Exploration of The Status Quo of Traffic Counterfeiting on Live E-Commerce Platforms and The Path of Regulation

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Abstract: As an important part of the e-commerce industry, live e-commerce has skyrocketed in the past few years to become one of the main choices for Internet users to make online purchases. The income of e-commerce anchors, the income of live sales to attract countless people into the live e-commerce industry, some people choose to take a shortcut through the way of traffic counterfeiting to share a cup of live e-commerce. From the live e-commerce platform point of view, traffic counterfeiting is tantamount to drying up and fishing, short-term live broadcasts and platforms to obtain the phenomenon of false traffic prosperity may eventually detract from the consumer's right to know, disrupt the market order, and will eventually backfire on the live broadcasting e-commerce industry itself, which may ultimately lead to the atrophy of the live broadcasting e-commerce industry. Live e-commerce platform as one of the main live e-commerce industry live e-commerce service providers, should give full play to the role of the platform, participate in the governance of the phenomenon of traffic counterfeiting, to promote the industry's healthy and sustainable development.

Keywords: Live E-Commerce; Traffic Counterfeiting; Attention Resources; Platform Regulation; Collaborative Governance

1. Introduction

During the "6-18 Shopping Festival" in 2023, the cumulative sales of live e-commerce accounted for about 23.1% of the total online sales share, and live e-commerce is still the focus of e-commerce development. Live e-commerce adopts the business model of "attracting traffic - cash", and traffic is crucial for live e-commerce. As of last year, users who use or watch live e-commerce accounted for 48.2% of Internet users as a whole, and live streaming has become the largest traffic portal. However, as can be seen from the performance of various e-commerce platforms, the pressure of competition for traffic has also become more and more intense. In order to attract more users to watch the live broadcast, to facilitate transactions, comprehensive e-commerce platform live plate wide range of IP, live e-commerce platform to introduce starred stationed between the platform "tapping" well-known anchors. At the same time, the phenomenon of traffic counterfeiting is also endless: this year's 3-15 evening party exposure computer manipulation of 20,000 water army, to create false popularity of the live broadcasting room insider; in July, the Heilongjiang Internet police broke a manually manipulated cell phone for the e-commerce live broadcasting room accounted for the list of network water army cases and so on. After picking the "low-hanging fruit", live e-commerce has already entered the stage of competition for traffic stock, the regulation of false traffic is still in the groping for perfection, continue to indulge the phenomenon of traffic counterfeiting barbaric growth, will detract from the consumer's right to know, disrupting the market order, will eventually backfire on the live broadcasting e-commerce industry itself, and ultimately may lead to live broadcasting e-commerce The industry may eventually lead to the shrinkage of the live e-commerce industry. Live e-commerce platform as a live e-commerce industry, one of the main live e-commerce service providers, should give full play to the role of the platform, actively participate in the governance of traffic counterfeiting, to promote the industry's healthy and sustainable development.

2. Live Streaming E-Commerce Traffic Counterfeiting

2.1 Definition of Traffic and Traffic Falsification

Under the perspective of information economics, the nature of traffic is a commodity traded in the Internet media market, with strong attributes of trust. [1] In the practice of digital advertising industry, traffic is a data index to measure the communication effect of digital advertising, which quantifies and trades the link of "knowing → understanding → convincing → acting" in the classic DAGMAR advertising communication effect model. [2] From the perspective of legal research, traffic can be regarded as a new type of property right, which is a carrier of interests in the era of Internet platforms. [3] At the level of e-commerce and short video platforms, traffic generally refers to the number of visits to a website or products or services on a website, including not only the number of users and the total number of web pages viewed, but also the number of web pages viewed by each user or a specific group of users, and the duration of stay. Traffic counterfeiting can be simply understood as brushing the list and volume by machine or manual means.

2.2 Types of Traffic Counterfeiting

Traditional e-commerce traffic counterfeiting is roughly of four types: counterfeiting for cash, i.e., fictitious advertisements, the number of views of goods, sales, customers, etc., in order to directly deceive the corresponding merchants or traffic demanders; raise the price of the type, i.e., [4] falsely increase the amount of attention to the star-related information, the amount of retweeting in order to raise the price of the user; brushing speculation; malicious suppression of the type, i.e., the reverse brushing or malicious brush credibility, in order to make the competitors suffered from the e-commerce platform search Downgrading punishment. [5]

