Shopper's Bill of Rights

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GROUNDWORK COLLABORATIVE

Introduction

On March 15, 1962, President John F. Kennedy stood before Congress to deliver a warning. The postwar economic boom gave Americans more to buy than ever before, while new technologies and mass advertising transformed how products were sold. Shoppers were forced to navigate a marketplace that was growing more complicated and lopsided. Kennedy's answer was simple: the government should establish a **Consumer Bill of Rights**.[1] Every shopper, he argued, had the right to safety, the right to be informed, the right to choose, and the right to be heard.

More than 60 years later, the problems Kennedy was worried about look quaint. Online shopping, rapid technological innovation, and rampant corporate consolidation have remade how Americans shop from top to bottom. As the market has grown more complicated and corporations more powerful, the basic bargain between shoppers and retailers has frayed, and all of the leverage has landed on one side of the shop counter. Surprise fees get tacked onto your hotel reservation and concert tickets. Rideshare prices spike when it starts pouring, or when your phone is about to die and you really need a ride. The more shopping moves online, the more companies know about you, and the easier it is to charge you more than your neighbor without ever tipping you off.

It's time for a reckoning about what shoppers are owed in today's market – and there's good reason to think we can win the fight. Time after time, Americans have banded together, voted with their wallets, and forced companies and policymakers to make markets work for them.

In the 1890s, Florence Kelley got a closer look than anyone at how goods were actually made. As Illinois' first chief factory inspector, she saw the working conditions in sweatshops firsthand. She took what she learned to the **National Consumers League** where she started the "white label" campaign, which asked shoppers to only buy products carrying a label certifying they met fair and safe production standards.[2]

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In 1902, the price of kosher beef in New York City shot up by 50% after the wholesale meatpackers colluded to jack up their prices. Butchers tried protesting but didn't get very far, prompting Fanny Levy and Sarah Edelson **to organize** tens of thousands of women – spreading all the way to Boston and Philadelphia – to form the "Ladies' Anti-Beef Trust Association."[3] Their pickets and boycotts forced wholesale prices back down within a month. A decade later, Congress created the Federal Trade Commission (FTC), tasked with protecting businesses from other businesses.

However, it would take another 24 years for the agency to be tasked with protecting shoppers too.

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In 1935, as meat prices were climbing once again, Clara Lemlich Shavelson, a labor organizer, and **Mary Zuk**, a housewife in Hamtramck, Michigan, organized women in their neighborhoods to **boycott** local butchers until prices came down.[4] The boycotts caught on across the country and Zuk eventually led a march on Washington to confront the Roosevelt administration. What started as spontaneous protests eventually turned into something lasting: permanent housewives' leagues and cost-of-living committees that endured for decades. Highly engaged and trained in keeping an eye on corporate pricing practices, these women became the base of volunteers who checked local grocery prices and reported violators of World War II-era price controls.

Throughout the twentieth century, the momentum behind the picketlines delivered many wins in Washington. The **Fair Packaging and Labeling Act** established a baseline for a consumer's right to information, mandating that companies clearly disclose basic and truthful information on product labels, such as the quantity and contents of an item.[5] Soon after, the 1968 **Truth in Lending Act** required lenders to disclose the terms of loans, namely interest rates.[6] A few years later, the **Consumer Product Safety Commission** set safety guidelines and standards and issued recalls for defective and dangerous items, giving teeth to a consumer's right to safety.[7]

Fast forward to 2008. The financial crisis wiped out trillions in household wealth, thrust millions of workers onto unemployment rolls, and cost many families their homes – yet the Wall Street financiers responsible for that mess escaped largely unscathed. Outraged, more than 200 consumer, labor, civil rights, and faith groups banded together to **demand** a watchdog that answered to borrowers, not banks.[8] Wall Street spent hundreds of millions lobbying to kill the idea, but in July 2010, inspired by a proposal **penned by** then-law professor Elizabeth Warren, Congress **created** the Consumer Financial Protection Bureau, which has since delivered nearly **$20 billion** in relief for some 195 million consumers.[9] Roughly one year later, when Bank of America announced a $5 monthly fee just for using a debit card, Occupy Wall Street organizers and other **consumer advocates** rallied **hundreds of thousands** of Americans to break up with their banks.[10] Within weeks, Bank of America – along with Chase, Wells Fargo, SunTrust, and Regions – reversed course.

Today, the fights look strikingly familiar, though the rip-offs are far more high-tech. Last year, an **investigation** into Instacart by Groundwork Collaborative, Consumer Reports, and More Perfect Union found that the grocery delivery app was secretly running experiments on unsuspecting shoppers.[11] While busy parents were shopping for cereal and eggs, Instacart was showing shoppers different prices for the same items, at the same store, at the same time. These price experiments weren't harmless: a family of four stood to pay up to $1,200 more per year for their groceries. Consumers were indignant. Within weeks, the FTC and two state attorneys general opened investigations, and Instacart shut its pricing lab down.

Instacart is hardly a lone actor. Unchecked pricing shenanigans are spreading to every corner of our economy, and consumers are rightfully angry. But anger alone didn't win the fights of the last century, and it won't win this one. Shoppers turned picket lines into policy, demanding and securing real changes to the rules. The housewives who emptied the butcher shops helped win a Federal Trade Commission that finally answered to consumers. The generation Kennedy spoke for secured honest labels, upfront loan terms, and a product safety watchdog. The workers and families wiped out in 2008 got a cop on the Wall Street beat. Each time, Americans forced the rules to catch up with the marketplace.

The marketplace has changed again, and our rules haven't. The protections we rely on today were written for a world of paper price tags, newspaper coupons, print catalogs, and cash registers. They do little to rein in the sophisticated tech that's a step ahead every time we reach for our wallets.

It's time for consumers and policymakers alike to rally around a new Shoppers' Bill of Rights, with Kennedy's framework rebuilt for the modern era. Americans need a set of protections that begins to restore the basic bargain between shoppers and retailers and places simple guardrails around the technologies, tricks, and traps that companies are using to gouge us. We propose 12 core rights that give shoppers a fair shake and put some of the leverage back on their side of the checkout counter:

- **Right to an All-In Price: The Price You See Is The Price You Pay**
- **Right to a Fair Price: Pricing Products, Not People**
- **Right to a Predictable Price: Reining In The Dynamic Pricing Rollercoaster**
- **Right to Cancellation: Cancel With a Click**
- **Right to Repair: If You Own It, You Can Fix It**
- **Right to Your Own Agent: AI That Works For You, Not The Corporate Bottom Line**
- **Right to Resale: What You Buy Is Yours to Sell**
- **Right to a Level Playing Field: Giving Small Businesses a Chance to Compete**
- **Right to Comparison Shop: Taking the Guesswork Out of Comparison Shopping With Unit Pricing**
- **Right to a Refund: Ending The Runaround on Refunds**
- **Right to Proper Billing: Know What You Owe and Why**
- **Right to a Competitive Price: Bring Antitrust Into the 21st Century**

Right to an All-In Price

The Price You See Is The Price You Pay

THE PROBLEM

You find a hotel room for $149 a night. By the time you're asked to punch in your credit card number, the bill is up to $200. The difference is a "resort fee," "destination fee," or "convenience fee" for the privilege of paying online. It isn't something you asked for and the hotel didn't do anything extra to earn it. We call it a "junk fee:" an extra charge tacked onto the advertised price that gives you little or nothing in return. Whatever name they go by, these fees can add up to more than $3,000 for a typical **household**.[12]

Not only are these pesky fees often unavoidable, they are typically obscured through a practice known as "drip pricing." Companies dangle a deceptively low price to get you in the door, and then pile on additional fees throughout a transaction, betting that once you've picked your seats or filled your cart you won't turn back – even when the total price is a lot more than you bargained for.

The takeout order that looked like a quick fix for a hectic night can **double** in price once **delivery fees pile up,** while a few clicks to buy concert tickets can leave a fan staring at a final box office bill that is **more than** **25% higher than** the base price that lured them in.[13] This deception is lucrative, as hidden fees get shoppers to spend **20%** more than they would if they saw the full price upfront.[14]

When every price tag is a farce, that lack of predictability and transparency makes it impossible to comparison shop. Budgeting becomes a headache and the people with the least time and the least room for error often pay the most. For example, among the banks whose bottom lines depend the most on junk fees, **60%** of branches are in counties where the poverty rate surpasses the national average.[15]

Honest businesses lose too. Transparent companies that display the real price upfront look expensive when a shopper can see a rival that appears to be half the price, hiding the fees to come. Once companies can pad profits with fees, their incentive to compete on quality **fades** in tandem.[16]

Airlines wrote this playbook. In the early 2000s, carriers started charging for things that used to come with a basic ticket, such as a checked bag. Today, a la carte add-ons can **tack** on **nearly** $100 to the cost of a flight.[17] These fees have proven immensely profitable for airlines: from 2018 to 2023, just five U.S. airlines **collected** more than $12 billion from seat-selection fees on top of $25 billion in bag fees.[18] Five airlines cull more than half of their revenue from ancillary fees rather than passenger fares, including Frontier Airlines, where fees **account** for 62% of total revenue, and Spirit, where roughly 58% of its revenue flowed from these fees prior to filing bankruptcy.[19]

These practices have spread far and wide. MGM Resorts was sued for **deceptive** advertising after failing to disclose mandatory fees of as much as $45 per night at its Las Vegas properties.[20] Similarly, cable providers alone **rake in** $28 billion per year in surprise charges tacked onto TV and internet plans, amounting to $450 per customer every year — a 24% markup on the advertised price.[21] The costs extend beyond consumers' wallets, with the FTC estimating that Americans **spend** as many as 53 million hours each year just trying to hunt down the real price of lodging and events alone.[22]

THE RIGHT TO AN ALL-IN PRICE

The price you see should be the price you pay. Policymakers should ban junk fees by requiring "all-in" pricing: the full price, including all mandatory or practically unavoidable fees, shown clearly and conspicuously upfront. When shoppers can see the full price upfront, they can compare apples to apples, find the best deal, and force companies to compete for their business, which may well push prices down. The requirement to show the full, final price of a product upfront is **overwhelmingly popular**, supported by nearly 7 in 10 consumers.[23]

The rule should cover **all** types of fees, preventing companies from getting around the law by simply replacing or renaming them and continuing to play the same game. Similarly, companies shouldn't get to make a product look cheaper by stripping out features that a reasonable person would assume are included — like a carry-on bag on a flight or gym and pool access at a hotel — and selling them back as add-ons.

all-in pricing *n.*

the full price, including all mandatory or practically unavoidable fees

Regulators and policymakers have started moving in this direction. The FTC's **Rule on Unfair or Deceptive Fees**, which took effect in May 2025, cracks down on bait-and-switch pricing tactics for live-event tickets and short-term lodging.[24] Recent efforts have sought to bring similar protections to **rental housing** and **food delivery**, and in the past two years, **California**, **Minnesota**, **Massachusetts**, **Colorado**, and **Virginia** all passed their own junk fee bans.[25] While an important first step, consumers shouldn't lose the right to an honest price the moment they leave a hotel, close a tab, or cross a state line. Businesses and consumers alike need a single federal standard that covers all industries, products, and services. Limiting the rule to a handful of sectors, fees, or geographies invites companies to shop for loopholes and leaves consumers to bob and weave through a convoluted maze of pricing rules.

Right to a Fair Price

Pricing Products, Not People

THE PROBLEM

You look up a flight so you can take a trip to visit family. The next day, you check the flight again and the trip suddenly costs hundreds more. Are that many people really interested in flying to Cleveland? Or was it you – the fact that you searched for this flight three times in one week, that the airline knows you haven't flown recently, or that you're booking from a wealthier ZIP code? You have no way to know. Increasingly, companies are combining the two things Americans hate most – being spied on and being ripped off – to determine how much to charge you.

Companies have never known this much about their customers. Adults **spend** more than 40% of their waking hours looking at screens, with 1 in 3 Americans **reporting** that they are online almost constantly.[26] Every click, scroll, search, and purchase populates an ever-growing dossier of personal information that companies store, analyze, and exploit for profit. Rapid advances in cloud computing, data collection, surveillance technologies, and artificial intelligence now equip companies to purchase, track, store, and analyze consumers' personal data at **an unimaginable scale** – often without consumers fully understanding what they have handed over or how it will be used.[27]

surveillance pricing *n.*

charging different consumers different prices for the exact same product or service based on what personal data suggests a consumer will tolerate

Armed with troves of personal data, companies can increasingly determine your particular pain point: how much you, specifically, can be pushed to pay. We call this insidious tactic "surveillance pricing" – charging different consumers different prices for the exact same product or service based on how much they infer each customer will tolerate. It's a stark departure from the "cost-plus" pricing model that has dominated modern commerce – take what it costs to make something and add a reasonable profit margin on top. Surveillance pricing is a high-tech return to haggling, except only the seller knows the negotiation is happening and you can't haggle back.

The companies building these tools aren't shy about it. Fetcherr, an AI pricing firm that works with Delta Airlines, says its **secret sauce** is "all the data we can get our hands on," adding that they're "very stealth[y] about how they work."[28] Delta's CEO suggested AI could **increase** the airline's profitability by upwards of 50%.[29]

Even the loyalty card in your wallet or the rewards app on your phone is part of this machine. Companies **lure customers in** with the promise of points, perks, and freebies, then use the program to open a remarkably detailed window into shoppers' lives.[30] When one Wired reporter asked McDonald's to hand over the data it had collected about him, he received a jaw-dropping **515 pages** of detailed information.[31] Using such profiles, corporations can experiment with pricing and behavior before flipping the bargain by hiking fees or trimming benefits.

Kroger collects data on the 63 million members of its loyalty program, which it can not only **use to** target pricing and offers, but also to monetize and sell customer data to third parties and affiliates.[32] It's a lucrative line of work. Kroger reports its "alternative profits" business, including its precision marketing arm, accounts for over 35% of net income. One customer found that the company estimated how likely he was to take a cruise vacation – a strange statistic to interest a grocery store, but one it can sell to other firms.

Surveillance pricing tactics are being deployed across industries. Uber has **reportedly** raised prices for riders with dwindling phone batteries and the Princeton Review has **charged more** for SAT prep in ZIP codes with large Asian populations.[33] These companies get away with it because shoppers often have nowhere else to go. Kroger, for example, is **one of four** grocery stores that collectively control two-thirds of the market, and Uber **commands** roughly three-quarters of the U.S. rideshare market.[34] Decades of deregulation and weak antitrust enforcement have left **at least 75%** of U.S. industries more concentrated than 30 years ago.[35] It's hard to overcharge a customer who can walk across the street or click to another tab to find a better deal. It's easy when you've bought up the competition.

Unfortunately for consumers, there is almost no way to push back on your own. In the past, you could comparison shop or clip coupons to find a better deal. Now online, shoppers are isolated. Most consumers are unaware they've been targeted with personalized prices, and catching a corporation in the act would require comparing prices across users, devices, and locations all at once – an impossible task for most. Most shoppers simply pay more and never find out.

