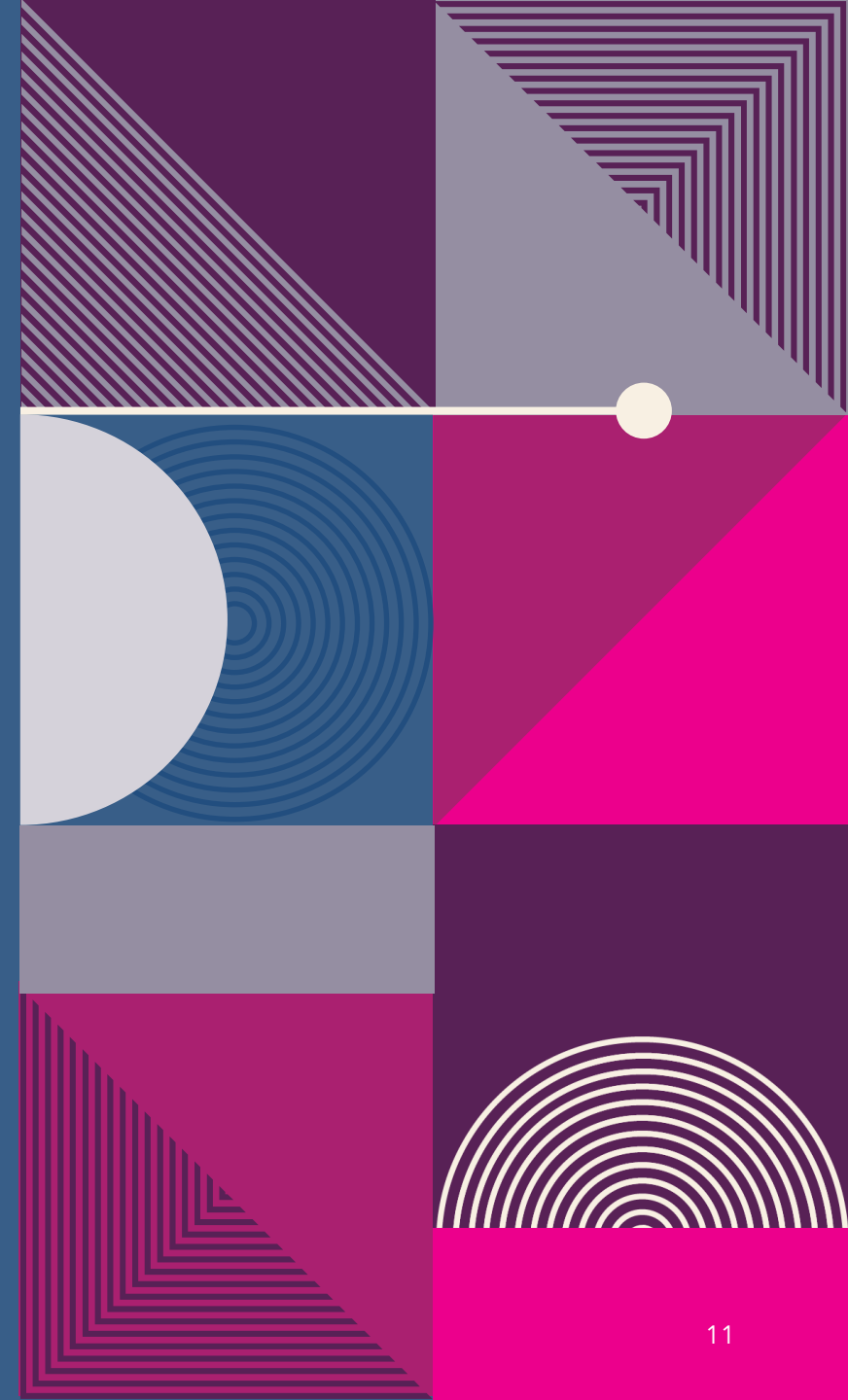
At the next point of login by the consumer, they will receive an overlay explaining the modified terms. The specific changes will be reduced to layman's terms and require the consumer to click a check box for each term individually for **actual assent**. Then, there will be a hyperlink to the full Terms of Service with its modified terms. Once complete, more **REWARDS** points.

