

Would you like frie\$ with that?



**Thinking critically as a way to avoid legal
scams, save money and avoid a lifetime of debt.**

Price: 0 K

Jay Jericho

About the author

Jay is a scholar at the world's smallest school. He holds a Doctorate in Sociology from Sydney University. He fears that the crafters and players of the khaen may one day become the last wave masters of these ancient arts.

jay@thefreeschool.education

Vignette

I recall visiting the Adelaide Showgrounds with my older sister and one of my parents aged eight years old. One of my parents said to me “you don't have enough money left to buy that candy bag that you have chosen. You can lend a dollar from me and pay it back to me when you get your next allowance.” My natural instinct was to just say ‘no’ without thought, hesitation or regret.

Becoming a debtor is a personal matter. And Freedom of choice is a wonderful thing. I have never been in debt or felt enslaved. When work conditions have become oppressive with no hope of change, I have always offered a fair notice period and vacated the role with dignity. May every person experience this exhilarating feeling of true freedom at least one time in their life.

Please be critical of this book

This book uses theoretical examples that aim to reflect certain business practices that persist around the globe to varying degrees in certain contexts.

The Annex of this book offers web links that allows you to access a *random* set of real life adverts from multiple countries. This enables you to work with authentic material to determine what marketing messages, if any, you can detect.

No hidden agenda

The truth is free and so is this book. May humankind end unsustainable consumption, reckless spending, debt-slavery and realize world peace for all.

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Notification

Companies that are named in this book are sometimes the victims of scammers who exploit the platform that these company offer to provide a legitimate service. These companies are named for illustration purposes only. The companies that are named offer anti-scamming protections and issue public warnings about spam practices. You should familiarize yourself with these services.

The onus is on consumers to be alert. Please use your critical thinking skills to avoid the relatively small number of scammers that operate via these platforms.

Chapter one

Historical context

Personal, household, corporate and government debt are at record levels at the global, collective level. This is an objective economic fact (*e.g.* Mayeda, 2016). I shall leave it to the economists and others to debate the causes of this crisis.

In many cases, high personal debt levels can cause a person to live a slave-like existence. Many honest, hard-working persons feel unable to complain about oppressive work practices and unpaid work imposed on them by their employer as they fear losing their job and their home which is owned by a bank.

In many cases, debt stress is a result of reckless behavior by individuals. Pushy, manipulative tactics practiced by a minority of sales and marketing operators are not helpful and may cause and/or exacerbate problems caused by debt.

Most people who live in a permanent state of debt stress reside in so-called free countries such as Canada. I argue that it is time for all individuals and institutional leaders to take ownership of their finances and cease living beyond their means. This is merely my personal opinion. Ultimately, the choice is yours.

Freedom of thought

This book encourages the reader to become the best critical thinker that they can be - should you wish to become such a person. I have always enjoyed meeting empowered, independent people who have the confidence to think and act freely in every decision that they make.

This book is about legal and illegal scams perpetrated by marketers and sellers against consumers. It is the first book in a series. The second book in this series looks at ways in which some consumers may scam businesses.

Scams continue to fleece unsuspecting global consumers of billions of dollars annually. This number is difficult to measure as most business scams are not reported by victims. The cost of global scams could be in the hundreds of billions of dollars (Miles & Pyne, 2017).

The book aims to assist the reader to make informed consumer decisions. This knowledge may aid consumers to avoid legal and illegal scams and preserve their scarce financial resources.

I do not aim to influence your values, thoughts, and priorities. The observations that I discuss are my own opinions. The tips that I offer are merely suggestions.

There is enough brainwashing, mind-control and conditioning in the commercial arena without me adding to this toxic, oppressive situation.

References

Mayeda, A. (2016), *The IMF is worried about the world's \$152 trillion debt pile*, <<https://www.bloomberg.com/news/articles/2016-10-05/a-record-152-trillion-in-global-debt-unnerves-imf-officials>>. Accessed 1 May 2017.

Miles, S., & Pyne, D. (2017), The economics of scams, *Review of Law & Economics*, 13(1), pp. 1-18.



Chapter Two

Defining scams

The word 'scam' may mean different things to different people. Meaning is dependent on the context and the intention of the speaker or writer.

The word 'scam' may or may not refer to activity that is illegal. For example, the Random House Dictionary (2017) distinguishes between 'confidence games' scams and 'fraudulent' scams:

“Scam: a confidence game or other fraudulent scheme, especially for making a quick profit; swindle.”

A confident, overbearing salesperson is not necessarily acting unlawfully.

Illegal scams

The terms 'illegal scam' refers to business practices that violate the law. There are thousands of illegal scams. Pyramid schemes, also known as Ponzi schemes are among the infamous examples of illegal scams.

A contemporary example of illegal scams involves fake sellers engaging with

consumers via online commercial advertisement boards such as Craigslist, Gumtree, eBay or Amazon. The scammer may sell a product that does not exist and pocket the cash.

Rental scams are popular as they target the most vulnerable persons: the homeless, newly arrived migrants and young people who have moved out of home for the first time.

A popular rental scam requires the victim agrees to pay the scammer cash in advance via a third party agent such as MoneyGram or Western Union. The victim never receives access to the rental property as it never existed. They also cannot receive assistance from the police or courts because the victim may not know the address or true identity of the scammer. If the address of the Western Union or MoneyGram office is in another country, this may serve as a 'red flag' warning to be extra cautious about handing over your money.

Legal scams

The term 'legal scams' is recognized in the business community. For example:

Baldwin, W. (2009), 'Five legal scams',

<<https://www.forbes.com/forbes/2009/0202/008.html>>. Accessed 1 May 2017.

So-called 'legal scams' mostly relate to behavior that is lawful but unethical. An example is a salesperson encouraging a dark skinned person to buy a fake tanning product. The salesperson knows that this product will not show on this person's skin, yet they encourage the person to buy this product in the store in order to maximize their sales commission and the store's profits.

Legal scams, also known as 'business schemes' are the focus of this book. I identify two types of legal scams. The first type concerns misleading communications in advertising, product labelling and merchandizing. The second type of legal scam involves aggressive sales tactics

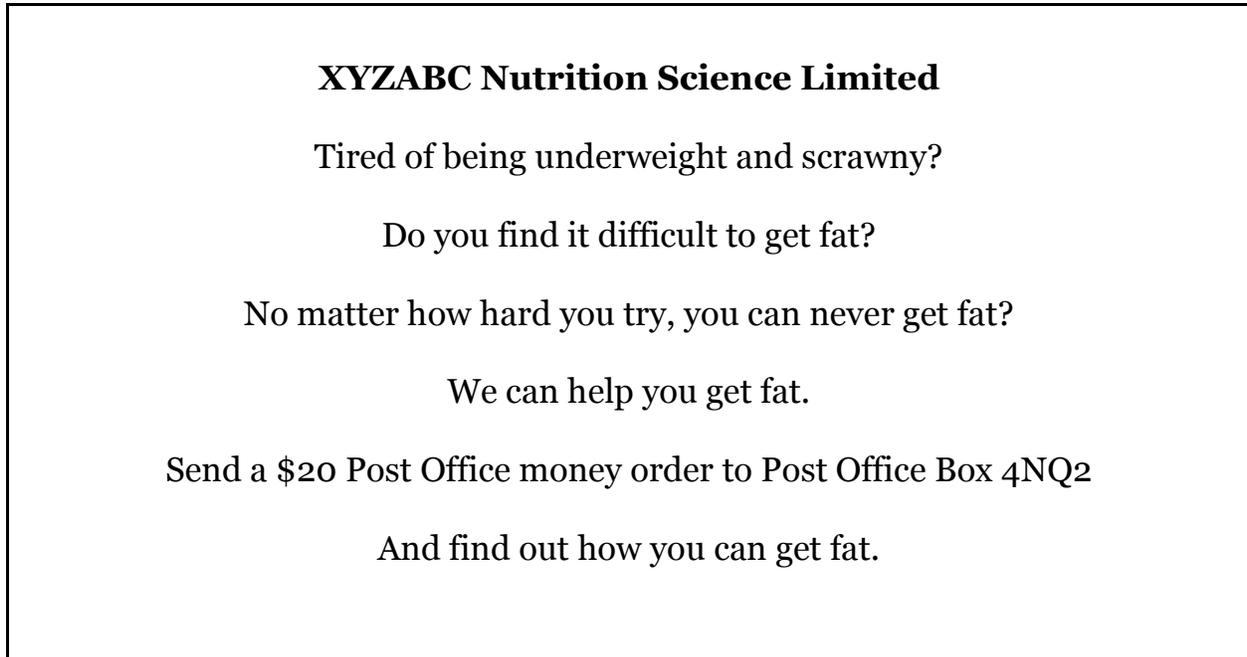
Misleading and deceptive conduct

Most legal scams involve misleading and deceptive conduct that stays within the bounds of imperfect laws.

Figure 1 shows an example of a scam that was popular prior to the Internet. During this era, it was more common for scammers to use Post Office boxes and collect checks and money orders. Nowadays most scammers favor the Internet and electronic payments because it is faster and more difficult for police to trace.

Figure 1

A popular scam prior to the Internet revolution



The victim sends \$20 to a postal box that is registered in a fake name. Shortly after, the victim receives a letter as follows.

“Dear Sir/Madam,

You can get fat from:

- The supermarket. Sometimes fat is called ‘cooking lard’.
- The butcher: fat is attached to most meats, especially bacon.
- Fast food outlets: all fried meat contains fat.

Yours sincerely,

Product Development Management

XYZABC Nutrition Science Limited”

Not all lies and misleading information are illegal or unlawful. If I state that my age is 39 on a dating site I have not broken any laws even though I am 39 years old.

If a business states on its website that it is 100 years older than its true age, this is not unlawful in many legal jurisdictions. This business has not misrepresented the quality, purpose and prices of its goods or services.

Table 1 classifies the three main types of misleading and deceptive business practices that may be lawful or unlawful, depending on the legal jurisdiction and the nature of the transaction.



Table 1

Misleading and deceptive business practices

Outlet	Description	Illustration example
Advertising	Occurs via popular communications media such as television, radio, newspapers, magazines, brochures, text messages and Internet web pages.	Door-to-door sales company XYZABC Roof Repairs Limited has the words “voted number 1 roof repairs company in Canada” on their salesperson’s shirts. This poll was conducted by a market research agency owned by the sales company. The research questions were designed to ensure that XYZABC was ranked number one. This detail is not disclosed publicly.
Product labelling	Occurs on the product.	A breakfast cereal package states “This product is 99.99% fat free” and places this message on the front of the box in very large bold red font. This product in fact contains 40% sugar. This practice is a scam. The manufacturer knows that most consumers who buy cereals aim to avoid high fat and high sugar content when they select the product. They are highlighting the truthful fact that this product is 99.9% fat free because they wish to distract consumers from noticing the very high sugar content.
Merchandizing	Occurs in the broader sales environment such as in a department store.	A department store installs distortion mirrors in their fitting rooms that are designed to make people look taller and slimmer in order to maximize sales.