THE RIGHT TO A FAIR PRICE

When shoppers buy the same product, they should pay the same price. It's the oldest rule in the book, and Americans **overwhelmingly** want it back: 76%, including strong majorities across parties, say it is unfair for companies to use customers' personal information to charge different prices for the same products.[36]

The simplest and most effective fix is to ban surveillance pricing outright. This approach has broad public support, with **65% of consumers** backing a ban on surveillance pricing.[37] Companies should be prohibited from using personal data like purchase history, browsing behavior, location, and demographics to set individualized prices. That protection should apply to the entire price, including fees. Notably, this does not touch the transparent, broadly available discounts like senior discounts, happy hours, and early-bird pricing. Any offer that is available to those who meet clear, public criteria are fair game.

Banning surveillance pricing is an essential first step toward restoring a fair price, but companies should also be prevented from the surveillance itself. Lawmakers should rein in the harvesting and hawking of personal data.

Momentum is building. In Congress, Rep. Greg Casar's **Stop AI Price Gouging and Wage Fixing Act** **and** Sen. Ruben Gallego's **One Fair Price Act** would bar companies from using customers' personal data to set individualized prices.[38] Meanwhile, states aren't waiting on Washington. In New York, the state Legislature passed a narrow disclosure law in November 2025 requiring companies to alert shoppers when "THIS PRICE WAS SET BY AN ALGORITHM USING YOUR PERSONAL DATA." But a disclosed ripoff is still a ripoff; in June, the Legislature passed the **One Fair Price Act** as a sweeping ban on surveillance pricing.[39] In the past two years **alone**, 27 states followed suit and **nearly** 90 bills targeting algorithmic pricing have been introduced around the country.[40]

Right to a Predictable Price

Reining In The Dynamic Pricing Rollercoaster

THE PROBLEM

It's 95 degrees outside and you stop for an ice cream cone. Something's off – you notice the price is a dollar higher than a few days ago when it was raining. What gives? The ice cream parlor knows you want a cold scoop more today, and it can move the price faster than you can change your mind.

Budgeting hinges on one assumption: prices will hold steady long enough to plan around them. Families map out monthly bills, scrimp and save towards bigger purchases, and make tradeoffs to stretch each dollar. When prices change by the hour – or increasingly, by the minute – that basic planning becomes a nightmare, especially amid an **affordability crisis** that has already pushed essentials like groceries, housing, and insurance out of reach for too many.[41]

"Dynamic pricing," or the continuous adjustment of prices in response to supply and demand, began as a way to allocate scarce resources. Most Americans first encountered it in the airline industry, where fares shift based on the time of travel, the number of seats left, and what seems like a growing list of other opaque factors. Uber helped mainstream the practice with the **introduction of** surge pricing in 2011, and Ticketmaster **brought** dynamic pricing to live entertainment the same year when its then-CEO promised that "pricing options will broaden."[42] In practice, "broaden" proved to be an apt euphemism for "rise."

dynamic pricing *n.*

the continuous adjustment of prices in response to supply and demand

Today, dynamic pricing has expanded far beyond settings with genuine scarcity like airplanes or concert venues, and is quickly devolving into a tool to juice profits in a swath of retail settings. Hotels on the Las Vegas Strip **have** used dynamic pricing in their lobby shops, adjusting the prices on bottled water and sunscreen from day to day.[43] Wendy's CEO **floated** dynamic pricing in the drive-throughs, alongside digital menus that could change prices in real time.[44] And, as retailers like **Walmart** and **Kroger** install electronic shelf labels **capable** of adjusting prices up to six times a minute, the infrastructure for real-time algorithmic pricing in brick and mortar stores is taking shape.[45]

In each of these cases, price movements have little to do with scarcity. Grocery stores are not rationing cans of beans and Wendy's is not running out of fries. Still, shoppers have no way to tell the difference. Pricing algorithms are a black box, so when the price spikes, you have little way to know whether supply actually tightened, demand really surged, or the company simply spotted an opportunity to squeeze you. With opacity as a shield, there is nothing stopping a company from charging more for sunscreen and ice cream in a heat wave. While higher prices mean higher revenue for sellers, the shopper paying more for the same bottle of water, hamburger, or box of cereal gets nothing extra in return.

Unsurprisingly, dynamic pricing is deeply **unpopular**, with 68% of Americans saying that the practice makes them feel taken advantage of.[46] Even where goods genuinely are scarce, consumers, by a **wide margin**, prefer a line or a lottery to an auction.[47]

THE RIGHT TO A PREDICTABLE PRICE

As technology makes it easier and faster than ever to change prices, consumers have a right to a predictable one. Dynamic pricing should be dramatically limited so that consumers can plan, budget, and comparison shop – a policy supported by more than **6 in 10** Americans.[48] Of course, price fluctuations are expected and necessary in response to changing costs, consumer preferences, or other market factors, but prices should not shift arbitrarily nor at a high frequency.

For essentials like groceries or medical supplies, dynamic pricing should be banned outright. When people need something to stay fed, healthy, or safe, companies shouldn't be able to auction it off to whoever can pay the most. A line, lottery, or demonstrated need can handle genuine shortages without inviting companies to profit from desperation.

For nonessential, scarce goods, like theater or train tickets, companies can have more flexibility to set and change prices without causing significant consumer harm. Those changes should still be predictable and transparent, so consumers can compare prices, plan ahead, and budget accordingly. For example, sellers could publish a series of price tiers in advance, allowing consumers to see exactly when, and by how much, prices will change as availability declines.

For goods without supply constraints, such as jeans at a department store or cartons of eggs at the grocery, prices should hold steady for a reasonable period. An electronic shelf label shouldn't be able to change the price of your eggs between the moment you put them in your cart and the moment you reach the register. Instead, retailers should be limited to a **set number** of price changes at predictable, publicly disclosed intervals – say, once a week at midnight on a designated day.[49] This isn't a novel idea. Historically, grocery shopping ran on a predictable rhythm: stores published weekly circulars announcing the **latest specials**, shoppers knew how long the deals would last, and families planned accordingly.[50] Applying the same principle to digital pricing protects retailers' flexibility without sacrificing consumers' ability to plan and shop around.

Policymakers are already drawing this line in the sand. Maryland's newly enacted **Protection From Predatory Pricing Act** bans grocery stores and delivery apps from using dynamic pricing altogether, and lawmakers in New York City have **proposed** requiring grocery prices to hold steady for at least one full day.[51]

Right to Cancellation

Cancel With a Click

THE PROBLEM

Full of resolve on January 2, you joined a gym and bought a new workout set. By March, the only thing you're exercising is your credit card. The discounted "VIP" price on your yoga pants signed you up for a **Fabletics** membership that charges you $60 per month unless you remember to log in and hit "skip" in the first five days of each month.[52] And even though you signed up for the gym from your phone, you're **forced** to dig up a stamp and mail a letter to cancel – or worse, show up in person.[53]

You can subscribe to just about anything these days, from craft jerky to children's toys. As many as **75%** of direct-to-consumer companies offer a subscription, and US consumers **spend** nearly $3,300 per year across an average of 12 paid subscriptions.[54]

To get consumers signed up, keep them paying, and make it extraordinarily hard to leave, companies have perfected an arsenal of "dark patterns" – deceptive interface designs carefully built to steer users towards actions they never intended. From bait-and-switch pricing to cancellation mazes to free trials that quietly convert into paid plans, these tricks are **strikingly effective**.[55] Mild dark patterns more than double the share of consumers who sign up for a dubious service, while aggressive tactics nearly quadruple it.

dark pattern *n.*

deceptive interface design built to steer users toward an action they never intended (like keeping a subscription)

The tricks start at sign-up. A company might advertise a **tantalizing** introductory price while burying the real one in fine print.[56] Bloomberg pulled one such bait-and-switch, **advertising** a $1.99-per-month subscription that actually jumped to $34.99 after the first month.[57] In another slimy approach, many free trials require shoppers to input a credit card up front, so when they forget to cancel or are tripped up by fine print or pre-checked boxes, they can find themselves on the **hook** for a monthly bill often without **notice**.[58] Free trial traps cost families **more than $1 billion** per decade.[59]

Once you're in, companies have developed an extensive playbook for ensuring you never leave their subscription traps. Many subscriptions automatically renew at higher prices, without presenting consumers with a conspicuous option to opt out. The opacity is a feature, not a bug: **roughly half** of consumers in auto-renewing contracts end up paying for subscriptions they don't want.[60]

When you finally try to leave, the maze begins. Consumers have to navigate extra steps, in-person cancellation requirements, buried or nonexistent instructions, or a flurry of retention offers. A **lawsuit** against Uber alleged that customers faced as many as 32 actions across 23 screens to cancel a loyalty subscription.[61] SiriusXM **forced** customers to speak to a live agent and endure as many as five retention offers before they could cancel.[62] While some opt for offering you a deal to stay, others opt to charge you to leave. For example, Adobe **imposes** an "**early termination fee**" on some plans, equal to 50% of the remaining contract balance.[63] Ultimately, these tricks **can** boost corporate revenues by more than 200% for some products.[64]

This tangle of tactics make it easy to lose track of what you're paying for. U.S. adults waste more than **$250 per year** on unused subscriptions, and nearly one-third of consumers underestimate how much they spend per month on subscriptions by more than $100.[65]

THE RIGHT TO CANCELLATION

All consumers should have a right to cancel without obstruction, delay, or deception. Nearly **75% of consumers** support that basic protection.[66] Before it was **overturned**, the FTC's Click to Cancel rule would have required companies to make canceling a subscription as easy as signing up.[67] Now, New York City's new Click to Cancel rule **follows** a similar framework.[68]

Easy cancellation is necessary but not sufficient. Consumers should have at least 14 days after signing up to cancel for any reason and receive a full refund to their original form of payment. Following the 14-day period, consumers should be able to cancel at any time without a fee and receive a prorated refund for any service they have already paid for but will not receive.

Renewal should also be a clear and conspicuous choice, not the default. Prior to each billing period, companies should clearly notify subscribers of any price increases, service adjustments, and other changes. When a consumer chooses to cancel, companies shouldn't be allowed to run them through a gauntlet of retention offers, plan modifications, or other attempts to change their minds.

The same principle should apply to free trials. Companies shouldn't be able to automatically roll a consumer into a paid subscription at the end of a trial, or require credit card information to start one. When a product is available both as a one-time purchase and a subscription, the one-time option should be clearly displayed, rather than buried.

Finally, companies should not be able to collect payment for services that consumers are not using, or that are out of date. Use-it-or-lose-it protections should require automatic alerts and an eventual pause to payment for inactive users. If someone hasn't opened a streaming service in four months, for example, the company should have to stop charging them until they choose to return. And if a better version of the same subscription becomes available at the same price, consumers should be automatically upgraded rather than left paying the same amount for an inferior product.

Right to Repair

If You Own It, You Can Fix It

THE PROBLEM

You drop your phone and the screen cracks. You can buy a DIY kit to fix it online for $70, take it to a local repair shop for $150, or pay top-dollar (**up to $379**) at the Genius Bar.[69] If you opt for a budget option, you might be stuck with an annoying warning pop-up and lose the ability to adjust your screen brightness.

That's the business model. Companies restrict the parts, tools, software, and information needed to make repairs, pushing consumers toward expensive manufacturer-authorized service – or forcing them to replace perfectly fixable products altogether.

The barriers start with the hardware itself: manufacturers use specialized parts which make it difficult to open devices or extract and exchange component parts. This forces customers to either purchase parts directly from the vendor, send their belongings to the vendor's technicians, or give up on repair entirely. When Apple **replaced** the familiar Phillips screw on the iPhone with its five-pointed pentalobe screw, consumers quickly discovered that they couldn't open their own phones and had to turn to **Apple's own technicians** instead.[70] Fewer than 1 in 5 appliance manufactures **publish** a service manual and replacement parts are frequently **unavailable** on the open market, leaving manufacturers with a monopoly on repair – and the prices that come with one.[71]

As more products are computerized, the barriers get digital. The diagnostic tools needed to access a product's software and identify particular problems – a "**digital key**" – are controlled exclusively by manufacturers, backed by copyright law.[72] Without the tools needed to diagnose and fix a problem, consumers are effectively locked out of repairing products they own.

Farmers are acutely aware of this problem. For years, John Deere restricted access to the proprietary diagnostic software needed to **identify** problems with its tractors to its authorized repair network, forcing farmers to haul equipment long distances and endure lengthy waits at authorized shops rather than visiting a local mechanic.[73] Restrictions like these cost farmers an **average** of $3,300 per year, adding up to more than $4 billion nationwide.[74]

Through "parts pairing," software can detect a replacement part that didn't come from the manufacturer and reject it – which is why the third-party screen replacement can cost you your brightness settings. Apple has dramatically **expanded** the number of components it restricts from three in 2017 to seven in 2023.[75]

When the hardware and software don't stop you from fixing your own products, the fine print does. In a survey of 50 major appliance and electronics companies, U.S. Public Interest Research Group **found** that 45 threatened to void warranties if customers used independent repair services or nonauthorized parts.[76] Manufacturers lean on patents, copyright claims, and user agreements to argue that consumers own the hardware but not the software that powers it. For instance, in 2015, John Deere **argued** before the U.S. Copyright Office that farmers "cannot properly be considered an 'owner' of the vehicle software" in the machines they paid hundreds of thousands of dollars for.[77]

parts pairing *n.*

the practice of programming software to detect a replacement part that didn't come from the manufacturer — and reject it

THE RIGHT TO REPAIR

All consumers should have a right to repair their belongings, affordably and without unnecessary barriers. If you bought it, you should be able to fix it or decide who fixes it for you. More than **60% of American consumers** support guaranteeing the right to repair the products they buy.[78]

A right to repair requires access to both the necessary tools and information. Manufacturers should make replacement parts and repair tools available at fair prices and allow consumers to use third-party alternatives. Practices that exist to block repair – like welding products shut, parts pairing, software locks, and other tactics that prevent consumers from using third-party components or independent repair services – should be banned, with narrow exceptions where a restriction is **necessary** to prevent damage or harm to the user or product.[79]

There is a model for this standard. The **EU Right to Repair Directive** **requires** that manufacturers disclose repair options and prices, provide spare parts at reasonable prices, and drop contractual clauses, hardware, or software techniques that impede repair.[80] It is estimated to save consumers **€176.5 billion** (roughly $190 billion) over the next 15 years.[81] The U.S. should also vigorously enforce protections **already on the books**, such as the Magnuson-Moss Warranty Act banning companies from voiding warranties for use of third-party parts or independent repair.[82]

Having the right tools, however, is useless without the instructions and diagnostic information needed to use them. Here, too, there is precedent. In 2012, a Massachusetts law **required** automakers to provide "the same diagnostic and repair information relative to said new motor vehicle that the manufacturer makes available to its dealers and authorized repair facilities."[83] This July, the FTC **secured** a 10-year consent decree requiring John Deere to offer farmers and independent repair shops the same diagnostic and repair software available to dealers at "fair and reasonable" prices.[84] The standard shouldn't stop at cars and tractors. Across industries, manufacturers should be required to give consumers and independent shops access to the same manuals, diagnostic software, and other repair information they give their own technicians. Ultimately, the right to repair could cut spending on electronics and appliances alone by more than one-fifth, **saving** Americans nearly $50 billion annually.[85]

Right to Your Own Agent

AI That Works For You, Not The Corporate Bottom Line

THE PROBLEM

You ask an AI chatbot to provide the best thermometer option. It gives you a confident, friendly answer with a link. What it doesn't tell you is that the thermometer manufacturer paid to be the recommended pick. Or worse, the chatbot passed along to the retailer that you asked about your sick kid's symptoms a few hours before. Armed with the information that you're a parent worried about a fever spike, the retailer knows it can charge you more.