\*\*Lastly, there will be an optional link to "Learn More!" This is discussed further in the next step.

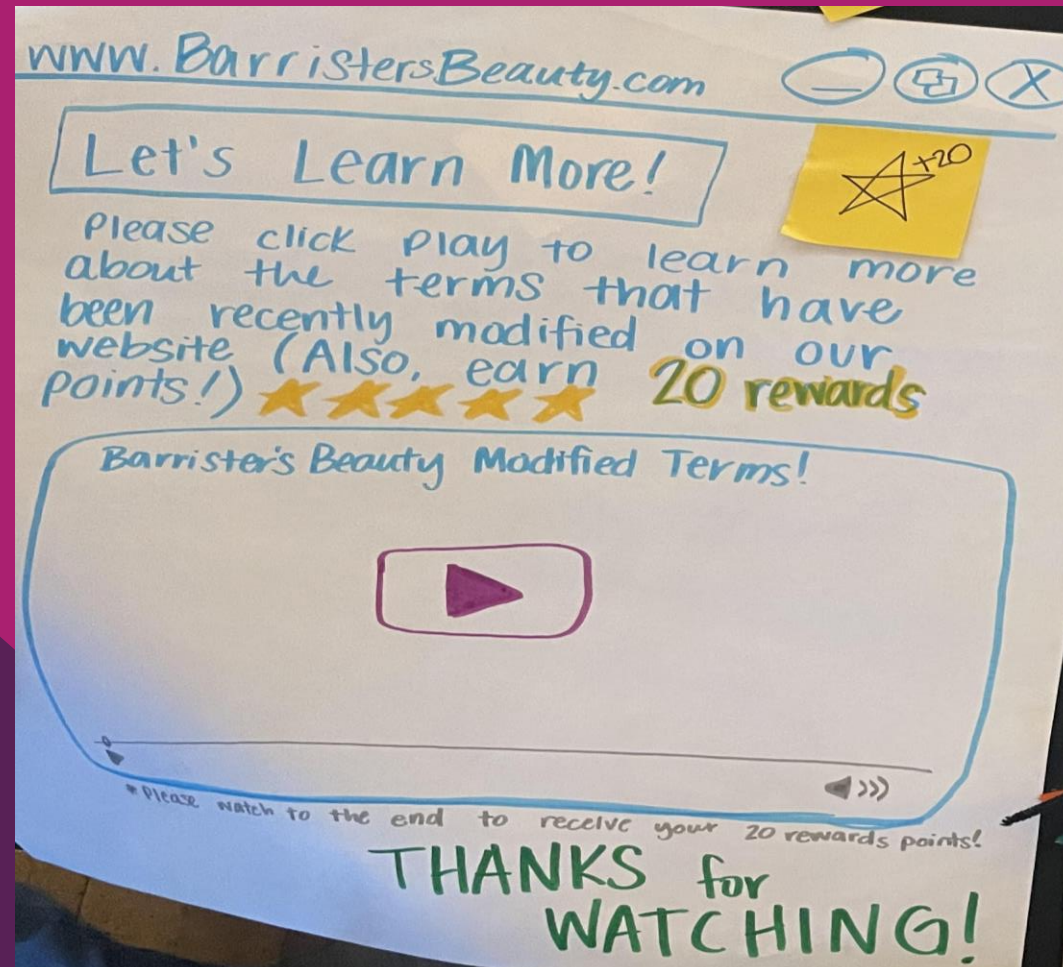
# REWARDS FOR EXECUTION

The **REWARDS** points at this stage is important because it acts as **additional consideration** for the modified terms they are agreeing to upon logging in.

Although they are required to do this portion before moving on, the additional consideration will only increase legal protection for Barrister's Beauty.



# ENCOURAGE A DEMONSTRATION OF UNDERSTANDING





# ENCOURAGE A DEMONSTRATION OF UNDERSTANDING

Lastly, we want to encourage consumers to inform Barrister's Beauty that they understand the modified terms, so that is when the link to "Learn More!" comes into play.

