

The Business of Likes

Take a look at any website. Odds are somewhere on the page there will be a small little grayish-blue icon with a little thumbs up image next to the work, “like.” It seems harmless enough. While barely noticeable on some sites, it is almost certainly on the majority of pages today. This little icon has become a very important part of the marketing strategies of both major and minor corporations and companies. Individuals and artists are even finding this little icon an important part of their professional or amateur lives. Blogger Robert Gehl even goes so far as saying that if a company leaves a ‘like’ button off of their website, that they are at risk of having the new global and e-economy pass them by (Gehl, 2013).

Adam Bosworth, an engineer for Facebook has stated that these little buttons were originally designed to say, “Awesome.” It may never be known whether or not Facebook engineers and planners knew what this little button would have unleashed once they were revealed in February of 2009 (Kincaid 2009). Since then the buttons have found their way on websites ranging from churches to pornographic websites, from the President of the United States’ Facebook page to anti-government manifestos of homegrown terrorists. Even the United States State Department spent over \$630,000 on marketing and advertising campaigns meant to increase their number of “Likes” on Facebook (Zhang, 2013). While this little button has made an impression on most everyone surfing the net, it’s gone beyond just recommending a video, article or picture to friends and family. This button is starting to make or break careers, it’s finding itself at the heart of litigation and legal dilemmas, it has spawned a new industry that has begun receiving a lot of scrutiny, and sites like Facebook are spending a lot of time and money to ensure the legitimacy of these little button clicks.

With this little button making such an impact in not only our social lives, but the economy as a whole, the question arises, is it all worth it? Do these little buttons really have any impact on companies or people? If so, what are those impacts? If these buttons can create such an impact in people's lives, then certainly there must be someone out there trying to profit from this phenomena, other than those who are being "liked." Anything with such a socio-economical impact should be analyzed and researched, to find out not only the validity of such a craze, but also the pros and cons of such a craze.

What are likes?

These little "like" buttons are a way for people to let others know that they are a fan of a movie or TV show, enjoyed a news article, found a particular website useful or entertaining, or any other number of other possibilities. Since simply 'liking' a favorite book or news article is outside of any major economic impact, the focus of these "like" buttons should be on the aspect of advertising and marketing where those "likes" can potentially translate to actual dollars.

How can the act of simply "liking" a page or article become such an important aspect of marketing? The act of "liking" a page on Facebook can allow a user to add a company's posts to their news feed. This allows the company to have a direct link to their customers which allows them to keep their potential clients informed of new or existing products or any other news the company might want to make their fans aware of. This is a very influential and important aspect of the "like" button, but it goes deeper than that. These "likes" are also an endorsement of the company, product or service. These endorsements can, in turn, influence other consumer's buying habits. When a potential customer sees the number of "likes" one product has over

another, that customer may assume that more people are happier with the one product than they are the other. This creates larger profits for the company.

Artists are also finding the importance of “likes” in the professional side of their career. When being presented with potential recording contracts or jobs, producers, labels and studios are looking at the number of fans and “likes” artists have on not only their Facebook pages, but their Youtube channels and other social media pages. When an artist already has a built in audience and following, companies are more likely to bring them on board creative projects (Baker, Brison, Byon, 2013).

Increasing “likes”

Since these “likes” are turning clicks into dollars, the need to create these clicks is growing. How do companies increase their likes? As with anything in life, there is the right way, and there is the wrong way. While Facebook has a laundry list of restrictions regarding the promotions of “liking” pages, advertising, sweepstakes and contests are not illegal, so long as those policies and laws are abided by.

Companies and individuals will often try to increase their likes by offering people a coupon, discount, prize or other reward for “liking” or subscribing to their websites or Facebook pages. This act is called ‘like-gating.’ While this practice is not illegal or against Facebook policy all together, there are very strict guidelines that must be abided by in order to like-gate properly. Breaking these guidelines can result in account deletion from Facebook or even potential charges filed against the offender.

In order to abide by Facebook contest policies, the user must first make clear that Facebook is not a part of nor is associated in any way with the competition or “like-gating”

promotion. The contest, competition or promotion must be conducted on a third party application. The like-gating can not utilize the functions of Facebook, such as the “like” button, messaging or other features. The company must make clear that any information gathered for the contest is not shared with Facebook. When the winner of the contest, or the reward is given out, the winners or recipients can not be notified through Facebook services (Leaning, 2012).