Harassment and intimidation

There is no need to harass a person to do anything that they do not want to do. If a person's natural instinct is to avoid a purchase, then this suggests that they do not want/need that good or service or they cannot afford it.

Sales persons who harass their customers and potential customers are scammers. In certain jurisdictions they are also criminals.

Aggressive sales tactics are common. There are many pushy sales strategies used by scammers.

Table 2 summarizes common examples of pushy and manipulative sales tactics.



Table 2

Pushy and manipulative sales tactics

Technique	Example
Repeat calling	A sales agent tries to sell a product over the telephone. The potential customer firmly says 'no' to the offer. The sales agent calls back once a day, hoping that the person will eventually buy the product to avoid further harassment.
Fake expiry date offers	A sales agent attempts to make a sale but the potential customer is not sure if they are interested. The sales agent falsely claims that the price offered today is a 50% discount special offer that expires at 'close of business today' as a way to pressure a customer to make a purchase that they have not yet decided that they want, need or can afford.
Face-to-face intimidation	A sales agent walks through family restaurants and offers to sell children's toys to parents in front of their children. This ploy is purposeful. The sales agent knows that many parents will find it difficult to explain to their happy, smiling children that the product the sales agents has shown the family will not be purchased for them.
Emotional intimidation	A sales agent in a beauty department purposefully commences a discussion about a customer's acne even though the person has only asked for advice about lipstick. The sales agent wishes to lower the self-esteem of their client so that they may inquire about anti acne cream sold on the same counter.

Unethical minority

I suspect that most marketers and sales persons are ethical professionals. I have never measured this thesis. I am not aware that anyone has measured this claim at a global level.

Critical thinking

I argue that the onus is on you to think critically and be fair when you do so. May you decide for yourself which business practices clash with local laws, your values and budget.

The best way to be a critical thinker is to constantly question the motives of others. This arguably works best if you are subtle and give people the benefit-of-the-doubt to a certain degree.

Most commercial businesses aim to maximize their sales and profits. Most sales agents aim to maximize their commission and their salary. They may also aim for rapid promotion so that they can further increase their salary, commission and work benefits.

Charities

Please do not overestimate the altruistic motives of all charitable organizations. Some charities pay their collectors a commission of up to 50% of the donations that they collect. A common business model aims to harass people on the street and make them feel guilty for saying 'no' to a professional charity collector who earns a commission (*e.g.* Chung, 2016).

Some Executives on charitable boards are paid six or seven figure salary packages on an annual basis (*e.g.* Rhodan, 2017). Paying out millions of dollars in Executive salary packages ensures that the business records a zero surplus each year. This zero surplus outcome enables a rich organization to retain its status as a charitable organization.

Some charities pay as little as 20 cents in the dollar that they collect to the disadvantaged people that they claim to represent. The bulk of the funds collected are paid in administration costs, salaries, marketing, entertainment expenses and travel expenses.

Some institutions blatantly flout charity laws. They deceitfully work within the bounds of imperfect taxation laws to establish business empires that employ thousands of people across the globe in order to promote their brand. Some of

these charities exploit people from the poorest nations by charging them a large price to use their service.

Reference

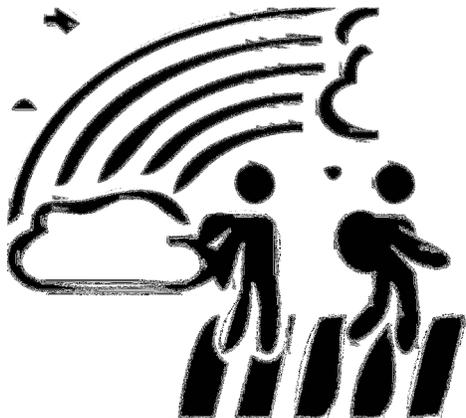
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Chapter Three

How sellers may manipulate consumers

This chapter offers an overview of marketing theory. It is easier to spot those who engage in scam business practices if you know how marketers and salespersons have been trained to think and act.

Marketing courses teach scholars about the five P's. These P's are:

- Price
- People
- Product
- Promotion
- Placement

Those who engage in unethical business practices cynically manipulate their knowledge of the five elements of marketing to their financial advantage.

Price

All goods and services sold by commercial entities have a price. If there is no price, then the good or service is a gift.

A gift is genuine only if:

- There are no expectations that you will spend any money or give your time to the provider in order to receive the gift;
- There are no secretive business practices that try to trick you into buying a good or service in order to receive a gift.

Many gifts provided by sellers are genuine offers that are provided in good faith. For example, a new coffee shop may offer a free coffee voucher on the street to all people who walk past their shop. This business is hoping that you like their coffee and that you will *freely choose* to become a paying customer in the future.

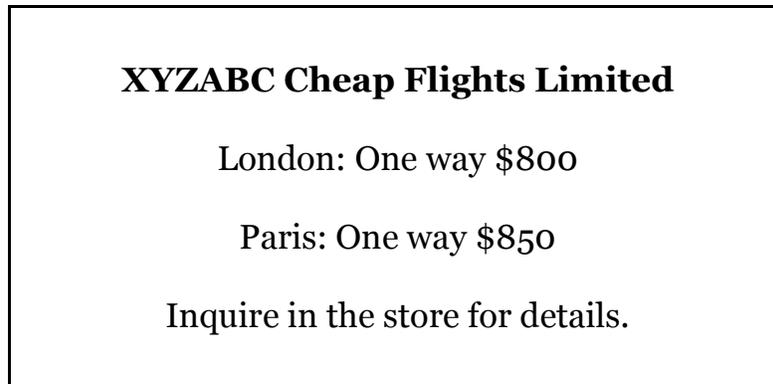
There are numerous pricing scams. A common example of a pricing scam involves the seller displaying a low fake price as a way to bring consumers into their store.

Some travel agents have an advertisement poster in their store similar to the illustration example shown in Figure 2.



Figure 2

Point of sale fake advertising



When a potential customer makes an inquiry inside the store, they are advised that the price shown in the window relates to one type of offer that has numerous terms and conditions. For example, they must depart on one specified time and day six months into the future. The customer is also advised that they probably cannot meet these conditions without being asked any questions by the sales agent to confirm this claim.

The sales agent may then advise the customer that the average price of all other flights to Paris and London is between \$1,200 and \$1,500 and they are available to help them purchase one of these flights today.

This advertisement is a scam if its sole objective is to draw customers into the store who otherwise would not have visited if they did not see that poster. Furthermore, it is a scam if the product that is advertised does not exist at that

price under any circumstances.

Sometimes the customer informs the sales agent that they are willing to meet all criteria required to purchase the \$800 or \$850 ticket. In response, the sales agent may offer a response such as “sorry we just sold the last ticket five minutes ago”. This customer may walk past that travel agency every day for the next few months and still see the same fake advertisement in the window.

People

Specialist marketing degree programs offer much instruction about human behavior. In some cases, the aim is to offer marketers and salespersons knowledge that can be used to manipulate people into buying goods or services that they do not want, do not need or cannot afford.

An example of the use of behavioral knowledge in business practice is when some bakeries use fans to extract the smell of their products onto the street. The aim of this practice is to condition the brains of those who walk past to believe that they are hungry and it is time for them to eat. This practice draws on the work of Pavlov’s dogs and the conditioning of the human mind to respond to recognizable stimuli.

An example of scam advertising is the use of subliminal messages to brainwash a person into buying a good or service that they do not want, do not need or cannot afford.

Some magazines aimed at teenagers purposefully aim to lower a teenager's self-esteem in order to promote a commercial product in a subtle manner. For example, they may publish an information article that does not examine scientific evidence. Such articles may discuss how teenagers who are obese are more likely to be single and unhappy. The editor may purposefully place adverts for online dating and slimming pills on the next few pages of the magazine.

As shown in figure 3 some magazines aimed at female teenagers and younger women aim to lower their readers' self-esteem. The goal is to promote the services and products of those who place commercial advertisements in their magazine.



Figure 3

Attacking a person's self-esteem

<p>Girlie girl magazine XYZABC</p> <p>Page 20</p> <p>Love advice by Barbie Foxx</p> <p>Lonely, fat and miserable?</p> <p>Are you tired of being alone, overweight and forever sad? There are so many single guys out there just waiting to date the new gorgeous slim you! <i>Etc ...</i></p>	<p>Girlie girl magazine XYZABC</p> <p>Page 22</p> <p>Advertisement 1</p> <p>Slimming pills: shed that fat girls!</p> <p>Advertisement 2</p> <p>Never Be Alone Again dating agency is waiting for your call. Ring now!</p>
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The editor may have calculated that a depressed reader with a lowered self-esteem is more likely to purchase these goods and services, especially if they are young and have not developed fully their critical thinking skills.

Product

Marketing involves the design and promotion of the product. All products are either a good or service.

Some goods are sold alongside a service. For example, some private dressmakers charge customers for their labor and for the material which the customer selects

from their catalogue.

Scammers use two main product manipulation methods to deceive consumers:

- Lie or exaggerate about the benefits that a product can offer.
- Design, present or promote the product in a way that distorts its true size, benefits or its visual appeal.

Some financial advisors use creative statistics to exaggerate the likely benefits that their clients may receive. For example, their marketing brochure may state that “last year, the total return on investments we achieved for client funds under our management was 25% after commissions”.



Figure 4 shows an example of how marketers may exaggerate the positive outcomes that consumers may realize from using their goods or services.

Figure 4

Product manipulation: exaggerating outcomes

XYZABC Financial Engineers & Wealth Creation Limited

Last year we increased the total value of our clients' stock portfolios by 25% after commissions.

This figure of 25% may be true. It also could be very misleading. For example, the marketing brochure may not explain this fact:

XYZABC Financial Engineers & Wealth Creation Limited: 2016 Accounts

- (a) Top 25% of clients: Positive returns (gain) 400%
- (b) Bottom 75% of clients: Negative returns (loss) 100%
- (a)+(b) Net return for all clients (gain) 25%

Some product marketers use misleading packaging to exaggerate the contents of their product. For example, some breakfast cereal boxes are around 50% empty. This design purposefully aims to distort a person's visual cognitive processing. In some cases, the only purpose of this cavity space is to deceive the consumer into

assuming that they will receive more product than is inside the box.

Placement

Those who sell goods and services require a point of sale. Sellers may choose one or more distribution points where consumers can engage with a good/service and a sales agent.

The main points of sale are:

- Retail stores
- Online sales
- Door-to-door sales
- Showrooms at the manufacturer's premises
- Sales in public spaces such as market fairs.

Some scammers strategically manipulate the point-of-sale as a way to lawfully deceive consumers.

Street sales are popular among those who sell inferior products that are not backed by a refund policy. Street sales are high-risk. You may not be able to trace the seller if you require a product exchange or a refund.

An example of an inferior product is perfume that smells like toilet deodorizer. Street vendors that sell inferior scents may package their perfume using high quality, expensive boxes that mimic designer labels. Such sellers normally do not stay on the street for more than a few minutes in one location. They tend to make much commotion to rapidly attract a large crowd. By the time the victim opens the box are realizes that they have been deceived, the scammer has fled the scene.