AI has spread at warp speed and is beginning to upend how we shop. Chatbot-style tools like Gemini and ChatGPT are already changing how consumers search for products, get recommendations, and make purchases. Agentic AI, meanwhile, is the next frontier; rather than simply offering advice, AI assistants act partially or fully autonomously. Robinhood recently rolled out an agentic feature that makes **stock trades** and **credit card purchases** for users.[86] Other agents can book **flights**, order **groceries**, help **manage** or invest money, and more.[87] These tools are still in their infancy, but McKinsey & Company predicts that agentic commerce will explode to a **$5 trillion market** by 2030.[88]

The central concern is simple: who do these AI assistants work for?

As we careen into the agentic AI era, the central concern is simple: who do these AI assistants work for? Humans who act on our behalf, such as financial brokers or real estate agents, have long been subject to rules that govern that question. They are accountable to fiduciary duties and conflict-of-interest rules, ensuring that their behavior serves the client. A stockbroker can't pocket a commission for steering you into a worse investment fund. A real estate agent has to disclose when they're working both sides of the same deal. The logic is straightforward: when the person advising you has a financial stake in what you choose, the advice can't be trusted without guardrails.

AI systems are taking on similarly consequential roles, with unprecedented access to consumers' personal information and none of the same rules, obligations, and guardrails. Without these protections, there is little to prevent the army of AI assistants from serving corporate bottom lines instead of users. Because these systems interact conversationally and present themselves as congenial assistants, consumers have little way of knowing whether a recommendation reflects what is best for them or what is most profitable for the company behind the screen.

Early warning signs are flashing. As advertisements make their way into **ChatGPT** and **Google AI products**, one recent academic **study** tested how AI models behave when advertising and corporate incentives enter the equation.[89] The results were jarring: "All current LLMs exhibit risky behaviors favoring the company over the user." Models frequently steered users towards sponsored products, even when identical, cheaper alternatives were available. They also failed to identify paid placements and recommended sponsored predatory products like payday loans.

Retailers' own branded assistants make the potential conflict even clearer, because their job is explicitly to sell. Shoppers using Walmart's cheerful **Sparky** spent roughly 35% more than those who did not, and users of Amazon's AI shopping assistant Rufus **were** 60% more likely to complete a purchase.[90] Companies like **Pandora** and **SharkNinja** that launched their own agents **posted** sales growth more than double that of companies that did not.[91]

THE RIGHT TO YOUR OWN AGENT

Consumers deserve access to AI agents that work for them, saving time, finding the best deals, and making comparison shopping a breeze. To deliver on that promise, AI agents should be held to the same basic fiduciary duties and conflict-of-interest rules that bind their human counterparts. When consumers hand over their data, decisions, and dollars to a third party, they should act in their best interest – not the interests of the company behind it. Nearly **60% of Americans** back such a requirement.[92]

In practice, this means that if you ask an AI agent to buy a pair of shoes, it should recommend the options that best match your preferences and budget, not the products that generate the largest financial benefits for its parent company. And no AI agent, whether independent or retailer-owned, should be allowed to advertise and steer consumers toward predatory products like payday loans or unaccredited for-profit schools.

> **AI agents should be held to the same basic fiduciary duties and conflict-of-interest rules that bind their human counterparts**

Consumers should also get to choose their agents. Messaging and e-commerce platforms should have to play fair, allowing third-party agents to access their sites on the same terms as users — in tech speak, maintaining an "interoperable interface." Interoperability is a common standard, proposed in Sen. Mark Warner's **AI AGENT Act discussion draft** and codified in the EU's **Digital Markets Act**.[93] Without it, dominant platforms like Amazon or Walmart could lock out third-party agents or block them from completing a purchase, forcing you to use the platform's own agent, with all the conflicts that entails. Southwest Airlines did this for years, blocking third-party travel sites like Google Flights from collecting and displaying its fares, making it harder for travelers to see the full suite of options and comparison shop.

The complexity of AI should also not be an excuse to escape accountability. AI leaders **readily admit** that they "do not understand how [their] own AI creations work."[94] If a company cannot ensure that an AI agent entrusted to spend your money will act in your interest, it should not be allowed to take on that responsibility.

Fiduciary duty is one piece of a larger puzzle. Robust antitrust enforcement, comprehensive data privacy protections, and existing laws that protect against unfair practices and undisclosed paid endorsements all have a role in preventing AI-enabled exploitation. At a minimum, AI assistants and their parent companies should also be kept on a strict data diet: collecting, processing, and retaining only the information absolutely necessary to complete the task a consumer explicitly requested. The **European Union's General Data Protection Regulation** offers one model, barring companies from collecting or processing personal data unless they affirmatively prove a legitimate use case.[95]

Right to Resale

What You Buy Is Yours to Sell

THE PROBLEM

You finish reading a book on your Kindle and want to hand it off to your sister. You can't. You paid the same $15 you would've paid for the paperback, but what you bought was permission to read, not a book.

Resale has long rested on the simple idea that once you buy something, it's yours to sell. Under the **first sale doctrine**, a consumer who buys a physical item – a book, a record, or a jacket – can sell, share, or give it away as they please.[96] This is the basic right that makes secondary marketplaces like used bookstores and thrift stores possible.

first sale doctrine *n.*

the basic right of a consumer who buys a physical item to sell, share, or give it away as they please

Digital goods have scrambled that bargain. Buy an e-book, song, or movie, and you may discover that your purchase comes with none of the typical rights of ownership. Companies instead sell consumers a revocable license to access the content, while restricting their ability to **lend**, transfer, or resell it.[97] You can't lend a movie you bought on Amazon Prime to your friend, nor hand down your kid's Xbox game when they beat it.

For products that consumers can resell, there is a different problem: resale markets are a playground for profiteering. Concert tickets are a perfect example. Tickets with a face value around $250 for Taylor Swift's Eras Tour resold for an **average** upward of $3,800.[98] During Beyoncé and Harry Styles' 2023 tours, tickets resold for an average of more than $1,000 apiece. Fees are the cherry on top, with secondary marketplace **fees** tacking on another 31% of a ticket's face value.[99]

Bots and scalpers pour gasoline on this fire. Professional scalpers can use bots to snap up tickets before ordinary fans get a chance, then flip them for an **estimated** 49% markup, with some exceeding 1,000%.[100] Brokers play in almost every sandbox, **controlling** as much as 10% of primary tickets and 30% of premium-event tickets.[101]

The ticketing monopolies controlling these platforms have every reason to let this spiral out of control: they take a cut of the sale, ranging **from** 10% on SeatGeek to "**supply and demand adjusted fees**" on StubHub, so their profits grow as ticket prices rise.[102] An **FTC investigation** found that

Ticketmaster knowingly allowed five brokers to control more than 6,000 accounts, holding nearly a quarter million tickets across roughly 2,600 events.[103]

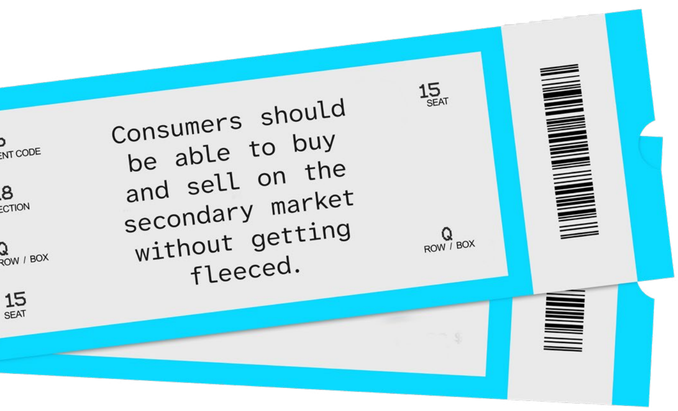
Beyond concerts, the resale price bloat is common. StockX, a sneaker sale platform, reported that sneakers resold at prices above market price in 47% of cases in 2024, with some popular releases selling for **nearly** 200% more.[104] When the PlayStation 5 launched, scalpers used bots to **gobble up** the available stock, reselling the consoles for three to four times their sticker price.[105]

THE RIGHT TO RESALE

Consumers should be able to buy and sell on the secondary market without getting fleeced. More than **6 in 10 Americans** support protections of a customer's right to resell what they buy.[106]

Tackling exorbitant resale prices starts on the primary market. No one has a fair shot at a concert ticket or a coveted pair of sneakers at a fair price when hundreds of bots are ahead of them in line. Bots should be banned from gobbling up scarce goods only to flip them at a markup and push ordinary shoppers into an inflated secondary market.

For items that do not appreciate, like tickets, resale prices should be capped at the original total price. A seat at a concert isn't worth more the week of the show than it was the day it went on sale – regardless, it's the same seat. Capping prices removes the payday for operations that scoop up hundreds of tickets only to flip them at enormous markups. This idea has been tested. Last year, the U.K. government **moved** to ban resale of concert, sports, and theater tickets above face value.[107] Similarly, during the 2026 World Cup Mexico **capped** resale on FIFA's official secondary market when tickets on the U.S. resale market reached **record highs**.[108]



Consumers should also be free to give or sell what they bought to whomever they want, and without being forced to use an intermediary. If you can hand a friend a paper ticket or a DVD, then you should be able to do the same for the digital equivalent. Where consumers are currently sold a "revocable license," providers should be required to offer either a local copy or a permanent, transferable license, so a purchase doesn't vanish when a seller's catalog changes. The European Court of Justice's ruling in **UsedSoft GmbH v. Oracle International Corp** recognized exactly this, holding that a publisher's distribution rights are exhausted at the initial sale and buyers of perpetual software licenses can resell them.[109] Put simply: if you bought it, it's yours to pass on.

Several states, including **Colorado** and **Connecticut**, already protect ticket transfers.[110] **New York** requires that consumers be able to "transfer [tickets] at any price, and at any time, and without additional fees, independent of ... [an] agent."[111]

Right to a Level Playing Field

Giving Small Businesses a Chance to Compete

THE PROBLEM

You've probably noticed that the same bag of chips costs more at your local corner store than at the Walmart ten minutes away. Maybe you assumed the little guy was just marking it up, but if you ask the owner, you'll hear a different story. They're paying more for that bag before it ever hits the shelf, because the company that makes it gives Walmart a price they'll never see.

Things are big in America: the portions, the houses, and increasingly, the businesses. Over the last two decades, at least 75% of U.S. industries have **consolidated**.[112] In the grocery sector, for example, the four largest grocers capture **more than two-thirds** of the market, while independent stores are down to just **11% of sales**.[113] Similarly, Amazon is **home** to more than half of all print book sales.[114] That matters even if you never step foot in a corner store, because when the giants stop worrying about competition, they stop worrying about earning your dollar.

The bigger a company gets, the better deals it can demand: lower wholesale prices, below-market rents, cheaper credit, friendlier fees. Walmart, which dominates more than 8% of the entire U.S. retail market, **leveraged** that muscle to secure "**extremely advantaged costs**" on Pepsi products while Pepsi raised wholesale prices everyone else.[115] The same two-liter costs more at virtually every store that isn't Walmart. In late 2024, FTC **brought** a similar case against Southern Glazer's Wine and Spirits, the nation's largest distributor of wine and spirits, accusing the distributor of charging independent shops higher prices than large chains.[116]

The advantages pile up. You've probably never been pitched a store credit card at the boutique on Main Street, but at a big-box store it's part of the script at the register. That's about swipe fees. Credit and debit card processing fees swallow roughly **2% to 3%** on every sale and are a merchant's second-largest operating cost after labor.[117] Big retailers can leverage their size to negotiate those fees down, or dodge them entirely with their own co-branded cards. Small businesses can't, so they're **left to** take the hit, cut wages, or raise prices.[118]

These volume-based rebates and other breaks given to only the big guys creates a vicious cycle. Scale earns discounts, discounts enable lower prices, lower prices drive more sales, and greater sales unlock even better deals. Even when a large chain doesn't get a better price, its size lets it eat the losses of selling below cost for as long as it takes to drive the local competition out, then raises prices once the coast is clear.

THE RIGHT TO A LEVEL PLAYING FIELD

Your local bookstore, grocer, or pharmacy should win or lose your business on its prices, products, and customer service – not because a corporate giant used its size to cut a secret deal. Small businesses deserve a level playing field.

The tool to fix this already exists, we just have to use it. The Robinson-Patman Act (RPA), a landmark law that's nearly a century old, was **designed** to keep powerful buyers from demanding prices and terms their smaller rivals can't get.[119] It has sat largely dormant since the 1980s. Reviving enforcement would give your neighborhood grocer a fair shot against Walmart – an approach supported by **6 in 10 Americans**.[120]

RPA needs a refresh to keep pace with the modern economy. Small businesses today are **squeezed** by costs that didn't exist when Congress wrote the law, from card swipe fees to delivery app commissions.[121] The law should cover those services, not just goods. Today, a retailer can only be held liable if victims prove it knew it was getting a special break. The biggest fish in the pond, like Walmart, Amazon, and CVS, should be held to a higher standard because they know how their suppliers price products. And small businesses that have been overcharged shouldn't need an army of economists to prove it. Sen. Chris Murphy's **Fair Prices for Local Businesses Act** pursues each of these ends and offers a promising pathway to bring RPA into the 21st century.[122]

Critics argue that enforcing RPA will raise prices, but there is little empirical evidence to that effect. In fact, during periods of robust RPA enforcement, dominant corporations were kept in check by competition and **independent** retailers maintained far greater market share, and in some sectors, controlled the **majority** of sales.[123] Giving independent and small firms a fair shot **would** lower prices and expand choice.[124] Because independent retailers **disproportionately** serve rural and low-income communities, RPA could also help keep essential goods like **healthy foods** within reach in communities that big chains too often ignore.[125]

Right to Comparison Shop

Taking the Guesswork Out of Comparison Shopping With Unit Pricing

THE PROBLEM

If you take a trip down the cereal or chip aisle in the grocery store, you'll find a dizzying array of package sizes. From "family size" for $4.99 to a "party pack" for $6.49, it's hard to tell which box or bag offers the better deal. Or if they're even different: Doritos has reportedly sold "Family Size" and "Party Size" bags separated by just a **single ounce**.[126]

You shouldn't need a calculator to pick out breakfast or a snack, but in most of the country, you do. Amid an affordability crisis, families are already struggling to stock the **pantry** and fill school **lunch boxes**.[127] Groceries are expensive enough without a math problem attached to every purchase or a package that got smaller while the price stayed the same.

unit pricing *n.*

showing a product's price per ounce, pound, or other standard measure so shoppers can make comparisons at a glance

Unit pricing makes companies do the math for you. By showing what a product costs per ounce, pound, or another standard measure, shoppers can compare brands and package sizes at a glance. Unit pricing is absent from the **Fair Packaging and Labeling Act** and only mandated by **nine states** and the District of Columbia, meaning that unit pricing remains "**essentially voluntary**" across the U.S.[128] That leaves shoppers trying to decipher a jumble of package sizes, prices, and marketing labels to determine which product actually gives them the most for their money.