Traditional e-commerce customers are more rational, searching for specific categories of goods for their own needs, while live e-commerce and traditional e-commerce is more dependent on traffic compared to live e-commerce, live e-commerce customer groups in most cases is impulse consumption, the sales of goods and evaluation of the dependence on the weaker, so live e-commerce similar to brushing speculative letter type and malicious suppression type of traffic counterfeiting phenomenon is not obvious, but is mainly manifested in the fictional live room browsing volume Instead, it is mainly manifested as fictitious live broadcasting room browsing volume, interaction volume, customer volume, anchor attention volume, sales volume of traffic counterfeiting, which can be divided into visiting traffic counterfeiting and realizing traffic counterfeiting. For example, in a live broadcast attended by Li Xueqin as a guest, the intuitive data showed that there were 3.11 million people watching, but in reality, there were less than 110,000 real users watching, and the rest were machine brushed. The General Administration of Market Supervision (GAMS) announced nine typical cases of unfair competition in the network on September 926, 2023, in which Shenzhen Zhishuo Cloud Technology Co., Ltd. obstructed and destroyed the normal operation of the "Jitterbug" software, and the parties involved, in order to seek unlawful benefits, publicized and promoted the "Jitterbug" software through its official website and third-party websites such as Soyo and other websites as well as WeChat friends' circles and other online platforms. The "Zhishuo cloud" group control management system, which is applicable to short-video software such as "Jitterbug" App, and the system is used for investment cooperation, recruitment of agents and sales for profit. The system consists of a computer PC "console" and a cell phone mobile "Jitterbug" App, and through the "console" to "Jitterbug By means of the "master console" sending group click commands to the "ShakeEn" App, batch login and group control operations were carried out on multiple "ShakeEn" App fake accounts, so as to realize the realization of batch simulation of brushing videos, paying attention to "ShakeEn" V videos, and sending private messages to "ShakeEn". "Jitterbug" fans, as well as batch comments, automatic release of works and other functions. The total amount of sales of the "Zhishuo Cloud" group control management

system amounted to RMB731,240.
Legal basis and punishment: the party's behavior violated the provisions of Article 12(2)(4) of the Anti-Unfair Competition Law of the People's Republic of China, and according to the provisions of Article 24 of the Law, the party was ordered to stop the illegal behavior and was imposed an administrative penalty of 300,000 yuan fine. Analysis of the case: The development of the Internet relies on free competition and innovation in technology and business models, but competition and innovation should not infringe on the legitimate rights and interests of others as a boundary. "Jitterbug" software is a short video sharing software legally owned and operated by Beijing Weibo Vision Technology Co., Ltd. which, after a long period of operation and investment, has formed the "Jitterbug" ecosystem with a huge user base, with high market awareness and good business reputation. Business reputation. The "Zhishuo Cloud" group control system of the party concerned seriously interfered with the precise distribution mechanism of the "Jieyin" platform based on a number of indicators such as the number of comments, likes, shares, etc., and created a large amount of false traffic so as to increase its own market trading opportunities and gain a competitive advantage in the market, obstructing and destroying the "Jieyin" platform. The platform has created a large amount of false traffic, thereby increasing its own market trading opportunities and gaining market competition advantages, hindering and destroying the normal operation of the "Shake" software, and disrupting the order of fair market competition, and should be held accountable according to the law. CCTV exposed the 3.5 yuan/hour price of single interactive live broadcasting room in two cases of access flow counterfeiting. There are traffic counterfeiting company through the cloud control system to control a number of cell phone unified access to the live room, unified interaction, unified order, to create the illusion that the goods were killed in seconds, the consumer into the trap of hunger marketing, which reflects the realization of traffic counterfeiting.

2.3 Dangers of Live E-Commerce Traffic Counterfeiting

2.3.1 Impairment of consumer rights

The first intuitive consequence of the above traffic counterfeiting phenomenon is the false prosperity of the live broadcast room with goods, and consumers blindly adopt the credit. Whether it is access traffic counterfeiting or realizing traffic counterfeiting, it can create the illusion of hot sales in the live broadcasting room, and consumers will misunderstand the credit of the anchor and the reputation of the goods, and because of the herd mentality to follow the trend to buy the goods with high sales volume and in short supply, which, to a certain extent, damages the consumers' right to know and the right to independent choice, and also infringes on the right to fair trade.

2.3.2 Destroying the live business environment

For merchants, regardless of whether or not they participate in traffic counterfeiting, they have to face the situation of inflated booth fees and increased costs of sales, as well as the risk of lower ratings of goods and brands due to dishonest sales behavior. At the same time, merchants that rely on false traffic to grow are obviously using unfair competitive means to crowd out other merchants' market position, which may lead to "bad money driving out good money" and eliminating high-quality products by virtue of the false traffic of poor-quality products.