Promotion

Marketing promotions includes two main activities:

- Advertising
- Special offers

Advertising includes the communication of information about goods and services to consumers.

The term ‘special offer’ refers to short-term opportunities made available to consumers that may not be repeated in the future.

Figure 5 shows an example of a sales promotion.

Figure 5

An example of a promotion

XYZABC Easy Abs Limited

Our electronic devices can create abdominal muscles in your sleep.

Simply attach, turn on, go to sleep and let our machine do all the work*.

Two for one special offer.

Model EasyAbs123 is on offer at the price
of two for one until sold out.

Call now or miss out on this special offer!

** Scientific research and evidence is forthcoming*

Advertising occurs via public display media such as television and magazines. Other media that display advertising includes Internet web pages and outdoor advertisements on billboard signs.

Special offers are normally advertised. For example, a brochure that details a special offer may be placed inside your letter box. Some promotions are

communicated to consumers via other means such as verbal communications made by sales agents inside their store. The details of a promotion are sometimes attached to a product that the consumer has purchased.

Most scams discussed in this book appear in advertisements. Scammers need to find a way to reach their victims. Consumers should always critically analyze the messages that they are exposed to via commercial advertising. Some messages are true and some are not.

Some special offers are fake promotions. For example, some television infomercials repeatedly 'shout' at the viewer using fast speech and urgent words to excite their audiences.

Figure 6 provides an example of a fake special offer.



Figure 6

A fake special offer: television voice-over advertising

XYZABC Perfect White Teeth Paint Limited

“The first 100 callers will get a free gift.

You must act fast to the free gift!

Call now to get your free gift, do not delay.

Call NOW for your free gift - only the first 100 callers get the free gift”.

Call 1800-FREE-GIFT-FOR-YOU-NOW

It is common for every caller to get a free cheap gift for special offer scenarios such as those illustrated in figure 6. The sales team knows that most callers made within an hour of the infomercial are responding to the cheap free gift offer. The sales team will give all callers the gift if this is what it takes to make the sale.

The intention of the false reference to the first 100 callers is to create a sense of urgency among people who are not sure if they want/need to the good or service. The need to act decisively may cause a potential customer to ignore rational purchase criteria such as value-for-money and their personal budget.

Chapter Four

How sellers may target your personal weaknesses

Some persons who market commercial goods and services purposefully target the personal weaknesses of their intended audience. Some examples of these human traits may include: ego, sex (lust), fear, greed, guilt, shame (or embarrassment), vanity, laziness, jealousy, sickness, loneliness and lack of knowledge about specific business practices.

It is subjective and personal to classify these traits as human weaknesses. I shall leave it to the reader to draw their own conclusions.

Not all traits are automatically problematic. A person who leads a fulfilling, healthy life may occasionally opt to have a 'lazy' week lounging by their pool without negative consequences.

The fact that many marketers are trained to target human emotions is accepted as common knowledge by some scholars (*e.g.* Rick & Loewenstein, 2008).

Targeting a person's weaknesses as a marketing practice is normally not unlawful, *per se*. Moreover, many people do not mind that some marketers purposefully target their personal weaknesses.

It may be useful for you to constantly question if an advertisement that you see or hear aims to target your personal weaknesses.

This will enable you to ask yourself the following questions:

1. Am I considering buying this product only because the marketer has targeted my personal weaknesses and insecurities?
2. Do I really want/need this good/service?
3. Can I afford this good/service?

Sex

Using sex to sell a product is a classic stunt used by some marketers who lack skill and imagination. Using sex to sell a product or service is a scam if the marketer makes a false claim that a product they are promoting may enhance a person's sex appeal.

Some so-called 'pheromones' sprays sold in vending machines in men's toilets are scams. For example, some of these sprays makes claims on the machine and/or

the product such as “using this spray will drive women wild and make them lust after your body”.

In virtually all cases there is no credible scientific evidence cited to support such claims.

Fear

Using fear to sell products and services is a favorite technique used by some insurance salespersons as well as persons from other industries such as occupational health and safety. Such approaches are a scam if they seller exaggerates the dangers involved if you do not buy their good or service.

Figure 7 shows how some advertisers exaggerate the negative consequences that may happen to consumers who do not by their good or service.

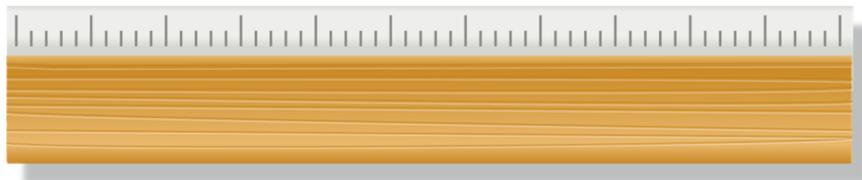


Figure 7

An advertisement that exaggerates likely outcomes

XYZABC Travel Insurance Fund Limited

Client testimonial: Robin X

“Last year, I received a medical bill from the Intensive Care Unit for \$10,000,000 for services provided for my two year old daughter. My dear child would have died if I did not purchase XYZABC’s travelers’ health insurance plan for just \$8.63 a day. Many of the services provided by the ICUs in Monte Carlo are not available for uninsured travelers”.

Virtually all public and private hospitals will provide minimum Intensive Care Service required to keep any patient alive who has experienced a major trauma so long as they have spare capacity. The cost of \$8.63 per day sounds cheaper than \$3,150 per year.

Consider the story above and reflect on these details that are used for illustration purposes:

- 0.01% of all travel insurance claims for medical costs in the country where the insurance is sold exceed one million dollars.

- The reference to “many services” relates to elective surgeries.
- Robin X was paid \$10,000 for providing this testimonial.

I argue that this hypothetical illustration is an example of scam marketing. The advert uses an extreme case to frighten its audience and it does not disclose Robin’s conflict-of-interest in promoting this story for financial gain.

Greed

Many scammers purposefully target some person’s instincts to indulge beyond what is required to live a comfortable, meaningful life. A person may desire an excess of many things. Examples include food, money, sex and materialistic possessions such as clothes and jewelry.

Some marketers distort the truth about the costs and/or benefits of their goods and services when they appeal to a person’s instincts for greed.

Figure 8 offers an example of an advertisement that appeal to a person’s instinct for abnormally large rewards.

Figure 8

Appealing to a person's sense of excess

XYZABC Stockbrokers & Casino Management Limited

You can increase your wealth by up to 900% in one year
if you invest in our Casino Management Services.

The advert above may use selective statistics to quote one client who achieved a gain of 900% last financial year using the services of XYZABC Stockbrokers & Casino Management Limited. This person's success is attributable to hundreds of factors that most other persons cannot afford or replicate. For example, that individual may have executed hundreds of financial purchases that they made in consultation with a dedicated team of financial advisors who charge \$350 per person, per hour.

If the average client at XYZABC Stockbrokers & Casino Management Limited made a 7% profit last financial year, then the advertisement above may be regarded as a scam. This is because it purposefully uses non-representative data to grossly mislead the consumer into focusing on a figure that has little bearing on the returns realized by the overwhelming vast majority of this firm's clients.

Vanity

Appealing to a person's vanity is a favorite technique used by some sellers who work in the fashion and beauty industries. To put it crudely, it can be very profitable to convince some persons that they are fat, ugly and boring. A pretty face, beautiful body, exciting wardrobe and elite club memberships is supposedly the quick fix to this socially constructed problem.

Figure 9 provides an example of an advertisement that appeals to a person's vanity.

Figure 9

Appealing to a person's vanity

XYZABC Plastic Fantastic Airbrushing Limited

Spotted another wrinkle or grey hair in the mirror?

There's no need to feel sad about it!

Our beauticians can give you a skin, hair and wardrobe
makeover and make you look a million dollars.

There's nothing wrong with treating yourself with a makeover and wanting to look your best. And the decision to purchase legal products is your right.

Bear in mind that many makeovers that sell photographic portfolios trade in false images. Your face may be caked in thick concealer. The ultra-bright lights used by photographers will transform you into something different to what you look like once the lights are turned off and you walk back into the real world.

Target demographics

Some marketers and sellers that trade in people's vain insecurities customize their message to different demographics.

Table 3 summarizes four main demographics and the core message that some marketers communicate towards members of these groups.



Table 3

Marketing messages and target demographics

Target demographic	Marketing messages
Adolescents	This product will make you popular with other teens. This product will make you feel less awkward. This product will make you appear adult like.
Men	This product will make your appear more masculine. This product will enhance your sex appeal. This product will make you appear muscled.
Women	This product will make you appear more feminine. This product will enhance your sex appeal. This product will make you appear slimmer.
Older persons	This product will: <ul style="list-style-type: none">● Conceal your grey hair● Stall or reverse your balding● Make you appear sharp/alert● Remove or conceal wrinkles● Make other people take you seriously● Make you appear younger and sexier.

Some anti-wrinkle creams are an example of a scam product as they do not use scientific evidence to show that the formula can remove wrinkles. Some anti-wrinkle cream reverse wrinkles for up to 24 hours by pumping water into the skin. This temporarily makes the skin appear flatter.

If the product does not make it clear that the reduction of wrinkles only lasts a matter of hours, it is most likely a scam product that appeals to a person's vanity and their insecurities about their physical looks.

Laziness

Some marketers and sellers target a person's instinct to be lazy. What constitutes laziness is subjective. My perception of laziness may differ from others. I encourage you to define the word 'laziness' yourself, if indeed you consider that such a human trait exists.

Motivation and high energy levels do not come easy for many people whereas the desire to achieve easy rewards does. From the perspective of a scam marketer, a person's laziness presents an opportunity for gain when a person wants a reward that can only be earned but is not prepared to work for a positive outcome.

Certain diet products are scams that target some overweight person's instincts to

avoid exercise and dieting. For example, some products claim to have ‘negative calories’. Advertisements and packaging may claim that eating or drinking the product will automatically increase your metabolism. Apparently, this in turn will burn fat, even if you remain dormant.

Figure 10 is an example of an advertisement that appeals to a person’s desire to receive a reward without investing the effort that is actually required to receive that benefit.

Figure 10

Appealing to a person’s laziness

XYZABC Diet Shakes Limited

Our diet shakes dramatically increase your metabolism
and have an effect known as ‘negative calories’*.

They also form a solid gel inside your stomach
and suppress your appetite for up to 24 hours*.

The more diet shakes you drink the slimmer you will be.

Lose weight without exercising!

** Scientific research and evidence is forthcoming*

Leading medical scientists consistently argue that there are two ways to lose weight: decrease calorie intake and increase exercise rates (Swift *et al.*, 2014).

Many diet and weight loss products are not backed by scientific research and fall into the legal scam category (US Food and Drug Administration, 2017).

Jealousy

Some marketers and sellers purposefully aim to make you feel jealous and lesser than your peers. Other messages may aim to encourage you to consumer a good or service so that you may feel superior to others.