Retailers have significant leeway to select the measurement unit for the unit price they disclose, making apples-to-apples comparisons nearly impossible. A bag of shredded cheese priced at $3.53 per pound sitting next to another priced at $1.37 per cup doesn't tell a shopper which is cheaper.

Unit prices can also be **tiny**, hard to read, or simply wrong.[129] Walmart was fined **over** $1.5 million after inspectors in New Jersey found more than 2,000 unit-pricing inaccuracies across its stores.[130]

Unit pricing matters even more as **shrinkflation** lets companies put fewer chips in the bag, fewer sheets on the roll, or less cereal in the box and charge the same amount.[131] In fact, companies **brag** about how this strategy juices their sales and profits.[132] While they claim they're offering consumers the choice to buy products at lower price points, the price of smaller offerings is not scaled down proportionately. For example, customers have **noticed** that 12-packs of their favorite sparkling water have been downsized to eight, with no change in price.[133]

Roughly one-**third** of common grocery products shrunk between 2019 and 2024, and 71% of Americans notice shrinkflation.[134] Unit pricing makes it easier for consumers to detect when a product's value has declined, even if its sticker price remains **unchanged**.[135]

THE RIGHT TO COMPARISON SHOP

Consumers should be able to determine which product is a better deal without doing a math problem. Universal unit pricing would make it easy to compare products in the blink of an eye and force companies to compete more directly on value. Nearly two-thirds of Americans support this policy.[136]

Federal legislation should establish a universal unit-pricing standard based on the National Institute of Standards and Technology's **Governing Principles**.[137] The rules should be simple: unit prices should be easy to see, easy to compare, and available everywhere. They should appear prominently alongside the sticker price in large, legible type; use the same unit of measurement for similar products so shoppers can make apples-to-apples comparisons; and appear consistently in stores and online, including on sale items and promotional displays.

Since 1998, **EU Directive 98/6/EC** requires that virtually all retailers clearly display both the total product price and the unit price for almost all products.[138] European shoppers have been easily comparing apples to apples for nearly three decades. American shoppers deserve the same.

Right to a Refund

Ending The Runaround on Refunds

THE PROBLEM

In the early 2000s, **Zappos** sold shoppers on the then-unfathomable idea of buying shoes without trying them on by ordering a few options in different sizes and returning what didn't fit for free.[139] But many other retailers – both brick-and-mortar and online – have strict policies that may leave you stuck with a purchase that doesn't fit or that you simply changed your mind about.

Returns and refunds are the Wild West of shopping. Consumers are understandably fed up with and confused by the burdensome patchwork of policies they must navigate across retailers. Refunds and return policies are among the **most common** grievances lodged with consumer protection agencies.[140] The process can be such a hassle that 7 in 10 American shoppers have kept something they meant to return because sending it back wasn't worth the headache.[141]

Returns and refunds are the Wild West of shopping

Getting actual money back is even harder. Retailers have spent the last several years tightening their return policies, including issuing store credit instead of refunding the original payment. Retailers have an obvious incentive to prefer store credit: refunds put cash back in your wallet, while store credit keeps your money on the retailer's books and guarantees you'll spend it there or forget about it, leaving them to pocket the cash. Consumers, unsurprisingly, see it differently: 75% of consumers **strongly prefer** a full refund to store credit.[142]

Then come the fees. More than 70% of merchants **charged** a restocking fee in 2025 – a 6 percentage point increase from the year before.[143] Mailing a return to Marshalls and TJ Maxx **costs** $11.99, Macy's charges $10, and J.Crew claws back $7.50.[144] Best Buy takes it one step further, **charging** a 15% restocking fee on certain electronics regardless of whether returns are made in store or via mail.[145] More than one-third of retailers reported that they charge return fees because consumers are "**tolerant**" of them.[146] Shoppers beg to differ: **8 in 10** shoppers say free returns are an important factor when deciding where to shop.[147]

In some cases, returns are not permitted at all. For example, Amazon, Target, Best Buy, and other big-box stores all exclude "final sale" items from their refund policies. Meanwhile, airlines and hotels have turned giving up your right to a refund into a pricing tier. If you buy the least expensive plane ticket or a prepaid hotel room, then a change of plans means forfeiting every dollar you spent.

Even when a product never arrives or a service falls flat, consumers are often left chasing down the money they're owed. Refunds are rarely automatic, forcing consumers to navigate complicated claims processes, customer service channels, and other administrative hurdles that can be **time consuming and highly frustrating**.[148] Ahead of the Mayweather vs. McGregor fight, viewers **paid** nearly $100 for a high-definition, pay-per-view livestream.[149] Yet many viewers encountered constant buffering, error messages, and grainy video quality. Showtime eventually agreed to issue refunds, but only after facing a lawsuit.

7 in 10 American shoppers have kept something they meant to return because sending it back wasn't worth the headache

The **rapid growth** of online shopping raises the stakes.[150] In a store, you can try on the pants, inspect the blender, or see whether the couch is actually the color it looked online. Online, you're often buying before you really know what you're getting. As our homes become the fitting room, a return policy isn't just a perk anymore. Roughly half of online shoppers buy multiple versions of the same item, with the **expectation that** they can send back the size or color that doesn't work.[151] All told, **roughly** one-fifth of online sales are returned.[152]

THE RIGHT TO A REFUND

All consumers should have a right to return and refund – a guarantee supported by **roughly 70%** of Americans.[153] To guarantee this right, lawmakers should modernize the **FTC's Cooling Off Rule** – a 1972 regulation written for door-to-door sales establishing that consumers can cancel their purchase without cause, for up to three business days after the sale and must receive a full refund.[154] A **recent proposal** in New York offers a useful model for modernization: give consumers 30 days to return most purchases for any reason and receive their money back through the same payment method they used to buy it.[155] For time-sensitive purchases like reservations or tickets, the cooling off period would likewise last for 30 days or up to 48 hours in advance of the event, whichever comes first.

The rules should be clear before consumers open their wallets. Return and refund policies should be clearly and conspicuously disclosed before checkout, and making a return should be no more difficult than making a purchase. Restocking and return fees should be limited to the real cost of carriage or **processing**.[156] Finally, consumers shouldn't have to slog through unnecessary forms or customer service mazes just to send something back.

When something is defective or never delivered, the rules should be even simpler: sellers should have to automatically fix it, replace it, or give the customer their money back. Building on existing lemon laws and EU consumer protections, consumers should have at least **two years**, or the duration of a stated warranty or expiration period, to seek a remedy for a defective or broken product.[157]

Consumers should be able to choose between a replacement and a full refund when a defect cannot be promptly fixed. These protections should apply no matter the type of the purchase, from big ticket items – such as appliances or concerts – to smaller transactions – Wi-Fi on a flight or pay-per-view sports streaming services.

Better yet, where a company already knows that a product or service has failed, consumers shouldn't have to ask for their money back at all. Consumers should not have to spend hours navigating the **annoyance economy**, including deliberately frustrating phone trees or waiting on hold with no prospect of resolution.[158] The Department of Transportation's Automatic Refund Rule provides a useful model, **holding** airlines responsible for issuing automatic refunds in cash or the initial form of payment for canceled, delayed, or substantially altered flights.[159] If it works for a canceled flight, it can work for a canceled order.

Right to Proper Billing

Know What You Owe and Why

THE PROBLEM

Six months after a routine checkup, you get a bill in the mail for $300 with no explanation of what it's for or why your insurance didn't cover it. You call the number at the bottom of the invoice and wait on hold for half an hour to be told the claim was "reprocessed." You still have no idea what you're paying for. Late, unclear, and surprise bills are a persistent source of frustration for American consumers and can wreak havoc on household budgets.

Nowhere is the problem more acute than in health care, where sorting out the bill can become a part-time job of its own. American workers lose roughly **$22 billion** worth of time each year navigating the health care system, including deciphering confusing explanation-of-benefits letters, **fighting** surprise out-of-network charges, and puzzling over facility fees for telehealth visits.[160] Among insured adults who received a large medical bill in the past two years, **2 in 3** experienced at least one billing issue, from bills arriving months after care to charges that exceeded the expected amount with no clear explanation.[161] Since providers can **submit claims** and insurers can **claw back** coverage well after your doctor's appointment, patients can leave the doctor's office thinking the bill is settled, only to be bit with another charge months or even years later.[162] All told, nearly **one-quarter** of Americans report frustration with receiving medical bills long after treatment.[163]

This isn't just a health care problem. When Duke Energy, a utility provider in Ohio, rolled out a new billing software, it made more than **100,000 billing errors** in a single year.[164] More than 39,000 customers were charged the wrong amount and thousands went months without receiving a bill. Because Ohio lets utilities correct their mistakes for **up to a year**, 15,000 customers were hit by surprise bills months later.[165] **Backlogged toll bills** can pile up late fees before a driver **ever receives notice**, and **student loan servicing errors surface** as unexpected fees or added interest.[166]

Even when a bill finally arrives, consumers are lucky if they can decipher it. Nearly 40% of Americans are **confused** by their medical bills, and one in three do not understand what services they are being charged for.[167] That uncertainty leads to money out the door: **more than** 1 in 3 patients have paid a bill they weren't sure they owed, including charges topping $1,000.[168] Utility bills can be just as maddening. Roughly half of Americans believe that utilities **intentionally** make bills confusing, and 4 in 10 have **paid** a hidden fee on one.[169]

Surprise charges only compound the problem. The majority of Americans report being **charged** for a medical service that they believed would be covered by insurance or free of charge, and often, they're right.[170] Nearly **7 in 10** individuals have received a bill for care that insurance should have covered.[171] Even doing your homework beforehand may not save you; roughly 7 in 10 Americans are **surprised** by the total cost that they are charged for their medical care, despite checking the expected costs with the provider or their insurance company beforehand.[172] Faced with this uncertainty, many patients **delay or forgo** care altogether.[173]

THE RIGHT TO PROPER BILLING

Americans deserve to know what they owe, why they owe it, and when the bill is coming. Lawmakers should require that all bills are delivered to a consumer within three months of the date of service and spell out every charge in plain language. Requiring companies to send bills on time has broad support, with **more than 6 in 10** Americans in favor.[174] Consumers should be able to see exactly what they purchased, how much of it they received, the price per unit, and how those charges add up to the final amount owed.

Companies also shouldn't be able to discover an old mistake and send consumers a surprise bill years later. Any billing error caught by the provider should have to be corrected, and disclosed to the consumer, within three months of the original bill. After that point, backbilling should be void. Consumers, however, should have up to one year to contest inaccurate, improper, or untimely bills, filing and resolving complaints through the Consumer Financial Protection Bureau. Utility regulation provides a useful framework. In Washington **state**, utilities must bill customers at regular intervals no more than two months apart, clearly explain the charges that make up a bill, and correct any mistakes within two billing periods.[175]

Americans deserve to know what they owe, why they owe it, and when the bill is coming

For recurring bills like subscriptions, companies shouldn't be able to change the price of a subscription underneath you. Consumers should receive at least 90 days' notice before a rate increase takes effect, including the old price, the new price, and exactly how much more the consumer will be on the hook to pay. Anyone who isn't happy with the new price should have an unhindered right to cancel before it takes effect.

Here, too, utility regulation offers a useful precedent. At the federal level, utilities must provide both the Federal Energy Regulatory Commission and the public with **60 days' notice** before implementing changes to rates or terms of service.[176] Many states impose stronger regulations. In **Pennsylvania**, utilities must also inform consumers of the proposed dollar increase of a rate change ahead of its implementation.[177] A similar patchwork of policies governs health insurance premiums. In states such as **Pennsylvania** and **California**, insurers must provide advance notice – typically between 30 and 120 days – ahead of rate changes, although some states require notification only when premiums rise substantially, such as **Virginia** where the threshold is 35%.[178]

Right to a Competitive Price

Bring Antitrust Into the 21st Century

THE PROBLEM

Every gas station that you pass on your commute is charging $3.89 per gallon. You assume that's what competition produces. Five stations, all watching the others, vying for the same drivers, none able to get away with more. But what if none of them set the price, and instead, they all subscribed to the same software and effectively handed the keys for the pylon sign to an algorithm?

Price fixing has a certain mystique. The phrase conjures smoke-filled backrooms, powerful executives clinking scotch glasses, and secret deals struck in hushed tones. At bottom, it's simple: companies coordinating instead of competing, whether on price, quality, or how much to produce.

Despite the rise of sophisticated pricing technology, old fashioned price fixing is still alive and well. In April, the California Attorney General **released** emails revealing that Amazon was "allegedly colluding with other companies" to raise prices on everything from pet treats and khaki pants to eye drops.[179] According to the released documents, the e-commerce behemoth raised prices and then explicitly instructed competitors to do the same, ensuring consumers paid more regardless of where they shopped. In one exchange, Home Depot **allegedly** "agreed to raise the prices," after a conversation with Amazon.[180] In another, Amazon used a shared manufacturer to pressure pet-goods retailer Chewy to raise prices, with the manufacturer relaying that "Chewy should be aware of this update and follow suit accordingly."

Advances in technology have eliminated the need for the smoky back rooms, giving rise to algorithmic price-fixing: collusion powered by software and the cloud, not handshakes and cigars. Instead of meeting and agreeing on a price, companies can turn their pricing decisions over to the same algorithm, feed it information about their businesses, and charge whatever it spits back out.

That's what a June 2026 **class action lawsuit** alleges happened at the gas pump.[181] According to the complaint, AI pricing platform Kalibrate let fuel retailers operating more than 1,700 stations in California coordinate, "optimize," and inflate fuel prices. Kalibrate's software draws on more than 6,000 data sources, ranging from public surveys and proprietary market reports to aggregated sales information and consumers' cellphone location data, to generate a recommended price. Station operators can technically override these recommendations, but Kalibrate advertises that roughly 80% of pricing decisions are auto-implemented and users let the algorithm set prices upwards of 90% of the time. The result, the complaint alleges, is "supracompetitive pricing that no station would risk setting independently" — as much as 30 cents per gallon, at a cost to California drivers of roughly **$4 billion** more at the pump **each year**.[182]

Gas stations aren't the only businesses accused of letting an algorithm do the coordinating. In 2024, the Department of Justice **sued** RealPage, alleging the property management software company pooled landlords' nonpublic, competitively sensitive pricing data and used it to generate rent recommendations that kept rents higher, costing renters as much as **$180 per month**.[183] Las Vegas hotel guests sued Caesars Palace and other Strip giants over their shared use of a pricing algorithm called Rainmaker to set room rates, **enabling** prices to rise in tandem.[184] They lost, not because the hotels weren't using the same software, but because they couldn't prove the hotels had ever agreed with one another to use it. Competitors that once needed a handshake in a back room can increasingly accomplish the same goal with a shared algorithm: stop competing with one another and make consumers pay more.