If the consumer clicks to learn more, they can watch a video that explains the modified terms in more detail. The video must be watched in its entirety to earn more **REWARDS** points. After the video, consumers can go a step further and take a quiz to test understanding and earn additional **REWARD** points.

Although this "Learn More!" link is optional, the consumer's account will keep track of these steps and only increase the legal protection for Barrister's Beauty one consumer at a time.

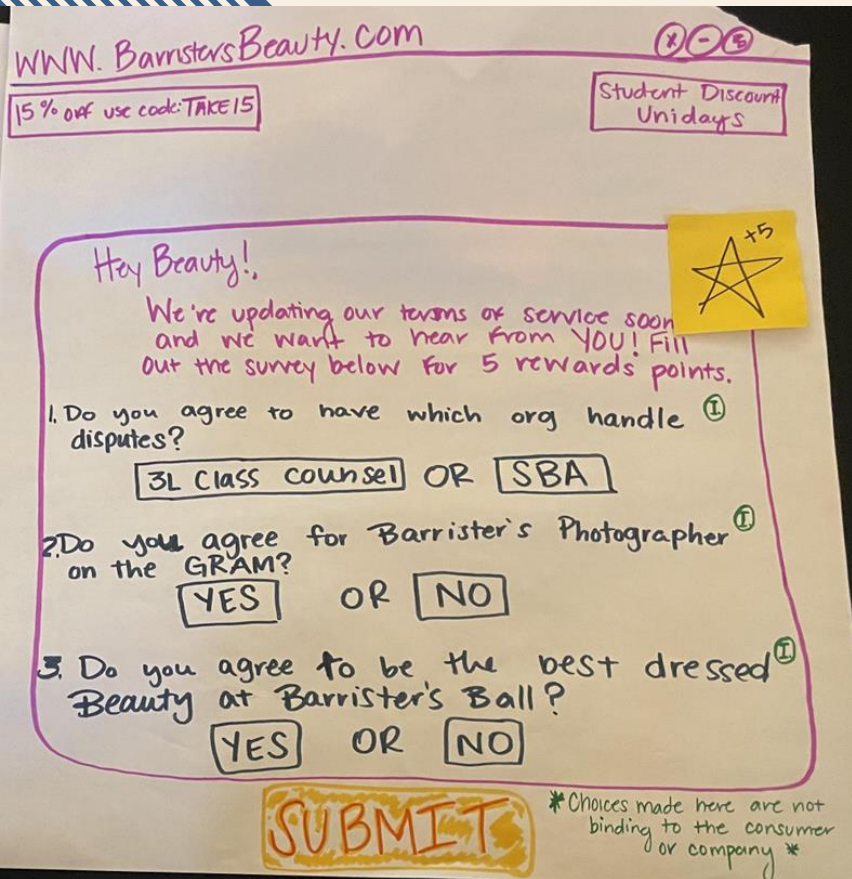
**REWARD** points can be used to earn a certain percentage off an order, free shipping, or any other offer that Barrister's Beauty wants to provide its clientele.

The **TRIPLE E** concept can also be used to introduce new features to the website or new products as well. It does not only have to be use for modifying Terms of Service.