Messages that may appeal to a person's jealous instincts include statements such as:

- “Do your friends have a nicer home and car than you?”

This may be used by a finance company that offers credit.

- “Do you want to be a person that others look up to?”

This may be used by a motivational speaker seeking to attract new clients.

Figure 11 shows an example that appeal to a person's instincts to make others

jealous.

Figure 11

Appealing to a person's jealous instincts

XYZABC Nip and Tuck Limited

Tired of being a plain Jane?

Our cosmetic surgeons can transform you into the most beautiful person in the room, as they saying goes!

Turn your friends green with envy!

This advertisement is a scam. "The most beautiful person in the room" is subjective. It cannot be proven or disproven. Such vague claims are not acceptable for a high-stakes invasive medical purchase that involves a certain level of risk such as infection or complications from surgery.

Sickness

Some marketers try to convince people that they are at risk of acquiring a certain disease or illness. The aim is to convince the potential consumer to purchase a medical product (or service) such as pharmaceutical drugs.

Some of these marketing approaches belong in the scam category because the chances of the general population acquiring certain diseases that are advertised to random, mainstream audiences are very small.

Figure 12 offers an example that appeal to a person's perceptions of their health and risk of becoming sick as a way to convince them to buy their services.

Figure 12

Appealing to a person's poor health

XYZABC See Well Ophthalmology Limited

Is your eyesight fading?

You may have retinitis pigmentosa which can cause blindness.

Our qualified eye surgeons can check for this condition.

Call '1800-SAVE-YOUR-SIGHT-TODAY'

Please allow me to use retinitis pigmentosa as an example of a disease that has potential for abuse by scam marketers.

Parmagianni (2011, p. 236) states that the prevalence rate of this disease is about one in 2,500-7,000. If an ophthalmologist were to place adverts in the mainstream media encouraging all people to test for this disease, this would be a scam if the advert did not mention that this disease is very rare.

Adverts that encourage you to test for rare diseases are becoming more common on certain open-access video playback platforms that embed commercial advertising at the start and in the middle of the video.

Loneliness

Lonely people who lack a support network have long been a favorite target for confidence tricksters who are good at faking romance and love. Once they get what they are after, they may immediately dump their partner without remorse.

Figure 13 is an example of an advertisement that appeals to a person's lonely state.

Figure 13

Appealing to a person's lonely state

Classified Advertisements : Romance and Matrimonial

Future partner wanted.

Confident, assertive single seeks a very wealthy, generous, shy elderly person who is lonely and has no family or friends to share their wonderful life or inheritance with.

You must live alone in a large luxury mansion, be a U.S. citizen or Green Card holder who is eligible to sponsor a future spouse.

I am a very caring person. I am not a qualified nurse.

I prefer to meet a person who is very old and very sick and needs taking care of during their final days.

This advertisement is a blatant example of a scam practice perpetrated by an individual as opposed to a commercial advertiser.

I advise all persons, especially lonely persons to be alert when dealing with any commercial dating agency that trades in the love game.

Knowledge gaps

Some scammers target a person's lack of technical knowledge about the goods and services that the marketer encourages them to purchase.

No person on this planet is expert about all goods and services that are available for purchase. All persons are potentially vulnerable to what I term 'knowledge gap' scams.

Figure 14 is an example of an advertisement that explicitly appeals to a person's lack of technical knowledge about a service.

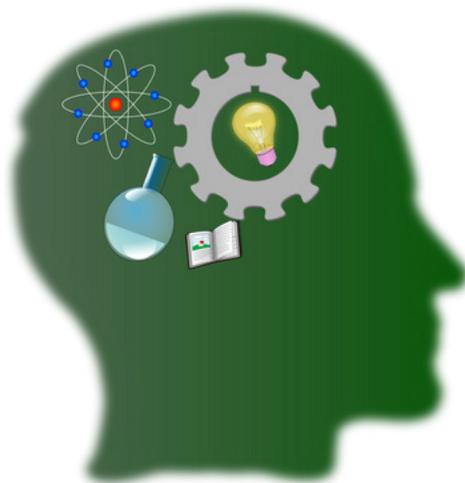


Figure 14

Appealing to a person's lack of technical knowledge

XYZABC Monty Tune-up Limited

Do you know nothing about cars?

Our technicians are automotive experts and can help you!

Take advantage of our basic safety check service which costs just \$50*

Our technicians are highly trained to detect major safety problems in your engine and chassis that require immediate attention.

You can trust us to find all the urgent problems that require fixing.

* \$10 for widows.

Persons who have minimum education levels are sometimes at greater risk than others. This comment is a generalization. Many people have a natural instinct to think critically, be fair to others and question the motives of commercial providers of goods and services, regardless of their education level.

Food and Drug Administration, United States Government (2017), *Beware of products promising miracle weight loss*,

<<https://www.fda.gov/ForConsumers/ConsumerUpdates/ucm246742.htm>>.

Accessed 1 May 2017.

Parmegianni, F. (2011), Clinics, epidemiology and genetics of retinitis pigmentosa, *Current Genomics*, 12(4), 236–237.

<<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3131730/>>. Accessed 1 May 2017.

Rick, S. & Loewenstein, G. (2008), ‘The role of emotion in economic behavior’, in Lewis, M. *et al.* (Eds), *Handbook of Emotions*, New York, USA: Guilford Press,

<<http://scholar.harvard.edu/files/schacterlab/files/handbook-of-emotions.pdf>>.

Accessed 1 May 2017.

Swift, D. *et al.* (2014), The role of exercise and physical activity in weight loss and maintenance, *Progress in Cardiovascular Diseases*, 56(4), 441–447.

Chapter Five

Vulnerable persons

Most scammers do not act randomly. They allocate their scarce time and energy to target individuals that they identify as being the most vulnerable and the most profitable to exploit.

Who is most vulnerable depends on the context. A lonely person may be vulnerable when it comes to dating. However, they may not be vulnerable when it comes to renting accommodation if they are experienced property agents.

The more vulnerable a person is, the more likely they are to hand over large amounts of money if they believe that they can switch from being miserable to happy as soon as they purchase a good or service.

Table 4 identifies six examples of persons who may be vulnerable to predatory marketers.



Table 4

Predatory marketing and vulnerable persons

Vulnerable person	Vulnerable situation
Recent migrants	<ul style="list-style-type: none">● Purchasing rental accommodation● Signing contracts
Minors	<ul style="list-style-type: none">● Expensive purchases
Persons with a disability	<ul style="list-style-type: none">● Varies depending on the disability <i>e.g.</i> blindness and signing contracts.
Long-term unemployed	<ul style="list-style-type: none">● Job scams● Training scams
Illiterate persons	<ul style="list-style-type: none">● Signing contracts
Duress	<ul style="list-style-type: none">● Purchasing urgent goods

If you are a member of a vulnerable demographic, it is best to scrutinize in detail all marketing material and claims made by salespersons.

Migrants

Many migrants are vulnerable to scammers as they may not know local customs. They may be unaware of their legal rights. They may also be reluctant to enforce their legal rights as they may be frightened to engage with police or the courts.

Some rental agencies charge migrants a deposit that exceeds the legal maximum allowed level. They may also refuse to deposit migrants' security deposit with the Department of Housing, as required by law in many jurisdictions. They may also try to keep the bond at the end of the tenancy, even if the tenant has not damaged the property and is not behind with their rental payments.

Minors

In most jurisdictions it is unlawful to sell large items to minors. Contracts for items such as bank loans and the sale of land are void unless a parent or lawful guardian counter signs the contract. These laws aim to protect children who may not have the mental capacity to identify scams or commercial offers that are poor value-for-money.

Persons with a disability

The vulnerability of a person with a disability varies depending on the nature and degree of a person's impairment. For example, visually impaired persons may be scammed if they rely on a salesperson to read all of the details listed on a product's packaging. The salesperson may disregard discussing product information that they think will cause the visually impaired consumer to reject the product.

In some jurisdictions sales contracts that are signed solely by person who has a severe intellectual disability that is very obvious are not enforceable. The courts may regard such contract as voidable if the purchaser or their carer/guardian seeks to cancel the contract. This protection may extend to major cash sales that do not involve a signed contract such as the purchase of a motor car.

These laws aim to protect vulnerable persons who may not have the mental capacity to identify scams or commercial offers that are poor value-for-money.

Long-term unemployed

Legal scams targeted towards long-term unemployed persons are common. This demographic is vulnerable as they may be living in a permanent state of despair.

For this reason many of these people are willing to pay large amounts of money to 'buy' a job that may or may not exist.

Figure 15 is an example of an advertisement that targets unemployed persons.

Figure 15

Vulnerable persons: long-term unemployed

Online jobs board: Positions vacant

Cleaners wanted: earn \$30 to \$40 per hour.

No experience required: suitable for persons
with no recent work experience.

Commence employment at the end of this week.

A two day training course is offered for persons to assist them to become office cleaners and work for one of our prestigious clients in the city center. This course starts in two days from today.

ALL APPLICANTS ARE ACCEPTED.

The cleaners' training course costs \$600* and you must purchase a uniform from our business partner for \$150 before you commence this course. The cost of the uniform is refundable if you work for our company for more than four weeks.

**No guarantee of job placement*

The above advertisement is a scam, even if a job is offered. You could be offered a genuine job and be treated so poorly that you might quit within one hour and lose your \$600. This poor treatment that forces you to resign may be part of the scam.

Any recruitment company that asks applicants to purchase a good or service from the agency or their business partner as a condition of employment or advancement is a legal scammer. Such employers are pretending to be your employer and they are treating you like you are their customer.

In Western countries such as Canada, Australia and the United States, it is standard business practice for employers to bear the costs of all training courses that they instruct their employees to complete as a condition of being hired, promoted, retained or redeployed.

Companies that run job adverts similar to the vacancy shown in Figure 15 are possibly 'fly-by-night' illegal scammers. After you pay the advertiser \$750, their office may disappear overnight and you cannot trace the scammers or your money.

Illiterate persons

Some scammers target persons who cannot read complex contracts written in the national language. An example of such scams is sales agents who visit remote Indigenous communities and trick these people to sign written contracts for goods that they do not want, do not need or cannot afford.

Figure 16 is an example of an advertisement that is targeted towards persons who may be native speakers of languages other than English.