Our century-old antitrust canon has struggled to keep pace with 21st-century technological change

THE RIGHT TO A COMPETITIVE PRICE

Consumers have a right to a competitive price. Where businesses must compete for consumers' dollars, they have to work hard to win them — by lowering prices, improving products, and offering better service. That principle is why price fixing is illegal, and has been for over 130 years. **Section 1 of the Sherman Act** prohibits "every contract, combination ... or conspiracy, in restraint of trade," including one of the oldest tricks in the corporate playbook: competitors agreeing to fix prices.[185]

However, our century-old antitrust canon has struggled to keep pace with 21st-century technological change. The Sherman Act requires proof of agreement, and it is far easier to prove that executives shook hands on a price than to untangle a complex algorithm or assert that participation in a common platform is synonymous with an agreement to coordinate. That distinction has created a dangerous loophole: companies can use the same pricing software, feed it competitively sensitive data, and follow its recommendations while arguing that each company is still acting independently — the very argument that left the Las Vegas hotel guests without recourse.

In the wake of the RealPage litigation, several states and local jurisdictions, including **Minneapolis**, **Philadelphia**, and **San Francisco**, adopted new restrictions on algorithmic price fixing.[186] While these laws chip away at the gaping algorithmic loophole, piecemeal regulation is insufficient. Instead, Congress should set a clear national standard, refreshing the antitrust rulebook for the algorithmic age.

California's **Assembly Bill 325** provides a promising model.[187] The law explicitly **articulates** that existing antitrust protections extend to common pricing algorithms.[188] Specifically, it is unlawful "to use or distribute a common pricing algorithm if the person coerces another person to set or adopt a recommended price or commercial term recommended by the common pricing algorithm." Congress should go further, establishing that the sale and/or use of common algorithms intended to allow companies to coordinate their behavior is indistinguishable from traditional price-fixing. This approach is popular: **roughly 60%** of Americans support banning competing companies from setting their prices using shared pricing software.[189]

Conclusion

Six decades after Kennedy laid out his four rights, the market has changed almost beyond recognition — but the instinct that drove Florence Kelley, Fanny Levy, and the savers who dumped their big banks in 2011 hasn't. No consumer should be left to reverse-engineer a pricing algorithm, fight a chatbot for a refund they're owed, or navigate a maze of dark patterns just to cancel a subscription.

Consumers are painfully aware that the rules of the marketplace are not working in their favor, and they're hungry for commonsense protections. Two-thirds of Americans **support** passing the Shoppers' Bill of Rights — a clear mandate for action.[190] Some states are moving on their own, which is encouraging, but a patchwork of state laws just invites large companies to play whack-a-mole, fighting reforms one jurisdiction at a time, and leaving customers unprotected if they step across the street. Real accountability requires federal rules, not 50 different fights.

These 12 rights are hardly the last word. There is a strong case for adding many other protections to the list, such as the right not to be charged 30% interest on a credit card, or the right to know whether the customer service representative hassling you over a return is a bot or a human. The marketplace will also continue to shift under our feet — especially as AI is deployed at breakneck speed — and our consumer protections must keep up.

The larger point is steady. The basic social contract between shoppers and retailers has been eroded by new technologies and by newer, more brazen business methods of corporate profiteering. Shoppers turned picket lines into policy before, and they can do it again. It's time for policymakers to restore that basic bargain, to stop Americans — already squeezed by an affordability crisis — from being spied on and ripped off at every turn. A Shoppers' Bill of Rights, built for the age of digital commerce, is a good place to start.

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Endnotes

1 Chris Hoofnagle, "President Kennedy: Consumer Bill of Rights, March 15, 1962," Chris Hoofnagle (blog), UC Berkeley School of Law, **https://hoofnagle.berkeley.edu/2015/05/07/president-kennedy-consumer-bill-of-rights-march-15-1962/**.

2 Landon R. Y. Storrs, Civilizing Capitalism: The National Consumers' League, Women's Activism, and Labor Standards in the New Deal Era (The University of North Carolina Press, 2000).

3 "Jewish Women Protest Kosher Meat Prices on Lower East Side," This Week in History, Jewish Women's Archive, accessed September 11, 2026, **https://jwa.org/thisweek/may/15/1902/kosher-beef-boycott-of-1902**.

4 Emily E. LB. Twarog, Politics of the Pantry: Housewives, Food, and Consumer Protest in Twentieth-Century America (Oxford University Press, 2017), **https://global.oup.com/academic/product/politics-of-the-pantry-9780190685591?cc=us&lang=en&;** "Wallace Warned by Meat Strikers; Detroit Will Not Buy Until Prices Fall 20% and Packers Are Investigated, Women Say," New York Times, August 20, 1935, **https://www.nytimes.com/1935/08/20/archives/wallace-warned-by-meat-strikers-detroit-will-not-buy-until-prices.html**.

5 Fair Packaging and Labeling Act, 16 C.F.R. pt. 500 (2026), **https://www.ecfr.gov/current/title-16/part-500**.

6 "Truth in Lending," Office of the Comptroller of the Currency, accessed September 12, 2026, **https://www.occ.treas.gov/topics/consumers-and-communities/consumer-protection/truth-in-lending/index-truth-in-lending.html**.

7 United States Consumer Product Safety Commission, "CPSC Celebrates 50 Years of Making Consumer Safety our Mission," news release, March 15, 2022, **https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-Celebrates-50-Years-of-Making-Consumer-Safety-our-Mission**.

8 Larry Kirsch and Robert Mayer, Financial Justice: The People's Campaign to Stop Lender Abuse (Praeger, 2013), **https://bookshop.org/p/books/financial-justice-the-peoples-campaign-to-stop-lender-abuse-larry-kirsch/9053d930f5b612cb**.

9 Elizabeth Warren, "Unsafe at Any Rate," Democracy: A Journal of Ideas, no. 7, 2007, **https://democracyjournal.org/category/magazine/5/;** Chris Arnold, host, All Things Considered, podcast, "How The Consumer Financial Protection Bureau Came Into Creation," NPR, November 28, 2017, **https://www.npr.org/2017/11/28/567057893/how-the-consumer-financial-protection-bureau-came-into-creation;** "2025 Enforcement Lookback," Consumer Financial Protection Bureau, last modified May 28, 2026, **https://www.consumerfinance.gov/enforcement/2025-enforcement-lookback/**.

10 Kristen Christian, interview by Amy Goodman and Nermeen Shaikh, "Bank Transfer Day: Kristen Christian on How She Inspired Mass Exodus from Big Banks to Credit Unions," Democracy Now!, November 9, 2011, **https://www.democracynow.org/2011/11/9/bank_transfer_day_kristen_christian_on;** Susanna Kim, "Should You Join the Credit Union Boom?," ABC News, November 8, 2011, **https://abcnews.com/Business/WorldNews/credit-unions-54-percent-increase-membership-related-bank/story?id=14897356**.

11 Katie Wells et al., Same Cart, Different Price: Instacart's Price Experiments Cost Families at Checkout (Groundwork Collaborative, in partnership with Consumer Reports, 2025), **https://groundworkcollaborative.org/work/instacart/**.

12 Penelope Wang, "Protect Yourself From Hidden Fees," Consumer Reports, May 29, 2019, **https://www.consumerreports.org/money/fees-billing/protect-yourself-from-hidden-fees-a1096754265/**.

13 Ashlie D. Stevens, "The Food Delivery Bubble is Bursting — And Maybe That's Not a Bad Thing," Yahoo Finance, August 4, 2024, **https://finance.yahoo.com/news/food-delivery-bubble-bursting-maybe-180803384.html;** Kevin T. Dugan, "The Year Food-Delivery Prices Went Insane: Your Go-To Chipotle Order Cost Double? Blame the Apps," Intelligencer, December 26, 2023, **https://nymag.com/intelligencer/2023/12/food-delivery-apps-like-doordash-got-so-expensive-in-2023.html;** Mark Dent, "The Sneaky Economics of Ticketmaster," The Hustle, June 24, 2024, **https://thehustle.co/the-sneaky-economics-of-ticketmaster;** Minyvonne Burke, "Ticketmaster to Refund Some Fees After The Cure's Robert Smith Says He Was 'Sickened' By Prices," NBC News, March 17, 2023, **https://www.nbcnews.com/pop-culture/pop-culture-news/ticketmaster-refund-fees-cures-robert-smith-says-was-sickened-prices-rcna75422**.

14 Tom Blake , Sarah Moshary, Kane Sweeney, and Steve Tadelis, "Price Salience and Product Choice," Marketing Science 40, no. 4 (2021): 619–636, **https://faculty.haas.berkeley.edu/stadelis/AIP.pdf**.

15 Kevin Robillard, "The Hidden Fees Joe Biden Wants To Eliminate Hit The Poor The Hardest," HuffPost, February 8, 2023, **https://www.huffpost.com/entry/joe-biden-junk-fees-banks_n_63e2ea84e4b0c2b49ae66067**.

16 Paul Heidhues et al., "Exploitative Innovation," American Economic Journal: Microeconomics 8, no. 1 (2016): 1–23, **https://www.aeaweb.org/articles?id=10.1257/mic.20140138**.

17 2025 Yearbook of Ancillary Revenue (for 2024 Financial Year) (IdeaWorksCompany, 2025), **https://ideaworkscompany.com/store/2025-yearbook-of-ancillary-revenue-for-2024-financial-year/;** Staff of S. Permanent Subcomm. on Investigations, Comm. on Homeland Sec. & Governmental Affairs, 118th Cong., The Sky's the Limit: The Rise of Junk Fees in American Travel (Majority Staff Report, Sen. Richard Blumenthal, Chairman, 2024), **https://www.hsgac.senate.gov/wp-content/uploads/2024.11.25-Majority-Staff-Report-The-Skys-the-Limit-The-Rise-of-Junk-Fees-in-American-Travel-1.pdf**.

18 Alison Sider, "U.S. Airlines Collected More Than $12 Billion From Seat Fees," Wall Street Journal, November 26, 2024, **https://www.wsj.com/business/airlines/u-s-airlines-collected-more-than-12-billion-from-seat-fees-78dccca0**.

19 2025 Yearbook of Ancillary Revenue, IdeaWorksCompany.

20 Elaine Glusac, "How to Spot Those Pesky (and Expensive) Lodging Fees," The New York Times, updated December 30, 2021, **https://www.nytimes.com/2021/12/28/travel/lodging-fees.html**.

21 Jonathan Schwantes and Michael McCauley, "Consumer Reports Investigation Finds Cable Company-Imposed Fees Add Nearly $450 to Customer Bills Each Year," Consumer Reports, news release, October 3, 2019, **https://advocacy.consumerreports.org/press_release/consumer-reports-investigation-finds-cable-company-imposed-fees-add-nearly-450-to-customer-bills-each-year/**.

22 Federal Trade Commission, "Federal Trade Commission Announces Bipartisan Rule Banning Junk Ticket and Hotel Fees," news release, December 17, 2024, **https://www.ftc.gov/news-events/news/press-releases/2024/12/federal-trade-commission-announces-bipartisan-rule-banning-junk-ticket-hotel-fees**.

23 Blue Rose Research, Shoppers Bill of Rights: Policy Support Topline (Groundwork Collaborative, 2026), **https://groundworkcollaborative.org/wp-content/uploads/2026/09/Groundwork-BRR-SBOR-Polling-Toplines.pdf**.

24 Federal Trade Commission, "FTC Rule on Unfair or Deceptive Fees to Take Effect on May 12, 2025" news release, May 5, 2025, **https://www.ftc.gov/news-events/news/press-releases/2025/05/ftc-rule-unfair-or-deceptive-fees-take-effect-may-12-2025**.

25 Rule on Unfair or Deceptive Rental Housing Fee Practices, 91 Fed. Reg. 12325 (proposed March, 13, 2026), **https://www.federalregister.gov/documents/2026/03/13/2026-04907/rule-on-unfair-or-deceptive-rental-housing-fee-practices;** Sixteen State Attorneys General, Comment Letter Regarding Food Delivery Fees ANPRM (May 18, 2026), **https://ncdoj.gov/wp-content/uploads/2026/05/State-AG-Comment-Letter-re-FTC-ANPRM.pdf;** "SB 478 - Hidden Fees," California Department of Justice, Office of the Attorney General, May 8, 2024, **https://oag.ca.gov/hiddenfees;** Office of the Minnesota Attorney General, "Frequently Asked Questions About Minnesota's New Price Transparency Law," revised April 2025, **https://www.ag.state.mn.us/Price-Transparency/PriceTransparencyLaw_FAQ.pdf;** Massachusetts Office of the Attorney General, "AG Campbell Releases 'Junk Fee' Regulations To Help Consumers Avoid Unnecessary Costs," news release, March 3, 2025, **https://www.mass.gov/news/ag-campbell-releases-junk-fee-regulations-to-help-consumers-avoid-unnecessary-costs;** Tamara Chuang, "What's Working: The Fees Colorado Consumers Still Face After 'Junk Fee' Law Has Taken Effect," The Colorado Sun, January 17, 2026, **https://coloradosun.com/2026/01/17/junk-fees-colorado-consumer-protection-tickets-rents-prices/;** Jay Speer, "Surprise! Virginia Outlaws Surprise Junk

Fees on July 1st," Virginia Policy Law Center, June 16, 2025, **https://www.vplc.org/news/surprise-virginia-outlaws-surprise-junk-fees-on-july-1st/**.

26 Meilin Tompkins, "Study: Screen Time For American Adults Has Increased By Over 60%," WCNC Charlotte, March 21, 2024, **https://www.wcnc.com/article/money/personal-finance/get-ahead/screen-time-adult-american-computer-ipad-iphone/275-a25c887b-f586-4bc7-bb1d-05eccdfce111;** Andrew Perrin and Sara Atske, "About Three-in-Ten U.S. Adults Say They Are 'Almost Constantly' Online," Pew Research Center, revised March 26, 2021, **https://www.pewresearch.org/short-reads/2021/03/26/about-three-in-ten-u-s-adults-say-they-are-almost-constantly-online/**.

27 Lindsay Owens and David Dayen, "The Age of Recoupment," The American Prospect, June 3, 2024, **https://prospect.org/2024/06/03/2024-06-03-age-of-recoupment/**.

28 Ted Reed, "Airline Pricing Systems Are 'Ancient.' Here's How AI Can Help," Forbes, August 21, 2024, **https://www.forbes.com/sites/tedreed/2024/08/21/airline-pricing-systems-are-ancient-heres-how-ai-can-help/**.

29 AnnaMarie Houlis, "Delta CEO Ed Bastian Says AI Could Boost Profits By 50% As Airline Tests AI-Set Fares on 3% of Tickets," Yahoo Finance, August 24, 2026, **https://finance.yahoo.com/technology/ai/articles/delta-ceo-ed-bastian-says-160000381.html**.

30 Samuel A.A. Levine and Stephanie T. Nguyen, "The Loyalty Trap: How Loyalty Programs Hook Us with Deals, Hack our Brains, and Hike Our Prices" (Vanderbilt Policy Accelerator, in partnership with the UC Berkeley Center for Consumer Law & Economic Justice, 2025), **https://cdn.vanderbilt.edu/vu-URL/wp-content/uploads/sites/412/2025/10/17195957/The-Loyalty-Trap.pdf**.

31 Reece Rogers, "McDonald's Built a 515-Page Dossier on Me. It Says I'll Never Stop Eating There," Wired, August 12, 2026, **https://www.wired.com/story/mcdonalds-built-a-515-page-dossier-on-me-it-says-ill-never-leave/**.

32 Derek Kravitz, "Inside Kroger's Secret Shopper Profiles: Why You May Be Paying More Than Your Neighbors," Consumer Reports, May 21, 2025, **https://www.consumerreports.org/money/questionable-business-practices/kroger-secret-grocery-shopper-loyalty-profiles-unfair-a1011215563/**.