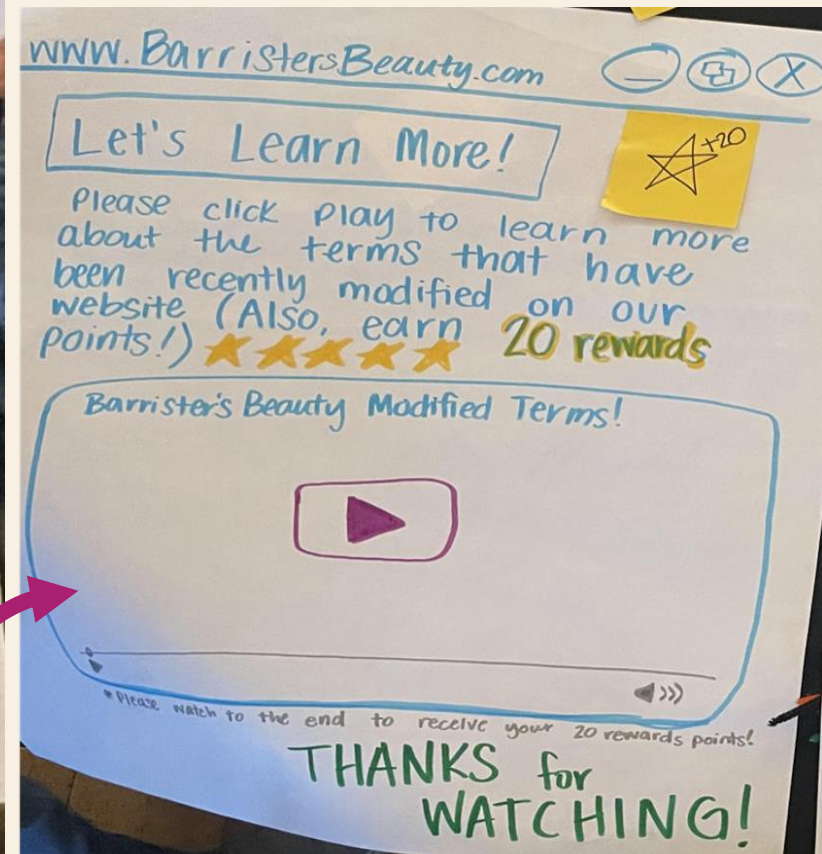
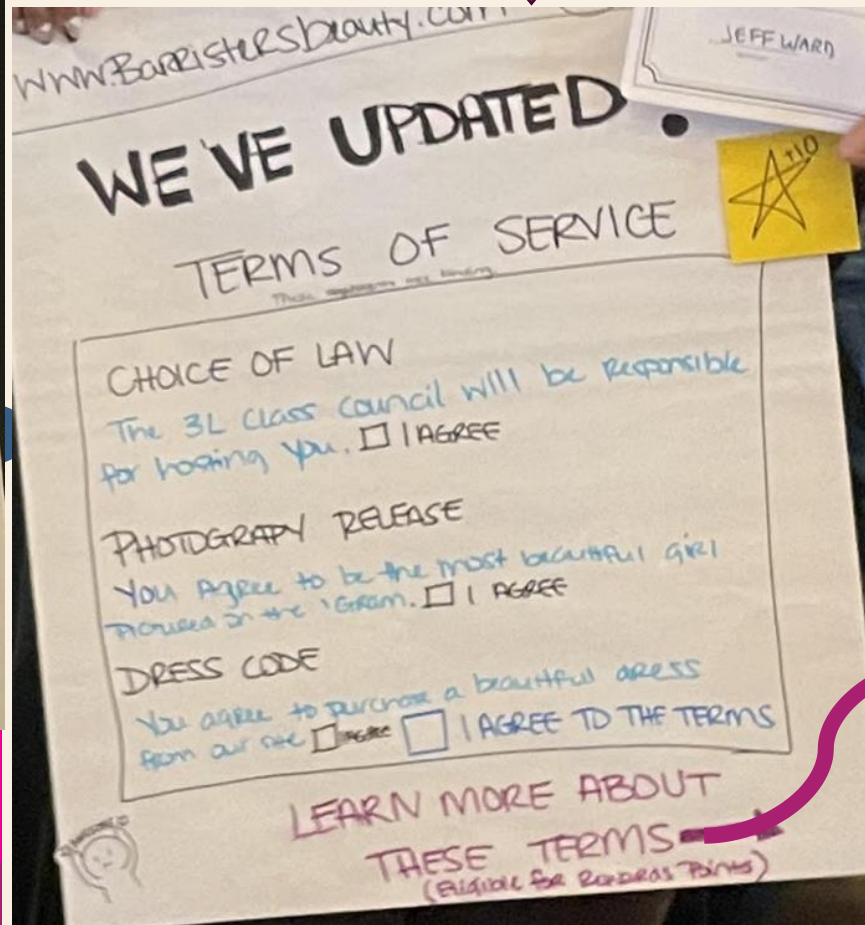
# ANTICIPATED Q&A