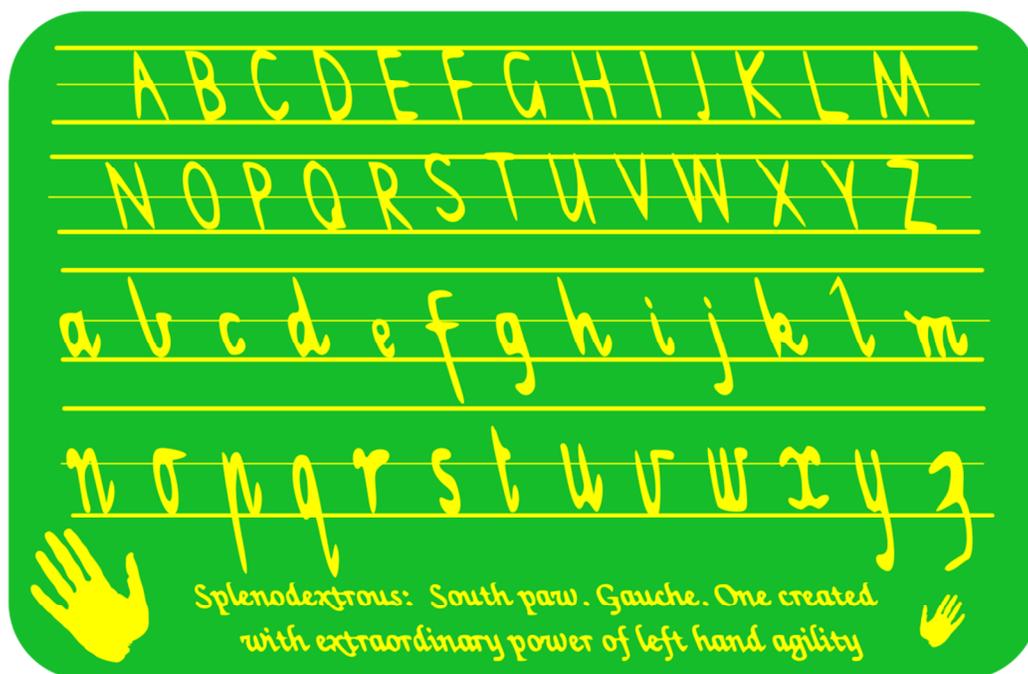


Figure 16

Vulnerable demographic: speakers of other languages

XYZABC Quick Course Online Training Limited

Do you want to study C++ and Java programming?

Our training courses are designed for Indigenous persons who live in remote areas who would like to learn advanced computer programming languages and coding.

All registrants receive a free iPad and a gift voucher for \$1,000 as soon as they sign up for our training course.

You must be an Australian Citizen, have a tax file number and be eligible for claiming maximum Government loan training subsidies (\$50,000).

No minimum educational level is required.

No exams are required to pass: all assessments are projects.

No English language test is required. Our tutors have English language teacher training.

All applicants who meet the criteria are accepted.

Some Indigenous persons who live in remote areas may not fully understand the terms of the contract because they speak an Indigenous language as their mother tongue. Their command of the official national language may be minimal or non-existent.

Such contracts are not necessarily illegal. Such contracts are usually unconscionable as they are not transacted in good faith by the selling party. They are likely to be voided by the courts if a complaint is lodged by the purchaser or a government regulator.

Duress

Persons who are in a crisis state may be vulnerable to predatory marketers and business practices. An extreme example of duress is a parent and child who are stranded in an isolated desert environment as a result of a car accident.

Consider this situation. A taxi driver who is self-employed happens to drive by and assesses the situation. S/he agrees to drive the parent and child to the next town, 10 miles away, if the parent hands over all the cash in their wallet (\$500).

In most jurisdictions, the courts may void this commercial transaction as it is an example of unconscionable conduct. In certain jurisdictions, such opportunistic,

predatory commercial behavior may be regarded as extortion, *i.e.*, a felony criminal offence.

Conclusion

The forthcoming chapter continues my discussion of vulnerable groups. I add to the list shown in Table 4. This discussion brings the issue of vulnerable industries to the forefront of discussion. Some industries are vulnerable as a whole because some scammers specifically target vulnerable groups who are overrepresented among those who purchase goods and services in that sector.



Chapter Six

Vulnerable industries

Certain industries are more vulnerable to scams than others. These industries may be more vulnerable to scams as they sell high-stakes goods and services to vulnerable persons.

Some legal scammers target the persons from vulnerable demographic groups shown in Table 5.



(It's just a suggestion)

Table 5

Scamming: vulnerable industries

Vulnerable demographic	Vulnerable industry
Homeless persons	Rental housing, hotels, backpackers.
Disfigured and obese persons	Cosmetic surgery, weight loss, counsellors.
Long-term unemployed	Recruitment, training, education.
Persons with a financial crisis	Finance companies, loan 'shark' financiers.
Persons who are lonely, depressed and suicidal.	Health and wellbeing, dating services, religion, faith healers, spiritual healers, clairvoyants.
Persons who do not have long to live.	Faith healers, spiritual healers, clairvoyants, religion.
Persons who have recently acquired large wealth such as an inheritance.	Financial advisors, luxury goods and services providers, social and business network membership organizations, charities.
Persons who do not speak the local language fluently	All industries.

If you identify yourself as being a member of a vulnerable demographic, you should exercise extreme caution when you rely on the advice published by commercial providers of goods and services. You should also exercise caution when dealing with not-for-profit entities such as religious bodies that do not have an established reputation in your local community.

Fads

Some legitimate industries that offer massive positive benefits to our society are vulnerable because some unscrupulous operators try to enter this industry and make large profits fast, without adding value to our society.

The four industries listed in table 6 (see page 68) are popular and respected industries globally among a range of actors including individuals, governments, charities, research institutes and corporations. These industries are: environmental management, aged care, Indigenous justice and ethical free traders.

Over the past decade, public/private research institutes, universities and governments have increased their funding in these four areas. As a result of this massive growth in funding, many so-called 'new players' have entered the market and their motives for doing so varies widely.

Fakers

Table 6 provides an example of how a dishonest operator may enter a respected rapid growth industry in order to make fast profits without adding net positive value to the economy or society.



Table 6

How scammers target reputable growth industries

Industry	Scam example
Environmental management and sustainability	Companies with no track-record or genuine interest in environmental sustainability may bid for government research funds so that they can use most of these funds to pay executive salaries for those who oversee industry research. Their research approach may lack rigorous scientific inquiry and push a corporate agenda.
Elderly care: nursing homes	The aging of the global population has resulted in the rapid expansion of nursing homes in developed economies such as Japan and Canada. Individuals with no passion for helping older persons may establish a nursing home so that they can collect generous government subsidies for patients on social security. Because they do not care about older persons, they may purchase semi-stale food and ration essential health care in order to maximize profits.
Indigenous health and justice	Individuals with no genuine interest in empowering Indigenous communities may set up a legal practice or a medical practice that offers basic services for Indigenous persons. The aim of this business model seeks to maximize the amount of funds that they collect from the national government that is set aside for Indigenous justice and Indigenous health care programs.
Free and ethical trade	A corporation sets up its own 'free ethical trade accreditation' body and registers a trademark logo for use on goods and services that it accredits. This corporation also sets up a new company that exploits farmers from the poorest nations. This parasitic, predatory corporation embeds a 'free ethical trade accreditation' logo on all of its products. It does not declare publicly that it owns and controls this accreditation mill. Its sales and profits soar because consumers assume that the accreditation body is an ethical, independent not-for-profit entity.

Some laundry detergent manufacturers boast on their packages that “the amount of surfactants in our product conforms to industry standards”. What does this mean? This statement means that the commercial manufacturers have set their own standards for managing environmental pollution caused by their product independent of not-for-profit scientific advisory boards.

Is this a good, bad or neutral situation? That is for you to decide. The answer to this question may depend on the unique circumstances of the case.

What is the core objective of the manufacturer? Is it profit maximization, the desire to preserve the environment or does it pursue some other cause?

I advise people to always exercise special caution when they deal with commercial entities that claim to support environmental sustainability, older persons, Indigenous populations and ethical fair trade.



Chapter seven

Twelve legal scams: illustration case studies

This chapter examines twelve popular examples of legal scams perpetrated by some seller and marketers.

Case studies examine the following industries in this order:

- Rental housing
- Travel agencies
- Dieting, beauty and makeovers
- Complementary and alternative medicine
- Home repairs and trades
- Funeral services and products
- Finance: loans and credit
- Fast food and take-away food
- Real estate: home sales
- Optometrists
- English language testing
- Processed food and drink

Legal scam 1: Unauthorized private rental brokers

Service	Brokers and agents: rental accommodation.
Marketing P	Product: creating a product that consumers do not need.
Vulnerable	Homeless, immigrants, international students, youth.
Preys on	The fear of homelessness.
How the scam works	<p>You pay the rental broker a fee to look at their list of rental properties that are currently available on the market.</p> <p>The broker will not tell you what properties are on their list until you pay them a broker fee that is not refundable.</p> <p>Many rental brokers will still collect your fee even if their list is very small. The broker may know that they will never have a listing that matches your budget and requirements.</p> <p>Some brokers sell information copied from public sources such as Internet web pages and newspaper advertisements. Many brokers are not authorized agents that have official capacity to act on behalf of those who provide a good or service. They may try to mislead you into believing that they are official agents.</p>
Warning signs (red flags)	<ul style="list-style-type: none"> ● The broker does not have a professional website. ● The rental broker will only deal with you from a distance <i>e.g.</i> by e-mail, fax, telephone. They will not meet with you in person. ● The rental broker does not have a local office. ● The rental broker may respond to your advertisement seeking accommodation, such as advertisements placed on Craigslist or GumTree. ● The broker collects your funds anonymously <i>e.g.</i> via MoneyGram, Western Union or direct bank deposit.
How to avoid the scam	Avoid middle person brokers and agents unless you have no alternative and you trust the broker. Deal direct with the person who sells the good or service. Always pay by check made out to a person or company name. It is best to always pay direct into a local bank account. Your payment can be traced by police if the broker disappears or defaults.

Legal scam 2: Travel agents and the frequent “one seat left” warning

Service	Airline ticket sales.
Marketing P	Promotion: providing false information to consumers.
Vulnerable persons	Knowledge gap: deceiving people who automatically believe what sales agents tell them.
Preys on	Fear: you may miss the last seat and be left unhappy.
How the scam works	<p>A potential client visits a travel agent. The travel agent ascertains the travel destination, travel dates and how many tickets the client requires.</p> <p>As the sales agent searches for tickets they constantly warn the client that the number of available seats on alternative flights is very small. These numbers will be equal to or slightly greater than the number of tickets that the client requires. The client cannot see the computer screen and do not realize that the numbers quoted are fake. More tickets are available than are being quoted.</p> <p>The sales agent’s agenda aims to push the client into panic buying the ticket. The sales agent fears that the client may not buy the ticket if they leave the store and take time to think about the purchase.</p>
Warning signs (red flags)	<p>The sales agent has a pushy and urgent manner.</p> <p>The sales agent will not show you the computer screen.</p> <p>The sales agent repeatedly makes comments such as “if you do not buy these tickets now, I cannot guarantee they will be available in one hour.”</p>
How to avoid the scam	<p>Buy airline tickets online direct from the airline carrier. This may save you time and money. Their systems show you how many seats are available. Avoid pushy sales agents - ask for a different sales agent. Visit a travel agency that will show you the computer screen.</p>