So why does Facebook have such strict rules and policies for these types of promotions? They are in place not only to protect Facebook from litigation, but also to prevent them from being pulled into criminal action for violating federal and state contest and sweepstakes laws. Basically it is potentially illegal to create customer-only contests. Customer-only contests are sweepstakes or contests that are open only to current subscribers or customers of the brand or company holding the contest. If a company holds a customer-only contest, they must ensure that the participant was a customer of the company *before* the contest began. If Facebook were to take part or authorize and allow these contests then they would therefore be a part of the competition. With Facebook not permitting users to use their services they cannot be held liable or prosecuted for these competitions. If the platform of Facebook is required to enter the competition, then Facebook is the service or subscription that is being “sold” to a consumer after the contest has begun. Any contest or competition that awards people for “liking” something is illegal and against Facebook policy. Facebook actively deletes accounts of those who it finds breaking these policies and guidelines (Seligman, 2013).

So what kind of contests and sweepstakes are allowed? There is a simple equation to the legality of these contests. In order to be a legal sweepstakes, the winner must be selected by chance and participants must not be required to pay for a service or give any other consideration

in order to be entered. Even this can require an attorney to determine the definition of consideration as simply hitting a “like” button or filling out a short survey may not be considered a violation of this rule, but requiring text messages or longer format surveys *do* violate this rule. If the company hosting the sweepstakes uses one of these forms of entry, they must also allow a cost and effort-free method of entering the sweepstakes, as well (Seligman 2013).

Similar to sweepstakes is a contest, which can require entry fees or other considerations for entry. In this competition, chance can not play a part. Contests should always judge the winner based on skill. This kind of contest will often include film festivals and online judging competitions. When these contests take place online or are expected to be judged by the public another laundry list of requirements arises. When allowing the public to judge these contests, the question of whether or not judging is fair can arise. When larger numbers of entries are being judged by the public, the question also arises as to whether or not chance is taking part. With so many entries, it is questionable as to whether or not the public is actually viewing all the entries or not. Lawyers recommend that these contests have the company narrow down the field to a select few. The public then judges these entries (Seligman 2013).

In recent years, several online contests that judge web series, photographs, videos, or other creative endeavors have popped up. Often times these contests are judged by the public through “like” buttons. Some of these contests are making people’s careers while leaving other artists with nothing. “Likes” may show the popularity of certain videos but can these “likes” be expected to be legitimate? Due to the inability to accurately prove that “likes” are legitimate, these types of contests are often against Facebook Policy, if not outright illegal.

Buying Likes

Why is the legitimacy of these “likes” called into questions? The benefits of having a large numbers of “likes” are numerous. A company can gain more clients and customers by using “likes” as endorsements from other clients and customers, instilling confidence in new buyers. Artists like musicians and filmmakers can use contests to win awards, prizes and win popularity through these contests. It is obvious that there is a great desire, if not need, for some entities to have large “like” numbers, and where there is a need, there is almost always a market to deliver that need.

A quick Google search for ‘increasing likes’ will bring up countless companies that are offering “likes,” “views,” and, “followers,” for Facebook, YouTube and Twitter, among other social media sites. A person or company can now purchase 500 “likes” or 1,000 youTube “views” for as little as \$15. Larger numbers come with higher price tags, but overall, a company or artist can now achieve the number of “likes” they wish to have, so long as they are willing to pay the price tag associated with it.

These “pay-per-like” sites can often be scams, websites set up simply to get credit card information. The “legitimate” ones are often run out of third world countries and will actually deliver the promised “likes,” but the method they deliver on the promise is questionable. Typically the process begins with the establishment of fake accounts and profiles. These profiles are then used to “like” whatever is being paid for, sometimes through a human being but more often through bots, automatic programs designed to perform menial tasks. Some of these companies also write viruses and infectious codes into Facebook programs and apps that spread malware to the unsuspecting Facebook users that download these apps. One very deceptive way

of gaining “likes” is stealing them from highly popular companies. Fake articles about popular people or products are created but the “like” buttons are actually set to register the page that has been purchased, instead of the product, company or person the user thinks they are “liking.” Using fake “likes” in contests and promotions where the person buying these “likes” can be understandably frowned upon, but what if there is no competition or reward involved. Could it still be harmful, or could it be beneficial?