33 Vice, "Uber Accused of Charging People More If Their Phone Battery Is Low," April 11, 2023, **https://www.vice.com/en/article/uber-surge-pricing-phone-battery/;** Julia Angwin et al., "The Tiger Mom Tax: Asians Are Nearly Twice as Likely to Get a Higher Price from Princeton Review," ProPublica, September 1, 2015, **https://www.propublica.org/article/asians-nearly-twice-as-likely-to-get-higher-price-from-princeton-review**.

34 Farm Action, "Grocery Retail: The Last Link in the Monopoly Chain," November 18, 2025, **https://farmaction.us/grocery-retail-the-last-link-in-the-monopoly-chain/;** Michal Kaczmarski, "Uber vs. Lyft: Who's Tops in the Battle of U.S. Rideshare Companies," Data Points

(blog), Bloomberg Second Measure, April 15, 2024, **https://secondmeasure.com/datapoints/rideshare-industry-overview/**.

35 Gustavo Grullon et al., "Are US Industries Becoming More Concentrated?," Forthcoming, Review of Finance, SSRN, revised September 11 2019, **http://dx.doi.org/10.2139/ssrn.2612047**.

36 Groundwork Collaborative, "Strong Majority of Americans Want Corporations to End Deceptive Surveillance Pricing Schemes," May 21, 2026, **https://groundworkcollaborative.org/news/strong-majority-of-americans-want-corporations-to-end-deceptive-surveillance-pricing-schemes/**.

37 Blue Rose Research, Shoppers Bill of Rights.

38 Office of Congressman Greg Casar, "NEWS: Congressman Greg Casar Introduces New 'Stop AI Price Gouging and Wage Fixing Act,'" news release, July 23, 2025, **https://casar.house.gov/media/press-releases/news-congressman-greg-casar-introduces-new-stop-ai-price-gouging-and-wage;** David Dayen, "First-Ever Ban on Surveillance Pricing Introduced in Congress," The American Prospect, July 23, 2025, **https://prospect.org/2025/07/23/2025-07-23-first-ever-ban-surveillance-pricing-congress-greg-casar/;** One Fair Price Act of 2025, S.3387, 119th Cong. (2025).

39 S.B. 8623A, New York State Senate, 2025-2026 Legislative Session (NY. 2025), **https://www.nysenate.gov/legislation/bills/2025/S8623/amendment/A**.

40 AI Laws By State, "Surveillance Pricing Laws By State," verified April 2026, **https://www.ailawsbystate.com/tools/surveillance-pricing-tracker;** Lindsey Tonsager et al., "State Lawmakers Introduce New Wave of Personalized Algorithmic Pricing Bills," Inside Privacy (blog), Covington & Burling LLP, March 26, 2026, **https://www.insideprivacy.com/artificial-intelligence/state-lawmakers-introduce-new-wave-of-personalized-algorithmic-pricing-bills/**.

41 "The American Affordability Tracker," Urban Institute, data tool, updated April 2, 2026, **https://www.urban.org/data-tools/american-affordability-tracker**.

42 "How are prices determined?," Pricing, Uber, accessed September 12, 2026, **https://www.uber.com/nl/en/marketplace/pricing/;** Alex Pham, "Ticketmaster to Roll Out 'Dynamic Pricing,'" Los Angeles Times, April 19, 2011, **https://www.latimes.com/business/la-xpm-2011-apr-19-la-fi-ct-live-nation-20110419-story.html**.

43 David Danzis, "Surge Pricing: Why Strip Casinos Change the Prices of Water, Sunscreen, Beer and More," Las Vegas Review-Journal, August 29, 2025, **https://www.reviewjournal.com/business/tourism/surge-pricing-why-strip-casinos-change-the-prices-of-water-sunscreen-beer-and-more-3431543/**.

44 Lola Fadulu, "'Dynamic Pricing' for Burgers and Shakes? Wendy's Will Give It a Whirl.," The New York Times, February 27, 2024, **https://www.nytimes.com/2024/02/27/business/**

wendys-prices-inflation.html.

45 Kevin Williams, "Walmart Digital Price Labels Are Coming to Every Store Shelf in U.S. By End of 2026," CNBC, March 21, 2026, **https://www.cnbc.com/2026/03/21/walmart-digital-price-tags-will-be-in-every-us-store-by-end-of-2026.html;** Elizabeth Warren and Robert P. Casey Jr., letter to Rodney McMullen, chairman and CEO, The Kroger Co., August 5, 2024, **https://www.warren.senate.gov/wp-content/uploads/media/doc/warren_casey_letter_to_kroger_re_electronic_shelving_and_price_gouging.pdf;** Lola Murti, "A Supermarket Trip May Soon Look Different, Thanks to Electronic Shelf Labels," NPR, June 19, 2024, **https://www.npr.org/2024/06/17/nx-s1-5009271/electronic-shelf-labels-prices-walmart-grocery-store**.

46 Gartner, "Gartner Marketing Survey Finds 68% of Consumers Report They Feel Taken Advantage of When Brands Use Dynamic Pricing," news release, December 16, 2024, **https://www.gartner.com/en/newsroom/press-releases/2024-12-16-gartner-marketing-survey-finds-68-percent-of-consumers-report-they-feel-taken-advantage-of-when-brands-use-dynamic-pricing**.

47 Daniel Kahneman et al., "Fairness and the Assumptions of Economics," The Journal of Business 59, no. 4, part 2: The Behavioral Foundations of Economic Theory (1986): S285-300, **https://www.jstor.org/stable/2352761**.

48 Blue Rose Research, Shoppers Bill of Rights.

49 James Robinson and Binyamin Appelbaum, "Goodbye, Price Tags. Hello, Dynamic Pricing.," The New York Times, November 28, 2025, **https://www.nytimes.com/video/opinion/100000010545598/dynamic-pricing-algorithms.html**.

50 Marguerite Rigoglioso, "The Surprising Impact of Grocery Circulars," Insights (blog), Graduate School of Business, Stanford University, August 1, 2006, **https://www.gsb.stanford.edu/insights/surprising-impac-grocery-circulars**.

51 H.B. 0895, 2026 Gen. Assemb. (Md. 2026), **https://mgaleg.maryland.gov/mgawebsite/;** Int. 892, N.Y. City Council, 2026-2029 Leg. Sess. (N.Y. 2026), **https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=8027969&GUID=0B7A3325-BD72-4D10-9722-3F48C4E59C52&Options=&Search=**.

52 Oat Rungkamol, "Fabletics and Its Dark Patterns," Medium (blog), June 7, 2019, **https://medium.com/@rungkamol.g/fabletics-and-its-dark-patterns-3a2237dc3d12**.

53 Gary Guthrie, "Consumers Detail Problems with Planet Fitness Cancellation Policies," Consumer Affairs, May 10, 2022, **https://www.consumeraffairs.com/news/consumers-detail-problems-with-planet-fitness-cancellation-policies-051022.html/**.

54 Elie Ofek and Amy Konary, "Subscription Models: Recurring Revenues for Lasting Growth," Harvard Business School Background Note 523-113, revised August 2023, **https://www.hbs.edu/faculty/Pages/item.aspx?num=64200;** Jay Fitzgerald, "With Subscription Fatigue Setting In, Companies Need to Think Hard About Fees," Working Knowledge (blog),

Harvard Business School, October 17, 2023, **https://www.library.hbs.edu/working-knowledge/with-subscription-fatigue-setting-in-companies-need-to-think-hard-about-fees**.

55 Jamie Luguri and Lior Jacob Strahilevitz, "Shining a Light on Dark Patterns," Journal of Legal Analysis 13, no. 1 (2021): 43–109, **https://academic.oup.com/jla/article/13/1/43/6180579**.

56 Better Business Bureau, "Scam Report No. 1170995 (Eloria Beauty)," BBB Scam Tracker, January 20, 2026, **https://www.bbb.org/scamtracker/lookupscam/1170995**.

57 Jason Mikula (@mikulaja), "New story in @Bloomberg on Synapse today. Crazy to me that Evolve is still trying to blame Synapse like this, given Synapse was a third-party service provider Evolve engaged & was ultimately responsible for overseeing:," X, April 10, 2025, **https://x.com/stmdc/status/1910383277124313479./**.

58 Dashia Milden, "US Adults Are Throwing Away Over $250 a Year on Unused Subscriptions, CNET Finds," CNET, July 6, 2026, **https://www.cnet.com/tech/services-and-software/subscription-survey-2026/;** Federal Trade Commission, "Free Trials Can Cost You," video, Consumer Advice, accessed September 12, 2026, **https://consumer.ftc.gov/media/79876**.

59 Better Business Bureau, "Subscription Traps and Deceptive Free Trials Scam Millions with Misleading Ads and Fake Celebrity Endorsements," study, December 2018, **https://www.bbb.org/all/scamstudies/free_trial_scams/free_trial_scams_full_study**.

60 Deborah Lynn Blumberg, "Auto-Renew Snags New Subscribers — But It's Not a Good Way to Keep Them," Insights (blog), Graduate School of Business, Stanford University, March 1, 2023, **https://www.gsb.stanford.edu/insights/auto-renew-snags-new-subscribers-its-not-good-way-keep-them**.

61 Federal Trade Commission, "FTC Takes Action Against Uber for Deceptive Billing and Cancellation Practices," news release, April 21, 2025, **https://www.ftc.gov/news-events/news/press-releases/2025/04/ftc-takes-action-against-uber-deceptive-billing-cancellation-practices**.

62 Emma Roth, "Judge Rules SiriusXM's Annoying Cancellation Process is Illegal," The Verge, November 22, 2024, **https://www.theverge.com/2024/11/22/24303294/sirius-xm-cancellation-process-illegal-ny-ag**.

63 "Adobe Subscription and Cancellation Terms," Adobe, effective August 1, 2026, **https://www.adobe.com/legal/subscription-terms.html;** Federal Trade Commission, "FTC Takes Action Against Adobe and Executives for Hiding Fees, Preventing Consumers from Easily Cancelling Software Subscriptions," news release, June 17, 2024, **https://www.ftc.gov/news-events/news/press-releases/2024/06/ftc-takes-action-against-adobe-executives-hiding-fees-preventing-consumers-easily-cancelling;**

64 Krysten Crawford, "Gauging the 'Subscription Economy' Boon to Companies," Institute for Economic Policy Research, Stanford University, August 15, 2023, **https://siepr.stanford.**

edu/news/gauging-subscription-economy-boon-companies.

65 Milden, "US Adults Are Throwing Away Over $250 a Year on Unused Subscriptions."

66 Blue Rose Research, Shoppers Bill of Rights.

67 Jody Godoy, "US 'Click to Cancel' Rule Blocked By Appeals Court," Reuters, July 8, 2025, **https://www.reuters.com/legal/legalindustry/us-click-cancel-rule-blocked-by-appeals-court-2025-07-08/**.

68 "NYC's 'Click to Cancel' Rule Goes Live This Fall," City of New York, accessed September 12, 2026, **https://www.nyc.gov/main/click-to-cancel**.

69 "Apple Service and Repair for iPhone," Apple Support, Apple, accessed September 12, 2026, **https://support.apple.com/iphone/repair?services=service/**.

70 Kay Kay Clapp, "Bit History: The Pentalobe," iFixit, April 21, 2018, **https://www.ifixit.com/News/9905/bit-history-the-pentalobe/;** Tripp Mickle et al., "You Paid $1,000 for an iPhone, but Apple Still Controls It," The New York Times, November 12, 2023, **https://www.nytimes.com/2023/11/12/technology/iphone-repair-apple-control.html**.

71 Nathan Proctor et al., "Investigation of Barriers to Appliance Service Information Access," PIRG, January 31, 2023, **https://pirg.org/resources/investigation-of-barriers-to-appliance-service-information-access/./;** Nixing the Fix: An FTC Report to Congress on Repair Restrictions (Federal Trade Commission, 2021), **https://www.ftc.gov/system/files/documents/reports/nixing-fix-ftc-report-congress-repair-restrictions/nixing_the_fix_report_final_5521_630pm-508_002.pdf**.

72 Bob Tita, "Deere Settled for $99 Million Over Repair Costs. Farmers Are Still Worried.," Wall Street Journal, April 19, 2026, **https://www.wsj.com/business/deere-settled-for-99-million-over-repair-costs-farmers-are-still-worried-4a9dfd34**.

73 Emmett Lindner, "John Deere Must Let Owners Repair Farm Equipment, Settlement Says," The New York Times, July 9, 2026, **https://www.nytimes.com/2026/07/09/business/john-deere-ftc-right-to-repair.html**.

74 Office of Senator Elizabeth Warren, "Warren Demands John Deere Explain 'Disgraceful' Attempts to Prevent Farmers from Repairing Their Own Equipment," news release, October 3, 2024, **https://www.warren.senate.gov/newsroom/press-releases/warren-demands-john-deere-explain-disgraceful-attempts-to-prevent-farmers-from-repairing-their-own-equipment/**.

75 Mickle et al., "You Paid $1,000 for an iPhone."

76 Nathan Proctor, Warranties in the Void (U.S. PIRG Education Fund, 2018), **https://publicinterestnetwork.org/wp-content/uploads/2018/10/Warranties-in-the-Void-U.S.-PIRG-Education-Fund-Oct2018.pdf**.

77 Kyle Wiens, "We Can't Let John Deere Destroy the Very Idea of Ownership," Wired, April 21, 2015, **https://www.wired.com/2015/04/dmca-ownership-john-deere/**.

78 Blue Rose Research, Shoppers Bill of Rights.

79 Karissa Bell, "A $2 Sticker Let Me Bypass the Meta Glasses' Anti-Creep Feature," Engadget, July 31, 2026, **https://www.engadget.com/2227710/a-dollar2-sticker-let-me-bypass-the-meta-glasses-anti-creep-feature/**.

80 "Directive on Repair of Goods," European Commission, June 13, 2024, **https://commission.europa.eu/law/law-topic/consumer-protection-law/directive-repair-goods_en;** Francisco López-Bermúdez and Xavier Vence, "A Critical Assessment of the European Directive Proposal on the Common Rules Promoting the Repair of Goods," Resources, Conservation and Recycling 212 (2025): **https://doi.org/10.1016/j.resconrec.2024.107996**.

81 Phineas Harper, "The EU's 'Right to Repair' Rule is Truly Radical – British Builders Should Copy It Wholesale," The Guardian, April 29, 2024, **https://www.theguardian.com/commentisfree/2024/apr/29/eu-right-to-repair-rule-british-builders-should-copy**.

82 Federal Trade Commission, "Policy Statement of the Federal Trade Commission on Repair Restrictions Imposed by Manufacturers and Sellers," policy statement, July 21, 2021, **https://www.ftc.gov/system/files/documents/public_statements/1592330/p194400repairrestrictionspolicystatement.pdf**.

83 An Act Protecting Motor Vehicle Owners and Small Businesses in Repairing Motor Vehicles, 2012 Mass. Acts 368 (codified as amended at Mass. Gen. Laws ch. 93J), **https://malegislature.gov/Laws/SessionLaws/Acts/2012/Chapter368/**.