Legal scam 3: Airbrushing and distorting ‘after’ images in photo series

Goods, services	Weight loss diet plans, pills, therapy sessions, makeovers.
Marketing P	Promotion: disseminating false images.
Vulnerable	Overweight persons and persons with low self-esteem.
Preys on	Fear, vanity <i>e.g.</i> the scammer may engage in ‘fat shaming’.
How the scam works	<p>Advertisements for diet products and makeovers may use before and after photos of clients who have used these services. These clients normally receive payment for showing their images.</p> <p>The ‘before’ images are designed to make the person look unattractive and sad. The lighting used in the before images may be dull. The person is wearing cheap unfashionable clothes that do not match. The model is not wearing makeup. They have unwashed, messy hair and look bored.</p> <p>In the ‘after’ photos the person is smiling. They are wearing expensive fashionable clothes and makeup. Their hair is professionally set. The lighting is bright.</p> <p>The features that the photographer manipulates in the photo sets have no relevance to weight loss. The only images that are relevant are the body shapes.</p>
Warning signs (red flags)	The marketer is not comparing apples with apples because the before and after shots use different special effects.
How to avoid the scam	<p>Look for objective facts and statements. An example is a truthful statement made in the advertisement such as “Barbara lost 16 pounds in 4 weeks. The only change she made in her life style was to switch from her regular diet to eating our pre-prepared meals three times per day.”</p> <p>An objective comparison may show a person inside the same pair of trousers (pants) before and after the diet plan. The viewer can see how much looser the pants have become in the after shot.</p>

Legal scam 4: Ambush marketing and false associations

Good and services	Complementary and alternative medicine practices.
Marketing P	Placement: selling or developing the product on the premises (location) of an institution that has credibility.
Vulnerable persons	Sick persons.
Preys on	Knowledge gap: persons who may reasonably assume that businesses are associated because their businesses are located in a recognized health care precinct.
How the scam works	<p>Complementary and alternative medicine practitioners may lease office space that is in the immediate proximity of a hospital, a major medical clinic or a recognized conventional health care precinct.</p> <p>This behavior is a scam if the practitioner deliberately aims to deceive members of the public into believing that their alternative medicine practice has an association with a hospital or medical clinic that is recognized by public health regulators.</p>
Warning signs (red flags)	The alternative medical practitioner does not describe their medical practice using words that are regulated by law. For example, the words “Internal Medicine”, “Obstetrician” and “Optometrist” are regulated by laws in most countries.
How to avoid the scam	Make inquiries with a range of people and professionals to obtain your own opinion about what forms of medical support best suit your needs. Some complementary and alternative medicine practitioners provide excellent healthcare services that are recognized by health care authorities in certain contexts.

Legal scam 5: Suggesting extra work at inflated prices

Services	Trades: electricians, plumbers, carpenters, builders <i>etc.</i>
Marketing P	Price: inflating the cost of the work. Product: creating fake work or exaggerating the urgency.
Vulnerable	Knowledge gap: the client is not a tradesperson.
Preys on	Homeowners. Elderly persons are often victims of such scams as they may lack the mobility to climb up a ladder and inspect parts of their home. Their eyesight may also have reduced capacity to inspect finer details.
How the scam works	A tradesperson visits a family home or business to offer a price quote or service. During this process, they apparently discover additional work that requires urgent attention. They inform the owners of this discovery and offer a quote.
Warning signs (red flags)	<p>You could ask the tradesperson to show you the area that they are talking about and explain why they have formed this opinion. Few people request the tradesperson to show them evidence about the problems that they have detected.</p> <p>Another approach is to offer a comment such as “I know another person who is also a qualified plumber and lives close by. I might ask him/her to come over now and have a talk to you and you can discuss this matter in further detail”. A scammer will most likely try to avoid being detected by a qualified tradesperson who knows what they are talking about. The scammer may change their story or say they are too busy meet the other person today.</p>
How to avoid the scam	Take a quote from the person who discovered the urgent repairs and obtain this in writing. Do not pay for the quote and do not pay for any preliminary work. Obtain multiple independent quotes from other qualified tradespersons and compare their feedback. You should not need to pay any tradesperson to obtain a simple quote.

Legal scam 6: Emotional blackmail schemes

Goods and services	Funeral services and associated purchases.
Marketing P	People: Emotions and manipulation.
Vulnerable persons	Persons arranging funerals for their loved ones.
Preys on	Duress: grief.
How the scam works	<p>Some funeral directors may subtly suggest that you should purchase the highest quality coffin and full funeral services because it is disrespectful to the dead to save costs when arranging their burial or cremation.</p> <p>Some funeral directors only show the most expensive products and services unless the person purchasing the funeral requests to see a list of cheaper alternatives.</p> <p>Some funeral directors assume that a grieving person is not thinking rationally and may gloss over issues such as price and quality. They may also assume that the deceased person's estate will cover the cost of an expensive funeral.</p> <p>In contrast to other purchases, such as holidays, those who purchase funeral goods/services usually must act fast and arrange a funeral or cremation within a few days of a death. This gives them less time to compare alternatives. Some funeral directors take advantage of these circumstances.</p>
Warning signs (red flags)	The funeral director may offer you a brochure that is relatively thin. Thin, selective brochures offer you less opportunity to obtain a fair price for goods and services.
How to avoid the scam	Obtain quotes and brochures from multiple funeral directors. Delegate funeral planning to a responsible adult who seems to be less emotionally crippled by the death in the aftermath of the event. The next of kin may not necessarily be the best person to negotiate the financial arrangements for a funeral.

Legal scam 7: Delayed and increasing payment schedules

Service	Sub-prime mortgage model: copycat schemes.
Marketing P	Price
Vulnerable persons	Homeless persons, families with children.
Preys on	A person's knowledge gap. Greed: buy now and deal with the financial stress later.
How the scam works	<p>Many sellers of large items resell credit plans similar to the subprime mortgage plan. The pay back rate starts off small in the first year and becomes much steeper over time. The pay back rate is not linked to a person's income stream.</p> <p>Many sellers prey on the fact that many people are focused on getting goods that they cannot afford now, and pay little attention to the detail contained in financial contracts. Some people also tend to focus more on the short-term and have an "it will be alright" delusional attitude about their long-term prospects.</p> <p>The seller may realize that the buyer can never meet the payback schedule in future years unless their income grows dramatically. In many cases the seller does not care for one or two reasons. First, they are guaranteed of receiving a commission for closing a sale. Second, they may plan to bankrupt the person in future years, and use this process to recover the lender's assets that they have listed as security.</p>
Warning signs (red flags)	<p>The pay back schedule is much higher in future years.</p> <p>The pay back rate during the first year/s is zero or it is relatively very low.</p>
How to avoid the scam	Consult a qualified independent financial advisor that you trust. Read the contract carefully. Take responsibility for your own actions. Ask the vendor as many questions as necessary. Do not buy things that you cannot afford.

Legal scam 8: Distorting mock up pictures of products

Good	Popular in the fast food and processed food industries.
Marketing P	Product
Vulnerable	New customers.
Preys on	Knowledge gap.
How the scam works	Concept pictures of products look larger and more appealing than the actual product. Popular with images that display food and drink in fast food restaurants.
Warning signs (red flags)	Any concept picture should be a warning sign. Marketers aim to make the product look as appealing as possible.
How to avoid the scam	Inspect the product before purchasing. Take a look at the food on the tables that people are eating in the dining room.

Legal scam 9: Real estate agents who aggressively promote auctions

Service	Real estate auctioneer services.
Marketing P	Product: pushing a product that the client may not desire.
Vulnerable	Those who do not understand the real estate industry.
Preys on	Knowledge gap.
How the scam works	The real estate agent encourages you to select the auction option over the in store sales negotiation option. If the auction fails, the real estate agent still gets paid handsomely for hosting the auction. If the property does not sell in store, the real estate agent does not get paid a sale fee.
Warning signs (red flags)	The real estate agents is dismissive of the in store negotiation option and does not offer convincing reasons.
How to avoid the scam	Speak with a range of people and compare the advice offered by different real estate agents.

Legal scam 10: Direct debit only purchases

Goods and services	Any sales agent that pretends that the direct debit option is the only payment available.
Marketing P	People: busy people often forget to make time to cancel a direct debit for a product that they no longer require.
Vulnerable persons	knowledge gap: lack of consumer awareness.
Preys on	Potentially any person.
How the scam works	<p>The seller informs the buyer that the direct debit is the only payment option when this is not true.</p> <p>The direct debit option guarantees a regular fixed income and continuous sales until the end of the contract or until the buyer finds time to cancel the direct debit.</p> <p>This scheme is popular with some retail suppliers of disposable contact lenses. The seller may claim that the only option available is to have 30-day supply posted to your home every month and you must pay by direct debit. The seller may claim that the manufacturer enforces these terms.</p> <p>Most people will not use 365 sets of disposable contact lenses in one year. The seller knows this and will try to force you to use a set a day - 'take it or leave it' as the saying goes.</p> <p>If the customer rejects this option and says they are leaving the store, the sales agent may advise that alternative payment plans are available.</p>
Warning signs (red flags)	The seller offers an alternative payment option only after the customers selects the 'leave it' option.
How to avoid the scam	If you want to take control of your bank account, shop around and find an alternative supplier that does not want you to sign over regular access to your bank account. I am not aware of any good or service that is only available as a direct debit option among all suppliers.

Legal scam 11: Setting customers up to fail for repeat businesses

Service example	Predatory English language global testing business partners.
Marketing P	Product: purposefully delivering sub-standard services.
Vulnerable persons	High stakes scenarios: Skilled migrants, international students, foreign workers.
Preys on	Fear: not being awarded a student/work/residency visa.
How the scam works	The language testing staff is a rogue operator at a branch office level or at the individual examiner level. English language examiners know that the more times a candidate fail their English language exam, the more times they need to purchase language testing services from their local branch office. Some English language testers fear that they may lose their job if too many candidates receive a good and fair score at their first attempt. An examiner may purposefully act in a way that is cold, authoritarian and intimidating as a strategy to undermine the confidence of the candidate during a speaking test or another test. Such behavior is very difficult to prove and will rarely qualify as an illegal scam. The examiner's intimidating behavior is not witnessed by others or captured on camera. It is not possible for a court to demand that an English language tester has a warm and approachable personality.
Possible Warning signs (red flags)	<ul style="list-style-type: none"> ● Candidates must inform the English language tester of their intended use of the exam as a condition of enrolling. A fail score can be gauged from this data. ● The assessment system is not transparent. ● Candidates may not secure a copy of their English language test content and examiner's notes unless they obtain a court order. ● Candidates do not receive the minimum required score for one language skill each time they test and fail this skill by the smallest of margins. A marginal fail is most likely awarded for a subjective skill: speaking or writing.
How to avoid the scam	Avoid English language testers and branch offices that have a bad reputation. Research the reputation of each test alternative. Type the words "International English language tests scam" into a search Engine and read consumer reviews for each test type.