1. Do you automatically give reward points to the consumer each step?
  - We automatically give points for the clicking the check boxes on the modified terms (Execute Step is required to continue using the website). The reward points for to survey is optional and only given once input is submitted. The reward points for demonstrating knowledge (video or quiz) is option and is only given upon watching the full video and completing the entirety of the quiz.
2. Is 360 Engage only for the legal process and modifying terms?
  - No, a company can use it to introduce new products or services as well.
3. Does the system keep track of reward points and who completes what step?
  - Yes, the consumer must have an account this the company to ensure they receive emails, input surveys, reward points, etc. The consumers account will keep track with what steps have been completed, keep track to the reward points received, and allow the use of reward points on the company website.
4. Is consumer input guaranteed to be used in modified terms?
  - No, consumers simply give input in our survey and the company's legal team and owners will comb through ideas that best fit the company model.

# WORKFLOW



→ 3 months later...



# FINAL TIPS & TAKEAWAYS

**Engage** the Consumer → Tackles consumer's lack of choice

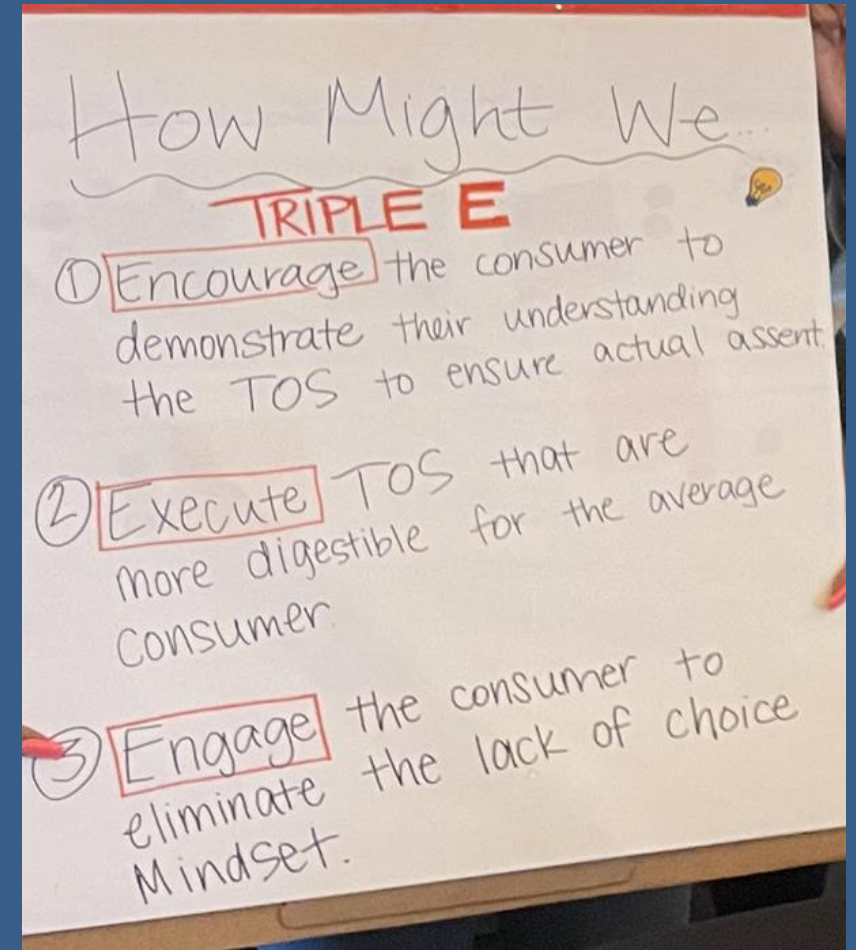
- Make them part of their own business transactions.

**Execute** a more digestible understanding → Tackles Obtaining Actual Asset and Additional Consideration for Modifications

- Provide the modifications as is, but also pull out the legalese to make sure the average consumer understands what they are agreeing to.

**Encourage** a demonstration of understanding → Tackles Obtaining Actual Assent from Consumer

- Provide an opportunity for the consumer to show their understanding and increase protection for the business at the same time.





**THANK YOU!**

From Team Beauty!