Buying Likes for a Business

There could be any number of reasons for companies, artists or even politicians to purchase these “likes.” Recently, in India, political activists accused the Chief Minister of purchasing “likes” when his Facebook page saw an increase of more than 100,000 in just one week, after having been stagnant for months. The Chief Minister says he is very popular and is says the “likes” are legitimate. Both sides are aggressively defending their views (Dutta 2013). Even closer to home, in Corpus Christi, a contest for the fan favorite Visitor’s and Convention Bureau’s video had a suspicious increase in “likes” on one video. Four videos were placed on the Visitors’ Bureau’s Facebook page and judged by fans of the page. While one entry had received over 1,200 “likes” in one night, the number of “views” of the video remained under 300, from the day before.

When it comes to contests and other promotions that could reward people for the most “likes,” purchasing “likes” may seem immoral and unethical, but when it comes to promoting one’s business, the line between right and wrong may seem a bit more blurred. After all, if a company is just starting off, their Facebook page may seem less professional with only a few

likes. Purchasing a few “likes” from one of these companies may seem helpful and worth the risk of finding a legitimate one.

Experience and study have shown that most companies or artists that use these services may see a short burst of popularity and increase in numbers, but that these numbers will eventually disappear. The very nature of the service, utilizing false accounts, malware or bots means the accounts will not last for very long. Facebook itself has begun an aggressive campaign to stop these fake “likes” by launching *Operation: Unlike*, a campaign to basically clean house and delete unused or obviously fake Facebook profiles. The profiles are used by these “pay-per-like” companies to increase people’s page “likes.” This ongoing process will continue to watch for suspicious bot and “liking” behavior and delete not only the fake user’s account but also watch carefully the account of the person being “liked.” In cases like this, a company or artist may have a number of legitimate fans but can lose all of them in the blink of an eye due to buying these fake “likes” (Constine 2012).

The most obvious pitfall to buying “likes” is that these are not really fans. The “likes” that have been purchased go nowhere. Any postings or promotions or news about the company or artist is falling on deaf ears. These Facebook users are only “liking” the page, they are not interacting with the company. This inactivity is one of many ways Facebook is able to distinguish between real and fake “likes.” Whether or not Facebook is aware of these fake “likes,” the company is still throwing their money away by using these fake “likes” for long-term success. While the page has several “likes,” none of the messages created by the account are being delivered (Copeland 2012).

The Future of Likes

With the potential to persuade consumers to buy product or to influence the careers of up and coming artists, these tiny little “like” buttons can become powerful tools in building tomorrow. Continued study should be applied to not only the legitimacy of the “like” buttons themselves, but the effectiveness and legitimacy of how they are used and whether they deliver what they are promised.

Laws are in place to help protect the consumer from companies taking advantage of them through illegal contests or sweepstakes, but companies are often left to their own devices to police people from creating fake “likes.” When these numbers are so meaningful to companies, their legitimacy is very important, but are these numbers actually that meaningful. Are these impressions actually making impressions? Or are they simply ignored and those numbers that are being racked up don’t actually equate to actual clicks or views?

The “like” button has become a very powerful tool and is instrument in allowing social media users to express their support of causes, recommend pages and articles to friends, and help vote for what they think is the best artistic endeavor. People are also figuring out methods to cheat those systems and turn a profit at the same time. Determining where the law goes from here requires the study of the legitimacy on both sides of the computer terminal. There will always be negatives to every beneficial technology that is invented. It is the responsibility of the users to defend themselves from the negatives while benefiting from the positives....”like” it, or not.

References

- Baker, Thomas A., Brison, N., Byon, K (2013). "Like It or Not...Coastal Contacts Case Sets Guidelines for "Like-Gating" on Facebook." *Sports Marketing Quarterly*, 22(2). 113-116
- Constine, J. (2012) "Operation Unlike is a Go." *Tech Crunch*.
- Copeland, D. (2012) "Why Buying Facebook likes Costs More Than Money." *Readwrite*.
- Dutta, S. (2013) "Rajasthan CM Ashik Gehlot 'buying Likes' on Facebook: BJP." *The Indian Express*.
- Gehl, Robert W. (2013) "A History of Like." *The New Inquiry*.
- Kincaid, Jason. (2009) "Facebook Activates "Like" Button." *Tech Crunch*.
- Leaning, B. (2012) "Everything You Need to Run a Successful Social Media Contest." *Hubspot*.
- Seligman, T. (2013) "Your chance to Win: Sweepstakes and Contests on Social Media." *The Computer and Internet Lawyer*, 30 (5) 113-116.
- Zhang, Moran. (2013) "US State Department Facebook "Likes": DOS Spent \$630,000 On Buying Fans." *International Business Times*.