Legal scam 12: Exaggerating the key ingredient quantity

Good	Popular in manufactured/processed food and drink.
Marketing P	Product
Vulnerable persons	Those who are not fluent readers of the language used to label the product description.
Preys on	Knowledge gaps: food and beverage.
How the scam works	<p>The label manufacturer prominently displays an ingredient used in the food or drink that is the most:</p> <ul style="list-style-type: none"> ● nutritious ingredient ● expensive ingredient ● popular among consumers. <p>If the consumer reads the product label in full, they will discover that the ingredient that is featured on the front of the package comprises a very small percentage of all ingredients.</p>
Warning signs (red flags)	<p>The language used on the front of the package seems to contradict the featured words and images. For example, a juice carton may show many fresh cranberries on the front of the package. To conform to local laws, the manufacturer calls the product “cranberry flavored drink” because the beverage contains 50% water, 49% corn syrup and 1% cranberries. Furthermore, it is made from frozen concentrate and not from freshly squeezed cranberries.</p> <p>Some juice companies that only sell frozen reconstituted juice use the words ‘fresh’, ‘daily’ or ‘squeezed’ in their company names. It is possible that some consumers may assume the juice sold is fresh and was not frozen for years.</p>
How to avoid the scam	Read the product labels carefully.

Chapter Eight

Ignoring marketing messages

Whether you wish to ignore sellers and advertisers to some degree in the future is your choice. This chapter aims to offer advice to aid those who wish to reduce their exposure to commercial advertising and high-pressure sales tactics.

You may wish to consider deliberately reducing your exposure to sellers and marketers if you are on or more of the following:

- Having difficulties servicing your existing debt payments;
- A shopping ‘addict’ who frequently regrets the purchases that you have made after the sale is finalized;
- A person who finds it difficult to say ‘no’ to sales offers;
- A person who finds it difficult to ignore marketers when you wish that you were able to.

Just say no

One strategy that you may employ to reduce your exposure to marketing messages and sales agents is to ‘just say no!’. Just say no every time.

Never feel embarrassed, guilty or ashamed for ignoring a marketer/seller or for abruptly ending the conversations with such persons at any point in time.

Virtually all marketers/sellers expect that most people will ignore them or end the conversation fast. This is the norm in their industry.

If you ignore a marketer/seller or end the conversation they will simply move on to the next person and think nothing of you ignoring them.

You are not a bad person because you ignored a pushy marketer or an aggressive sales person.

A marketer or salesperson who uses pushy or aggressive sales tactics is the sort of person that you have every right to ignore or move away from.

Global ignore policy

If you struggle to find a way to selectively ignore sellers and marketers, the easiest way may be to have a policy of always ignoring marketers/sellers that contact you first. This includes direct contact and indirect contact.

Direct contact occurs when a seller/marketer is engaging with you as individual. This may be in person, such as in the store or on the doorstep of your residence. It may also occur via modes such as email or over the telephone.

Indirect contact occurs when the marketer/seller communicates a message that reaches yourself and the masses at the same time. Examples include television advertisements and radio advertisements.

Selective engagement policy

You may choose to engage with marketing messages on your own terms if you adopt the global ignore policy. For example, if you know that your car no longer works, and cannot be fixed, you may read only the Internet advertisements and speak only with the car salespersons that you want to engage with.

Cooling off period

A good way to avoid purchases that you do not want/need or cannot afford is to have a policy of never purchasing an item on the day that you first see the item. This policy is useful for major purchases and will help you avoid impulse buying.

This policy works best when you have good self-discipline and stick with this

policy at least 98% of the time. On rare occasions there will be an impulse buying situation that is good value. You may genuinely need an item that may be on sale for a very short period of time. A flashing light inside a department store that has genuinely marked 90% off of the original marked price of household goods that you need is a good example.

Please remember that many marketers and sellers are trained to coax wary people into making impulse purchases. For example, you may inform a sales person inside the store “I will make a decision tonight and get back to you” and start to walk away. In response to this polite assertive statement some marketers may call out to you as you are walking away “I will give you a further 15% discount, but only if you make the purchase now”.

Refunds

It is a good idea to favor buying products from sellers that allow you to return the good for a full refund if you change your mind. Many department stores will allow you to do this if you keep your receipt and the packaging and goods are in their original condition.

This policy can be expensive if you buy goods on the Internet that are refundable. You will be required to pay the cost of the incoming postage/handling charges and outgoing postage. This can sometimes exceed \$100 in total.

Chapter nine

Checklists: scams and genuine purchases

This chapter offers a general checklist that you may find useful for most situations that require you to engage with advertising, marketers and sellers. It is also useful to refer to any time that you make a purchase.

This chapter also offers a general checklist that may aid you to identify scammers and scam business practices.

These two checklists presented in this chapter partially overlap. Table 7 focuses on assessing general criteria to aid you to decide if you want to deal with a supplier and purchase a product. Table 7 provides a shorter set of criteria that may be ‘red flags’ which suggest that a seller and its goods and services should be avoided.

Purchasing

Some of the items shown in Table 7 may not relate to all situations. You need to decide for yourself on a case-by-case basis which criteria are relevant and what responses best suit your needs. A ‘yes’ or ‘no’ answer does not automatically mean that purchasing a good or service is a good, bad or neutral option.

The criteria listed in Table 7 are objective. The answers to all questions are ‘black or white’ type responses if you remain honest with yourself. You may need to think critically to find the truthful answer. For example, recall that fake accreditation bodies exist.

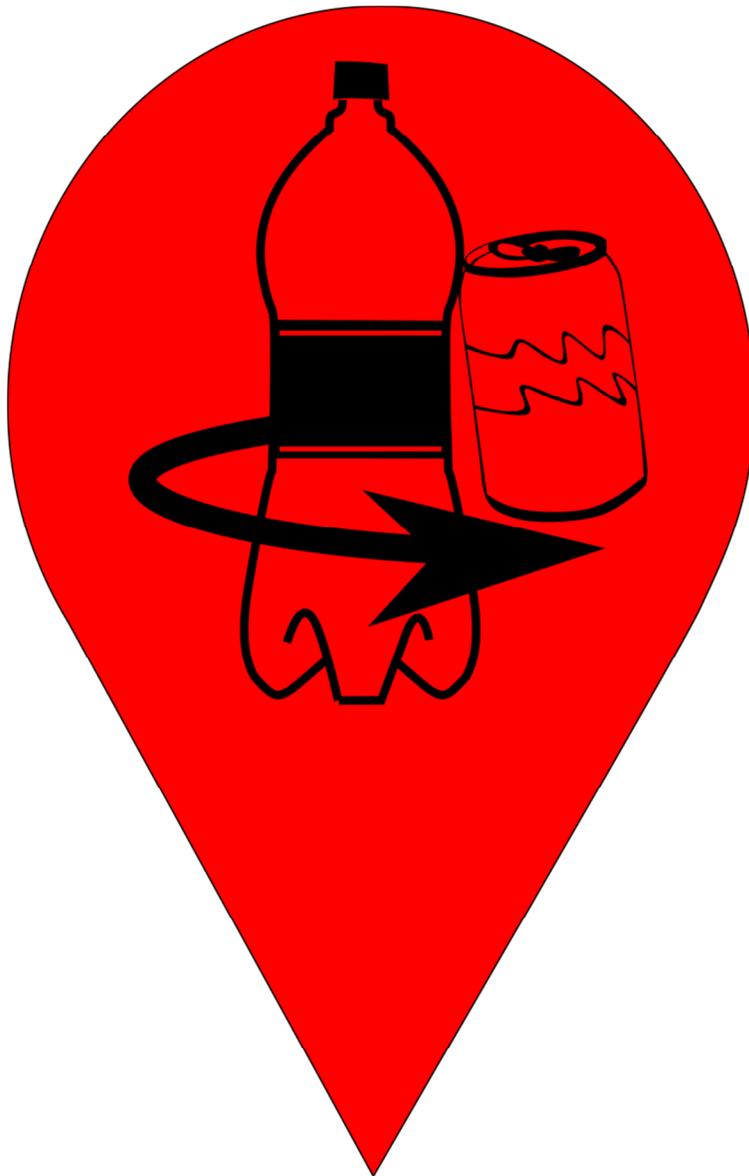


Table 7: A checklist for purchasing goods and services

Criteria	Your response
Can I afford this good or service?	
Is this purchase urgent or essential?	
How old is the company?	
Can I find details about the company's website on WHOIS? If yes, when was the domain name registered?	
Is the company/product accredited by a government authority or a recognized independent agency?	
Are the organization's professional staff licensed and regulated by an independent professional organization?	
Does the company have a physical office in my country?	
Can I take this company to a small claims court in my local jurisdiction (state/province or national)?	
Does the company have a refund policy?	
Does the company have a detailed corporate website?	
Does the corporate website show the names, faces, work-history and contact details of its executive leadership?	
What sort of stories do I see if I type the company name into a search engine such as Yahoo, Bing or Google?	
Does the company use asterisks * to footnote important details about the contract that are not included in the headline or in the speaker's comments?	
Does the company use smaller font to list conditions and exceptions in footnotes or at the end of the contract?	
Does the company employ scam tactics such as those listed in this digital book?	
Are the company's financial statements audited and made available for public inspection?	

Asterisks

Many advertisers use asterisks to highlight exceptions and additional conditions beyond what is stated in advertising headlines and what the speaker may say during a television commercial.

In some cases there are good reasons for this. It is sometimes not possible to list all details inside a headline.

In some cases, the use of asterisks and small footnotes to highlight exceptions and special conditions is a cynical ploy used by marketers to mislead consumers into focusing on the product benefits as stated in the headline. These benefits are usually placed in a prominent place and displayed in large, bold, colored font.

Figure 17 is an example of the use of asterisks in advertisements by predatory marketers.

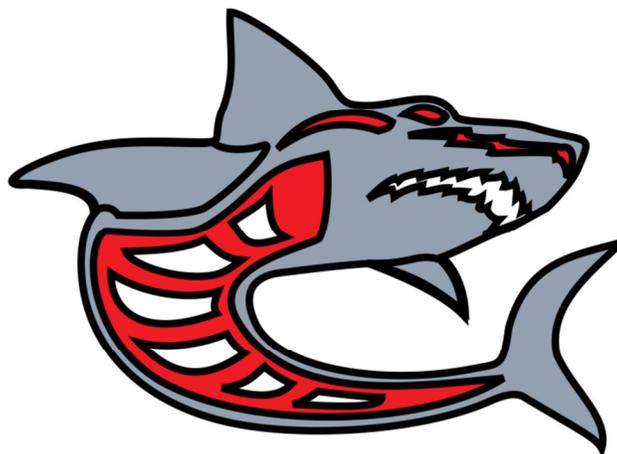


Figure 17

The use of asterisks by scammers

XYZABC Newbie cell phone plan Limited

**SPECIAL OFFER:
FREE PHONE CALLS FOR
APRIL IF YOU PURCHASE
1 GIG OF DATA***

**Dial 1855-recharging-now to take
advantage of this special offer.**

Hurry! Offer ends in 2 days.

*Excludes calls made on weekends, calls between 7pm and midnight and calls to: international destinations, chat lines and the use of the callback option.

For many, it is natural to focus on the big picture and ignore the details.