84 Federal Trade Commission, "FTC, States Secure Settlement with Deere & Company, Advancing Farmers' Right to Repair," news release, July 8, 2026, **https://www.ftc.gov/news-events/news/press-releases/2026/07/ftc-states-secure-settlement-deere-company-advancing-farmers-right-repair**.

85 U.S. PIRG Education Fund, "Report: Fixing, Instead of Replacing, Devices Could Save Americans Nearly $50 Billion a Year," news release, April 4, 2023, **https://pirg.org/edfund/media-center/report-fixing-instead-of-replacing-devices-could-save-americans-nearly-50-billion-a-year/**.

86 Jared Kirui, "Robinhood Launches AI Agent Accounts for Automated Trading and Payments," Finance Magnates, May 27, 2026, **https://www.financemagnates.com/forex/robinhood-launches-ai-agent-accounts-for-automated-trading-and-payments/;** Yun Li, "Your AI Agent Can Now Trade For You on Robinhood and Buy Stuff With Your Credit Card Too," MSN, May 27, 2026, **https://www.msn.com/en-my/money/other/your-ai-agent-can-now-trade-for-you-on-robinhood-and-buy-stuff-with-your-credit-card-too/ar-AA24bPoI?ocid=finance-verthp-feeds**.

87 Adriana Lee, "Google Is Building Agentic Travel Booking, Plus Other Travel AI Updates,"

Skift, November 17, 2025, **https://skift.com/2025/11/17/google-is-building-agentic-travel-booking-plus-other-travel-ai-updates/;** Instacart, "Ordering Groceries With an AI Agent, Like OpenAI's Operator," Instacart Blog, Company Updates, January 23, 2025, **https://company.instacart.com/updates/ordering-groceries-with-an-ai-agent-like-openais-operator;** Andrew Welsch, "OpenAI Wants to Give Users Personal Finance Insights. It Could Change How They Manage Money.," Barron's, May 18, 2026, **https://www.barrons.com/advisor/articles/openai-wants-to-give-users-personal-finance-insights-it-could-change-how-they-manage-money-b180be25/;**

88 Deepa Mahajan et al., "The Automation Curve in Agentic Commerce," Insights on Artificial Intelligence (blog), Quantum Black, AI by McKinsey, January 28, 2026, **https://www.mckinsey.com/capabilities/quantumblack/our-insights/the-automation-curve-in-agentic-commerce**.

89 "Ads in Chat GPT," OpenAI, updated September 1, 2026, **https://help.openai.com/en/articles/20001047-ads-in-chatgpt/;** "Google Ads Highlights of 2025," New Features & Announcements, Google, December 8, 2025, **https://support.google.com/google-ads/answer/16756291?hl=en;** Addison J. Wu et al., "Ads in AI Chatbots? An Analysis of How Large Language Models Navigate Conflicts of Interest," arXiv, revised August 17, 2026, **https://arxiv.org/abs/2604.08525v3**.

90 Ben Stern, "Walmart CEO Reportedly Brags that Company's In-App AI Agent is Making People Spend 35% More Money," Yahoo Finance, April 4, 2026, **https://finance.yahoo.com/sectors/technology/articles/walmart-ceo-reportedly-brags-companys-030000384.html;** Amazon.com, Inc., "Amazon.com Announces Third Quarter Results," news release, October 30, 2025, **https://fortune.com/company-assets/1491/quartr/earnings-release-8-k-08b4f-2025-10-30-08-06-13.pdf**.

91 Zofia Zwieglinska, "Pandora is Betting on AI Agents to Scale Service and Emotional Selling During the Peak Holiday Season," Glossy, December 22, 2025, **https://www.glossy.co/fashion/pandora-is-betting-on-ai-agents-to-scale-service-and-emotional-selling-during-the-peak-holiday-season/;** Derek Cordon, "How SharkNinja Turned Product Unboxing Into a Guided AI Conversation," 360 Blog, Salesforce, May 19, 2026, **https://www.salesforce.com/blog/sharkninja-agentforce/;** Salesforce, "Holiday Season Rakes in Record $1.29T for Retailers, Salesforce Data Shows," News & Insights, January 8, 2026, **https://www.salesforce.com/news/stories/2025-holiday-shopping-data/**.

92 Blue Rose Research, Shoppers Bill of Rights.

93 Office of Senator Mark Warner, "Warner Unveils Discussion Draft of Legislation to Create Innovative Market for Secure Artificial Intelligence Agents," news release, June 29, 2026, **https://www.warner.senate.gov/newsroom/press-releases/warner-unveils-discussion-draft-of-legislation-to-create-innovative-market-for-secure-artificial-intelligence-agents/;** "The Digital Markets Act," European Commission, October 12, 2022, **https://digital-markets-act.ec.europa.eu/index_en**.

94 Kelsey Koberg, “Google CEO Admits He, Experts ‘Don’t Fully Understand’ How AI Works,” Fox News, April 17, 2023, **https://www.foxnews.com/media/google-ceo-admits-experts-dont-fully-understand-ai-works;** Dario Amodei, “The Urgency of Interpretability,” April 2025, **https://darioamodei.com/post/the-urgency-of-interpretability**.

95 Intersoft Consulting, “General Data Protection Regulation (GDPR) – Legal Text,” gdpr-info.eu, accessed September 12, 2026, **https://gdpr-info.eu/**.

96 U.S. Department of Justice, “1854. Copyright Infringement – First Sale Doctrine,” Criminal Resource Manual (archived), **https://www.justice.gov/archives/jm/criminal-resource-manual-1854-copyright-infringement-first-sale-doctrine**.

97 Capitol Records, LLC v. ReDigi Inc., 910 F.3d 649 (2d Cir. 2018), **https://law.justia.com/cases/federal/appellate-courts/ca2/16-2321/16-2321-2018-12-12.html**.

98 Will Gendron, “The Average Price of a Resale Ticket for the Eras Tour Was $3,801. That’s Up 2,321% From Taylor Swift’s Last Tour.,” Business Insider, August 12, 2023, **https://www.businessinsider.com/resale-price-taylor-swift-eras-tour-reputation-ticket-pitchfork-report-2023-8**.

99 U.S. Government Accountability Office, “What You Should Know About Event Ticketing,” WatchBlog: Following the Federal Dollar, May 30, 2018, **https://www.gao.gov/blog/2018/05/30/what-you-should-know-about-event-ticketing**.

100 New York State Office of the Attorney General, Obstructed View: What’s Blocking New Yorkers from Getting Tickets, January 28, 2016, **https://ag.ny.gov/sites/default/files/reports/Ticket_Sales_Report.pdf**.

101 Pascal Courty, “Some Economics of Ticket Resale,” Journal of Economic Perspectives 17, no. 2 (2003): 85-97, **https://pubs.aeaweb.org/doi/pdfplus/10.1257/089533003765888449**.

102 “Selling MLB tickets on SeatGeek: FAQs,” Seat Geek, accessed September 12, 2026, **https://support.seatgeek.com/hc/en-us/articles/13344286258195-Selling-MLB-tickets-on-SeatGeek-FAQs;** “StubHub’s Fees to Sell Tickets,” StubHub, accessed September 12, 2026, **https://support.stubhub.com/articles/61000276841-stubhubs-fees-to-sell-tickets**.

103 Federal Trade Commission, “FTC Sues Live Nation and Ticketmaster for Engaging in Illegal Ticket Resale Tactics and Deceiving Artists and Consumers about Price and Ticket Limits,” news release, September 18, 2025, **https://www.ftc.gov/news-events/news/press-releases/2025/09/ftc-sues-live-nation-ticketmaster-engaging-illegal-ticket-resale-tactics-deceiving-artists-consumers**.

104 Peter Verry, “Is Sneaker Resale Really in Decline? Exploring How Economic Shifts and Retail Oversupply Are Reshaping the Secondary Market,” Women’s Wear Daily, April 7, 2025, **https://wwd.com/footwear-news/shoe-industry-news/sneaker-resale-decline-shifts-oversupply-1237707525/**.

105 Bloomberg News and Takashi Mochizuki, "PlayStation 5 Scalpers Use Bots to Hunt Down Scarce Consoles," Chicago Tribune, updated December 17, 2020, **https://www.chicagotribune.com/2020/12/17/playstation-5-scalpers-use-bots-to-hunt-down-scarce-consoles/**.

106 Blue Rose Research, Shoppers Bill of Rights.

107 Krysta Escobar, "UK Government to Ban Above-Face Value Ticket Reselling," CNBC, November 18, 2025, **https://www.cnbc.com/2025/11/18/uk-government-ticket-resale-ban.html**.

108 Sophia Vesely, "Ticket Prices for 2026 World Cup Final Soar, Set Record," Sports Illustrated, July 17, 2026, **https://www.si.com/soccer/ticket-prices-2026-world-cup-final-soar-historic-record;** Henry Bushnell and Adam Crafton, "World Cup Ticket Resale Madness Begins As FIFA Takes Two 15% Fees On Each Sale," The Athletic, October 3, 2025, **https://www.nytimes.com/athletic/6685993/2025/10/03/world-cup-ticket-resale-fifa/**.

109 Case C-128/11, UsedSoft GmbH v. Oracle International Corp., 2012 E.C.R., **https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:62011CJ0128**.

110 Colo. Rev. Stat. § 6-1-718 (2025), **https://law.justia.com/codes/colorado/title-6/fair-trade-and-restraint-of-trade/article-1/part-7/section-6-1-718/;** Conn. Gen. Stat. ch. 946 (2025), **https://www.cga.ct.gov/current/pub/chap_946.htm**.

111 N.Y. Arts & Cult. Aff. Law § 25.30 (2026), **https://www.nysenate.gov/legislation/laws/ACA/25.30**.

112 Grullon et al., "Are US Industries Becoming More Concentrated?."

113 Farm Action, "Grocery Retail;" Clare Cho and Richard Volpe, U.S. Dep't of Agric., Econ. Rsch. Serv., Rep. Summary ERR-240, Independent Grocery Stores in the Changing Landscape of the U.S. Food Retail Industry (2017), **https://www.ers.usda.gov/media/7499/err-240-report-summary.pdf**.

114 Staff of H. Subcomm. on Antitrust, Com., & Admin. Law of the H. Comm. on the Judiciary, 117th Cong., Investigation of Competition in Digital Markets: Majority Staff Report and Recommendations (Comm. Print 2022).

115 Errol Schweizer, "How Walmart And Pepsico Rigged Prices And Supercharged Food Inflation," Forbes, December 18, 2025, **https://www.forbes.com/sites/errolschweizer/2025/12/18/how-walmart-and-pepsico-rigged-prices-and-supercharged-food-inflation/;** Class Action Complaint, Donovan et al. v. PepsiCo, Inc. et al., No. 7:25-cv-10571 (S.D.N.Y. Dec. 19, 2025).

116 Jay B. Sykes, Cong. Rsch. Serv., LSB11257, FTC Revives Enforcement of the Robinson-Patman Act (2025).

117 Danielle Antosz, “Why More Small Businesses Are Adding Credit Card Surcharges — And What It Means For Your Wallet,” Yahoo Finance, April 5, 2026, **http://finance.yahoo.com/economy/policy/articles/why-more-small-businesses-adding-090000469.html**.

118 Merchants Payments Coalition, “Credit and Debit Card ‘Swipe’ Fees Reach Record $198.25 Billion as President and Congress Call for Action,” news release, March 18, 2026, **https://merchantspaymentscoalition.com/credit-and-debit-card-swipe-fees-reach-record-19825-billion-president-and-congress-call-action**.

119 Daniel Hanley, “Controlling Buyer and Seller Power: Reviving Enforcement of the Robinson-Patman Act,” Hofstra Law Review, SSRN, revised March 31, 2024, **https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4648660#**.

120 Blue Rose Research, Shoppers Bill of Rights.

121 American Economic Liberties Project, “Senator Murphy’s Fair Prices for Local Businesses Act Would Revive Robinson-Patman Act, Curb Power Buyers,” news release, March 20, 2026, **https://www.economicliberties.us/press-release/senator-murphys-fair-prices-for-local-businesses-act-would-revive-robinson-patman-act-curb-power-buyers/**.

122 S. 4147, 119th Cong. (2026), **https://www.murphy.senate.gov/imo/media/doc/fair_prices_for_local_businesses_act_bill_text.pdf**.

123 Stacy Mitchell, “The Real Reason Your Groceries Are Getting So Expensive,” The New York Times, May 29, 2023, **https://www.nytimes.com/2023/05/29/opinion/inflation-groceries-pricing-walmart.html;** U.S. Bureau of the Census, Retail Trade, United States Summary, 1958 Census of Business, vol. 2 (U.S. Department of Commerce, 1958), **https://www.google.com/books/edition/1958_Census_of_Business/-gcOxJ3riJ0C?hl=en&gbpv=1&dq=census+1958+retail&printsec=frontcover**.

124 Institute for Local Self-Reliance, “The Case for Reviving Robinson-Patman Act,” fact sheet, August 2024, **https://ilsr.org/wp-content/uploads/2024/08/ILSR_2Page_Robinson-PatmanAct_Final.pdf**.

125 Stacy Mitchell and Katy Milani, “The Robinson-Patman Act: A Critical Tool for Fair Competition,” Institute for Local Self-Reliance, updated October 28, 2025, **https://ilsr.org/article/independent-business/the-case-for-reviving-the-robinson-patman-act/;** Stacy Mitchell, “ The Great Grocery Squeeze: How a Federal Policy Change in the 1980s Created the Modern Food Desert,” The Atlantic, December 1, 2024, **https://www.theatlantic.com/ideas/archive/2024/12/food-deserts-robinson-patman/680765/**.

126 Edgar (MrConsumer), “When the Chips Are Down(sized)…,” Mouse Print (blog), April 8, 2013, **https://www.mouseprint.org/2013/04/08/when-the-chips-are-downsized/**.

127 Jessica Dickler, “Affordability is a ‘Defining Challenge’ for Americans, With Food Costs Leading the Way, Report Finds,” CNBC, August 5, 2026, **https://www.cnbc.com/2026/08/05/affordability-grocery-prices.html;** Elizabeth Pancotti et al., “As Students

Head Back to School, Families Face 11% Price Hikes," Groundwork Collaborative, July 27, 2026,**https://groundworkcollaborative.org/work/as-students-head-back-to-school-families-face-11-price-hikes/**.

128 Fair Packaging and Labeling Act (2026); National Institute of Standards and Technology, "A Guide to U.S. Retail Pricing Laws and Regulations," Physical Measurement Laboratory, Office of Weights and Measures, U.S. Department of Commerce, updated July 31, 2024, **https://www.nist.gov/pml/owm/national-legal-metrology/us-retail-pricing-laws-and-regulations;** Consumer Reports, "Unit Price Labels Can Be Confusing," Yahoo Finance, April 30, 2025, **https://finance.yahoo.com/news/unit-price-labels-confusing-100000515.html**.

129 Consumer Reports, "Unit Price Labels Can Be Confusing."

130 Greg Rosalsky, "How to Fight Shrinkflation? Pay Attention to Unit Prices At Grocery Stores," KGOU, July 9, 2024, **https://www.kgou.org/business-and-economy/2024-07-09/how-to-fight-shrinkflation-pay-attention-to-unit-prices-at-grocery-stores**.