I argue that such behavior is a legal scam because the single benefit is shown in a

relatively large blue colored font. In contrast to this presentation style, the multiple exceptions are in a much smaller font. If the seller can find the space to display one benefit in large font, it should replicate the same format for the exclusions. Take note how the asterisk and the text are shown in a lighter font that italicize the words.

Fine print

Some contracts list exceptions and other terms and conditions in smaller font sizes than is displayed in the main body of the contract. The terms and conditions displayed in smaller font are normally shown as footnotes or as endnotes. These clauses are of equal standing to clauses in the main body of the contract that appear in regular sized font.

Figure 18 is an example of the use of fine print by those who engage in legal scams.



Figure 18

The use of fine print by scammers

XYZABC Travel Insurance Limited

Insurance sales contract (continued) page 22 of 22.

Clause 112

Original receipts must be provided to support claims for all items that were lost or stolen. If you cannot provide original receipts, your claim for that item will be rejected.

Notes

You have no right of claim against the insurer in cases where we have acted negligently.

The insurer reserves the right to alter the terms and conditions of this contract without reason and without notice.

I argue that this business practice is a scam if there is no fair and logical explanation for using shrunken fonts for the terms and conditions inserted as footnotes or endnotes that advantage the seller.

This business practice disadvantages persons with below average eyesight such as long sighted persons.

Red flags

You are advised to be extremely cautious of dealing with any seller where the answer is 'yes' to every question listed in Table 8.

Table 8

A checklist for identifying suspected scammers

Criteria	Yes or No
<p>This seller has contacted me by telephone, email or postal mail even though I have no association with this firm. I have never purchased from them in past and I have never provided them with my contact details.</p>	
<p>Question 2 (a) The seller that is trying to sell me this good or service is using a pop up banner on the Internet that has no connection to the web page that I am reading.</p> <p>Question 2 (b) Urgent red flag: The pop up banner has been designed to go around firewall blocks such as adware and spyware that my computer uses to block pop up advertisements.</p>	
<p>Urgent red flag: The company is using unauthorized adware or spyware to control my computer and communicate messages.</p>	
<p>Urgent red flag: The seller only takes payment via credit cards or money transfer companies such as Western Union or MoneyGram.</p>	

Chapter 10

Ethical marketing template

This chapter puts forward a suggested template that sales agents, marketers, consumers and others may refer to as a point of reference to reflect on ethical marketing practices.

This chapter and the decision template is a work-in-progress project. I argue that the template shown in Table 9 lists the essential guidelines that ethical sellers and marketers should adhere to.

I welcome constructive feedback from others.



Table 9

10 point plan for ethical marketing

	Issue	Your comments
1.	The seller has a refund policy that is accessible prior to the purchase. This refund policy is never changed without adequate notice.	
2.	All conflicts-of-interest related to the sale of goods and services are disclosed in full detail and in a timely manner.	
3.	The organization has a grievance policy.	
4.	The corporate contact details of senior management are made available.	
5.	The seller does not engage in lawful or unlawful misleading and deceptive scam practices.	
6.	The seller's business model is transparent.	
7.	The seller offers full product disclosure about its products including details such as risk and consequences of long-term usage.	
8.	The seller does not request that customers sign away their right to take legal action against the seller for malpractice or negligence.	
9.	The seller adheres to consumer protection laws and other laws at all times.	
10.	The seller has a policy that details the ethical business practices that it supports throughout its entire supply chain. The content of this policy document states that it aims to ensure that it does not exploit plants, animals, people, and the environment.	

Engaging stakeholders

The influence that others may exert over sellers, marketers and manufacturers may vary by context and jurisdiction. Table 10 discusses the role that stakeholders may play in eliminating scam practices that affect their business and its reputation.

The details provided in table 10 offer you alternative points of contact in cases where you are unable to achieve a satisfactory outcome when you complain to the seller or manufacturer of a good or service.

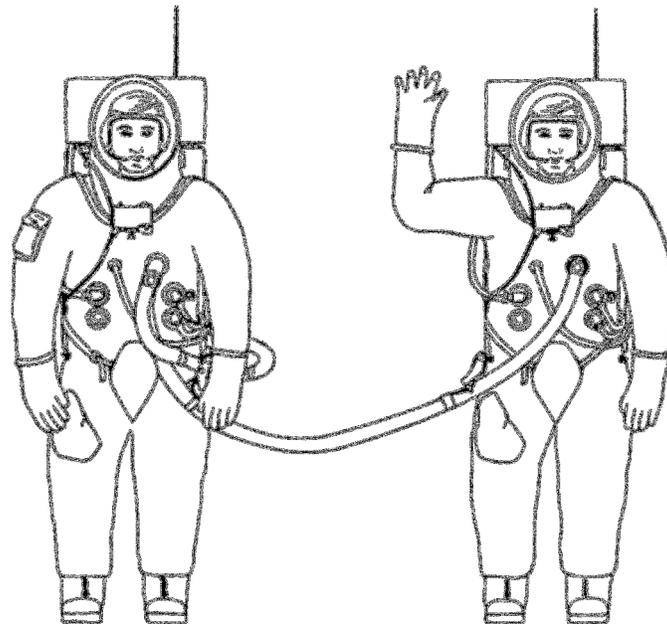


Table 10

Stakeholders who have an interest preventing legal business scams

Stakeholder	Example
Marketing associations	http://www.nordma.no/about-nordma-norwegian-direct-marketing-association.338295.html
Other professional bodies	https://www.ama-assn.org/
Business partners: Licensors, advertisers, sponsors, shareholders	http://www.cbcf.org/central/PartnersSponsors/Pages/default.aspx
Manufacturers	https://www.cdc.gov/safewater/oxfam-bucket.html
Small claims courts	https://www.statecourts.gov.sg/SmallClaims/Pages/GeneralInformation.aspx
Consumer Affairs Statutory Authorities	http://www.fcnb.ca/consumer-affairs.html
Consumer's rights advocates	https://www.consumerprotectionbc.ca/consumers-alias/help-for-consumer-rights
The media	http://www.theepochtimes.com/n3/c/world/canada/

These website addresses were active as of 1 May 2017.

Not all marketers and sales agents are members of professional bodies that impose a code of ethics on their members. Marketing is a relatively new discipline compared to other professions such as Accounting and Nursing.

Chapter 11

Consumer protection

This chapter provides contact details of institutions that may be able to assist those who have been scammed by employers and the sellers of goods and services.

For illustration purposes, this chapter centers on what I term members of the CRANZUKUS club: Canada, the Republic of Ireland, Australia, New Zealand, United Kingdom and the United States.

Most other countries offer comparable services and associations to the six countries listed in this chapter. You may locate these via Internet search engines.

The contact details listed in this chapter center on the needs of three vulnerable groups: foreign workers, immigrants and international students.

Local resources and support

International students, migrants and foreign workers have the same rights and legal protections as local citizens. You should not hesitate to contact a legal officer of a government authority or another party such as a trade union attorney if you

have been mistreated or cheated by another person or organization.

Free assistance is available for International students, migrants and foreign workers who have been treated unlawfully. These sources include student unions, workers unions, legal aid and consumer protection agencies.

The resources listed overleaf are initial points of contact. They are peak bodies and do not necessarily help individuals. Their websites and staff may direct you to the most appropriate contact.

The institutions that may help you will vary depending on factors such as the industry that you work in and the college where you study (*i.e.* the local student union).



Table 11

Consumer protection agencies

Country	National government website
Canada	http://www.ic.gc.ca/eic/site/oca-bc.nsf/eng/home
Ireland	http://ccpc.ie/
Australia	http://consumerlaw.gov.au/consumer-affairs-forum/
New Zealand	https://www.beehive.govt.nz/portfolio/commerce-and-consumer-affairs
United States	https://www.justice.gov/civil/consumer-protection-branch
United Kingdom	https://www.gov.uk/government/policies/consumer-protection

State, territory, regional and provincial governments may also offer consumer protection services. For example, see

<http://www.gov.scot/Topics/Business-Industry/ConsumerCompetition>

Table 12

Small claims courts

Country	National government website
Canada	http://www.justice.gc.ca/eng/csj-sjc/ccs-ajc/o2.html
Ireland	http://www.citizensinformation.ie/en/justice/courts_system/small_claims_court.html
Australia	https://www.accc.gov.au/contact-us/other-helpful-agencies/small-claims-tribunals
New Zealand	https://www.disputestribunal.govt.nz/
United States	https://www.usa.gov/consumer-complaints
United Kingdom	https://www.gov.uk/make-court-claim-for-money/overview

Table 13
Student unions

Country	National peak body
Canada	http://cfs-fcee.ca/ http://www.casa-acae.com/
Ireland	http://usi.ie/
Australia	http://www.nus.org.au/
New Zealand	http://www.students.org.nz/ http://www.students.org.nz/contactus
United States	http://usstudents.org/
United Kingdom	https://www.nus.org.uk/

Table 14
Workers' unions

Country	National peak body
Canada	http://canadianlabour.ca/
Ireland	http://www.ictu.ie/
Australia	http://www.actu.org.au/
New Zealand	http://www.union.org.nz/
United States	https://aflcio.org/
United Kingdom	https://www.tuc.org.uk/

Table 15

Legal aid

Country	National government reference
Canada	http://www.justice.gc.ca/eng/fund-fina/gov-gouv/aid-aide.html
Ireland	http://www.legalaidboard.ie/en/
Australia	http://www.australia.gov.au/content/legal-aid
New Zealand	https://www.justice.govt.nz/courts/going-to-court/legal-aid/
United States	https://www.usa.gov/legal-aid
United Kingdom	https://www.gov.uk/legal-aid/overview

Legal aid may be provided by state/provincial governments (*e.g.* Ontario) and regional governments (*e.g.* Scotland). Example - Ontario Government:

<http://www.legalaid.on.ca/en/>



Chapter 12

An ethical corporation case study

This chapter aims to end this book on a positive note.

There are many ethical corporations on our planet that add massive positive net value to our global society. Choosing one to show case is not an easy task.

I have chosen the Body Shop. I have not received payment for this endorsement and I have no connection to the Body Shop whatsoever. I made a handful of purchases at Body Shop outlets in London during the mid to late 1990s.

My affection for the Body Shop stems from the positive memories I have of this business from friends and acquaintances who are regular customers.

Positive attributes of The Body Shop:

- It uses only natural ingredients
- It does not test active ingredients on animals
- Business ethics remain at the forefront of its business model
- The business model does not attack women's self-esteem for profit.

Further reading:

http://theconversationspace.com/wpcontent/pdfs/The_Body_Shop_Case_Study_Article.pdf

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Annex

Search engines

You may access examples of commercial advertising by visiting the image display pages offered by online search engines such as Yahoo, Bing and Google.

These are accessible at these links:

https://www.google.com/?gws_rd=ssl#q=google+images

<https://images.search.yahoo.com/>

You may search these Engines using key search words such as:

“commercial advertising”, “sales”, “advertising”, “marketing”, “advertising examples”.

Online magazines

Free online commercial magazines are easy to find using search engines and key words such as “free online magazine”. For example,

<http://www.thetravelmagazine.net/>

Further reading

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