131 Lindsay Owens, "Big Profits in Small Packages," Groundwork Collaborative, March 6, 2024, **https://groundworkcollaborative.org/work/big-profits-in-small-packages/**.

132 Owens, "Big Profits in Small Packages."

133 Scott Horsley, "Inflation Soars to An Over 40-Year High. These Are the Ways Americans Are Coping," June 10, 2022, **https://www.npr.org/2022/06/10/1103995329/inflation-americans-spending-consumer-behavior-prices**.

134 Maggie Gunara, "71% of Americans Have Noticed Shrinkflation — Here Are the Products and Categories That Shrunk the Most," Lending Tree, September 30, 2024, **https://www.lendingtree.com/credit-cards/study/shrinkflation-report/**.

135 Anthony D. Miyazaki and David Eric Sprott, "Unit Prices on Retail Shelf Labels: An Assessment of Information Prominence," Journal of Retailing 76, no. 1 (2000):93-112, **https://www.researchgate.net/publication/222626710_Unit_prices_on_retail_shelf_labels_An_assessment_of_information_prominence**.

136 Blue Rose Research, Shoppers Bill of Rights.

137 National Institute of Standards and Technology, "Unit Pricing Guide: A Best Practice Approach to Unit Pricing," NIST Special Publication 1181, U.S. Department of Commerce, 2015, **https://www.nist.gov/system/files/documents/2017/04/28/SP1181-Unit-Pricing-Guide.pdf**.

138 Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on Consumer Protection in the Indication of the Prices of Products Offered to Consumers, 1988 O.J. (L 80), **https://eur-lex.europa.eu/eli/dir/1998/6/oj/eng**.

139 Anthony K. Tjan, "Four Lessons on Culture and Customer Service from Zappos CEO,

Tony Hsieh," Harvard Business Review, July 14, 2010, **https://hbr.org/2010/07/four-lessons-on-culture-and-cu**.

140 New York State Office of Governor Kathy Hochul, "During National Consumer Protection Week, Governor Hochul Announces $245.3 Million Recovered for New Yorkers in 2024," news release, March 3, 2025, **https://www.governor.ny.gov/news/during-national-consumer-protection-week-governor-hochul-announces-2453-million-recovered-new**.

141 Schorr, "Inside America's Return Habits: The 2025-2026 Consumer Report," The Schorr Blog, December 16, 2025, **https://www.shorr.com/resources/blog/consumer-report-return-habits/**.

142 Schorr, "Inside America's Return Habits."

143 National Retail Federation, "Consumers Expected to Return Nearly $850 Billion in Merchandise in 2025," news release, October 15, 2025, **https://nrf.com/media-center/press-releases/consumers-expected-to-return-nearly-850-billion-in-merchandise-in-2025**.

144 Eric Horng and Lissette Nuñez, "More Companies Charging Restocking Fees As Many Make Holiday Gift Returns | What To Know," ABC 7 Eyewitness News, December 26, 2025, **https://abc7chicago.com/post/more-companies-charging-restocking-fees-year-last-many-make-returns-christmas-2025-what-know/18320587/**.

145 "Returns and Exchanges," Best Buy, February 23, 2026, **https://www.bestbuy.com/site/help-topics/return-exchange-policy/pcmcat260800050014.c?id=pcmcat260800050014**.

146 Returns Happen 2023 (Happy Returns, 2023), **https://static1.squarespace.com/static/5e1c37cf9b245f360f07ee55/t/654a71110a5a9d26cf1c7d38/1699377434488/Happy-Returns_Returns-Happen-report_October-2023.pdf**.

147 National Retail Federation, "2025 Retail Returns Landscape," NRF Research, October 15, 2025, **https://nrf.com/research/2025-retail-returns-landscape**.

148 Chad Maisel and Neale Mahoney, Taking on the Annoyance Economy (Groundwork Collaborative, 2025), **https://groundworkcollaborative.org/work/taking-on-the-annoyance-economy/**.

149 Darren Heitner, "Showtime Sued For Mayweather Vs. McGregor Live Stream Problems," Forbes, August 29, 2017, **https://www.forbes.com/sites/darrenheitner/2017/08/29/showtime-sued-for-mayweather-vs-mcgregor-live-stream-problems/**.

150 Quarterly Retail E-Commerce Sales, CB26-133 (U.S. Census Bureau, August 18, 2026), **https://www.census.gov/retail/ecommerce.html**.

151 Jessica Dickler, "Returning Holiday Purchases is 'Part of the Overall Experience,' Analyst Says: How To Navigate Return Policies," CNBC, January 7, 2026, **https://www.cnbc.**

com/2026/01/07/return-policies-holiday-shopping.html.

152 National Retail Federation, "2025 Retail Returns Landscape.

153 Blue Rose Research, Shoppers Bill of Rights.

154 16 C.F.R § 429 (2026), **https://www.ecfr.gov/current/title-16/chapter-I/subchapter-D/part-429**.

155 New York State Office of Governor Kathy Hochul, "Governor Hochul Proposes New Laws to Protect Consumers and Keep Money in New Yorkers' Pockets," news release, January 14, 2025, **https://www.governor.ny.gov/news/governor-hochul-proposes-new-laws-protect-consumers-and-keep-money-new-yorkers-pockets**.

156 Suzanne Kapner and Paul Ziobro, "Amazon, Walmart Tell Consumers to Skip Returns of Unwanted Items.," Wall Street Journal, January 10, 2021, **https://www.wsj.com/business/retail/amazon-walmart-tell-consumers-to-skip-returns-of-unwanted-items-11610274600**.

157 "Guarantees and Warranties," European Consumer Centres Network, accessed September 12, 2026, **https://www.eccnet.eu/consumer-rights/what-are-my-consumer-rights/shopping-rights/guarantees-and-warranties**.

158 Maisel and Mahoney, Taking on the Annoyance Economy.

159 Christine Chung, "Automatic Refunds for Significant Flight Disruptions: New Airline Rule Goes Into Effect," The New York Times, updated November 1, 2024, **https://www.nytimes.com/2024/10/29/travel/airline-fees-refunds-dot-rules.html**.

160 Jeffrey Pfeffer et al., "Magnitude and Effects of 'Sludge' in Benefits Administration: How Health Insurance Hassles Burden Workers and Cost Employers," Academy of Management Discoveries 6, no. 3 (2020): **https://journals.aom.org/doi/10.5465/amd.2020.0063;** Maisel and Mahoney, Taking on the Annoyance Economy.

161 Penelope Wang, "Sick of Confusing Medical Bills?," Consumer Reports, August 1, 2018, **https://www.consumerreports.org/medical-billing/sick-of-confusing-medical-bills/**.

162 Ctrs. for Medicare & Medicaid Services, Pub 100-04 Medicare Claims Processing, Transmittal 2140, Change Req. 7270, CMS Manual System, January 21, 2011, **https://www.cms.gov/regulations-and-guidance/guidance/transmittals/downloads/r2140cp.pdf;** Fla. Code XXXVII § 627.6131, 2024 Florida Statutes (Including 2025C), Payment of Claims (2024), **https://www.flsenate.gov/Laws/statutes/2024/627.6131**.

163 Victoria Bailey, "Medical Bills Are Confusing for Nearly 40% of Adults, Survey Finds," Xtelligent, Tech Target, December 19, 2022, **https://www.techtarget.com/revcyclemanagement/news/366600568/Medical-Bills-Are-Confusing-for-Nearly-40-of-Adults-Survey-Finds**.

164 Dan Monk, "'They Wiped Me Out'" | Duke Energy Adopted New Billing Software in 2022.

It Made More Than 100,000 Mistakes," WCPO 9 News, updated August 27, 2024, **https://www.wcpo.com/news/local-news/i-team/they-wiped-me-out-duke-energy-adopted-new-billing-software-in-2022-it-made-more-than-100-000-mistakes**.

165 Ohio Rev. Code 49 § 4933, Correcting Residential Utility Billings (1996), **https://codes.ohio.gov/ohio-revised-code/section-4933.28**.

166 Mallory Sofastaii, "Drivers Sent Delayed E-ZPass Toll Violations Dating Back to Last Fall," WMAR 2 Baltimore, August 15, 2023, **https://www.wmar2news.com/matterformallory/drivers-sent-delayed-e-zpass-toll-violations-dating-back-to-last-fall/;** Mahsa Saeidi, "Simple E-ZPass Mistakes cost a Staten Island Man Thousands. Here's How to Fight the Fees and Fines.," CBS News, September 9, 2025, **https://www.cbsnews.com/newyork/news/e-zpass-unpaid-bills-unexpected-late-fees/;** American Federation of Teachers, "New Report Exposes More Than Five Million Student Loan Servicing Errors Hindering Public Service Loan Forgiveness," news release, October 13, 2020, **https://www.aft.org/press-release/new-report-exposes-more-five-million-student-loan-servicing-errors-hindering**.

167 AKASA, "Nearly 40% of Americans Confused by Medical Bills," news release, December 16, 2022, **https://akasa.com/press/nearly-40-of-americans-confused-by-medical-bills**.

168 Wang, "Sick of Confusing Medical Bills?"

169 Joanne Campbell et al., "Empowering Utility Customers Through Digital Tools Strengthens Trust," EY Americas, November 19, 2025, **https://www.ey.com/en_us/insights/power-utilities/customers-just-want-to-pay-their-utility-bills;** Advance Notice of Proposed Rulemaking Unfair or Deceptive Fees Trade Regulation Rulemaking, 87 Fed. Reg. 67413 (February 8, 2023) (16 CFR § 464), **https://advocacy.consumerreports.org/wp-content/uploads/2023/02/CR-Comment-for-FTC-re-Junk-Fees-02-23.pdf**.

170 Avni Gupta et al., "Unforeseen Health Care Bills and Coverage Denials by Health Insurers in the U.S.," The Commonwealth Fund, August 1, 2024, **https://www.commonwealthfund.org/publications/issue-briefs/2024/aug/unforeseen-health-care-bills-coverage-denials-by-insurers**.

171 Patricia Kelmar and Caroline Helms, "Progress For Patients Struggling With Medical Debt Collection Problems," U.S. PIRG Education Fund, November 22, 2024, **https://pirg.org/edfund/articles/progress-for-patients-struggling-with-medical-debt-collection-problems/#:~:text=According%20to%20the%20CFPB%2C%20over,have%20been%20covered%20by%20insurance**.

172 Jean Lee, "Medical Price Transparency: How Cost Confusion Delays Care," The Intake (blog), Tebra, updated February 2, 2026, **https://www.tebra.com/theintake/healthcare-reports/medical-price-transparency-survey**.

173 Lee, "Medical Price Transparency."

174 Blue Rose Research, Shoppers Bill of Rights.

175 Wash. Admin. Code 480-100-178, Billing Requirements and Payment Date (2020), **https://app.leg.wa.gov/wac/default.aspx?cite=480-100-178**.

176 18 C.F.R § 35.3 (2026), **https://www.ecfr.gov/current/title-18/chapter-I/subchapter-B/part-35/subpart-A/section-35.3**.

177 Gen. Assemb. 13 P.L. 72, no. 11 (Pa. 2012), **https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/66/00.013..HTM**.

178 Pa. Code 31 § 113.82 (1998), **https://www.pacodeandbulletin.gov/Display/pacode?file=%2Fsecure%2Fpacode%2Fdata%2F031%2Fchapter113%2Fs113.82.html&d=reduce;** Cal. H.S.C. § 1374.21 (2025), **https://law.justia.com/codes/california/code-hsc/division-2/chapter-2-2/article-5-5/section-1374-21/;** Va. Code § 38.2-3407.14 (1999), **https://law.lis.virginia.gov/vacode/title38.2/chapter34/section38.2-3407.14/**.

179 Office of California Attorney General Rob Bonta, "Naming Names: Attorney General Bonta Secures Public Access to Evidence in Amazon Price Fixing Case," news release, State of California Department of Justice, April 20, 2026, **https://oag.ca.gov/news/press-releases/naming-names-attorney-general-bonta-secures-public-access-evidence-amazon-price**.

180 George Joseph, "Emails Show Amazon Colluding With Other Firms to Raise Prices, California Authorities Allege," Guardian, April 20, 2026, **https://www.theguardian.com/us-news/ng-interactive/2026/apr/20/amazon-sellers-price-raises-california/**

181 Casciani, et al. v. Knowledge Support Systems, Inc., et al., No. 2:26-at-0104 (D. Cal. filed June 22, 2026), **https://assets.bwbx.io/documents/users/iqjWHBFdfxIU/rGMayJW1wH8g/v0**.

182 Jonathan Stempel, "BP, Marathon, 7-Eleven, Walmart Sued for Allegedly Using AI to Boost California Gas Prices," Reuters, June 22, 2026, **https://www.reuters.com/business/bp-marathon-7-eleven-walmart-sued-allegedly-using-ai-boost-california-gas-prices-2026-06-22/**.

183 U.S. Department of Justice, "Justice Department Sues RealPage for Algorithmic Pricing Scheme that Harms Millions of American Renters," news release (archived), August 23, 2024, **https://www.justice.gov/archives/opa/pr/justice-department-sues-realpage-algorithmic-pricing-scheme-harms-millions-american-renters;** The White House, "The Cost of Anticompetitive Pricing Algorithms in Rental Housing" (archived), December 17, 2024, **https://bidenwhitehouse.archives.gov/cea/written-materials/2024/12/17/the-cost-of-anticompetitive-pricing-algorithms-in-rental-housing/**.

184 Noelle Mateer, "FTC, DOJ Consider Hotel Price-Fixing Case," Dive Brief (blog), Hotel Dive,

April 3, 2024, **https://www.hoteldive.com/news/ftc-doj-hotel-price-fixing/712134//**

185 "15 U.S. Code § 1 - Trusts, etc., in restraint of trade illegal; penalty," LII Information Insti-

tute, Cornell Law School, accessed September 12, 2026, **https://www.law.cornell.edu/us-code/text/15/1/**

186 Maya Bell, "Minneapolis City Council Bans Rent Algorithms," The Minnesota Daily, April 1, 2025, **https://mndaily.com/city/minneapolis-city-council-bans-rent-algorithms/04/01/2025/adviser/;** Khara Garcia, "Councilmember O'Rourke's Algorithmic Rental Price-Fixing Ban Passes Council, Heads to Mayor Parker's Desk," news release, Philadelphia City Council, October 24, 2024, **https://phlcouncil.com/councilmember-orourkes-algorithmic-rental-price-fixing-ban-passes-council-heads-to-mayor-parkers-desk/;** Wendy Fry, "Landlords Are Using AI to Raise Rents — And California Cities Are Leading the Pushback," CalMatters, December 2, 2024, **https://calmatters.org/economy/technology/2024/12/california-lawmakers-want-to-ban-pricing-software/**.

187 A.B. 325, 2025–2026 Cal. Legis., Reg. Sess. (Ca. 2025), **https://legiscan.com/CA/text/AB325/id/3084704/**.

188 Lee Hepner, "California's Ban on Coercive Pricing Algorithms Has Massive Implications," The Economic Populist (blog), American Economic Liberties Project," October 21, 2025, **https://economicpopulist.substack.com/p/californias-ban-on-coercive-pricing**.

189 Blue Rose Research, Shoppers Bill of Rights.

190 Blue Rose Research, Shoppers Bill of Rights.