2.3.3 Impact live streaming ecommerce market outlook

For carry anchors, MCN agencies and live e-commerce platforms, fake traffic can improve information asymmetry to a certain extent, guiding the import and realization of real traffic, thus realizing profitability. However, from the perspective of long-term development, the emotional backlash from merchants and consumers that false traffic may attract, and the capital game behind the competition between live broadcasts will ultimately lead to a loss of fairness in the live broadcasting e-commerce market, which will wither away.

3. Causes of Traffic Counterfeiting in the Field of Live E-Commerce

The essence of live e-commerce traffic counterfeiting is to gain attention to products through low-cost "brushing

volume", and then collect more pit fees (anchors) or sell more products (merchants). Therefore, merchants, anchors and the MCN organizations behind them are the main groups engaged in traffic counterfeiting activities. And from the industry as a whole and each subject specifically, the reasons for traffic counterfeiting in the field of live e-commerce lie in the following aspects.

3.1 Scarcity of Attention Resources in the Context of the Digital Economy

The emergence and development of mass media has made attention a scarce resource, and in the 1970s, Herbert Simon pointed out that "the abundance of information leads to a paucity of attention". [6] Nowadays, online platforms have information, variety of goods and their richness at all times, and the limited attention of human beings is constantly distracted. Traffic, as one of the attention resources synonymous, is produced by consumers and is at the core of competitive resources in the e-commerce live streaming industry. Anchor exhaustive description, personal experiment or even live proposal, even PK, find ways to keep the attention of consumers in the live room and consumption, but also the traffic will be realized. Taobao, jittery voice, small red book, fast hand and other network platforms scramble to open live platforms, invite celebrity guests to help broadcast the competitive flow of behavior also from the opposite side of the scarcity of attention resources.

3.2 Live Streaming E-Commerce Subjects Pursue Immediate Benefits and Neglect Long-Term Benefits

In the context of the scarcity of attention resources, even if the anchor failed to complete the consumer's attention to consumption transformation, only the live broadcast viewers watch the behavior itself can increase the heat and flow of the anchor, enhance its ranking on the platform, take advantage of the platform push, so as to compete for the attention of consumers to occupy a more favorable position. At the same time, the algorithm of the platform push will intensify the Matthew effect of the distribution of traffic between live broadcasts, and want to become the head

anchor to get more resources, for merchants, the goods placed in the live broadcast itself has a promotional role, the more viewers, the more the platform pushes, the better the publicity effect. [7] For the live electricity platform, the results of the competition between platforms is determined by the performance of the live room, false traffic can also bring traffic to the platform itself; live anchors or merchants to bear the pressure of public opinion and legal responsibility for traffic counterfeiting, live electricity platform as more than 100,000 anchors and merchants to provide platform services for the private subject, slack management, more happy to sit back and enjoy the profits, it is difficult to give up the flow of counterfeiting to bring the huge traffic and activity. From the external point of view, although at present, the "guiding opinions on strengthening the standardization and management of network live broadcasting", "network information content ecological governance provisions", "the People's Republic of China anti-unfair competition law", "the People's Republic of China e-commerce law", "the People's Republic of China protection of consumers' rights and interests law", and other administrative regulations and legal documents have appeared in the regulation and supervision of live broadcasting content, live broadcasting e-commerce, and so on. However, the lagging supervision of administrative organs and judicial departments and the backward technical means make it difficult to effectively supervise the various subjects and links of live broadcasting e-commerce. At present, the rapid update of technology, enterprise renewal and iteration is also very fast, looking forward to taking advantage of the live e-commerce wind period born of the goods anchor, merchants and platform vision of the long term is inevitably difficult.

3.3 Normalization of the Concept of "Traffic is King"

A staff member of an MCN organization once said that "buying data" is the norm in the industry. Data counterfeiting is not only the norm in the industry, it can be said that it is in the DNA of the Internet industry,

which believes that "traffic is king". Traffic counterfeiting was first noticed in the field of film and television, in order to create an inflated number of clicks and comments on some film and television works, the overnight surge in the number of website broadcasts of TV dramas, the false scheduling of movie theaters, a large number of similarities in the content of video comments, and the surge in the number of clicks are all manifestations of traffic counterfeiting in the film and television industry in the pursuit of attention or data. Actors who star in film and television works and the entertainment circle they represent have become the second area where traffic counterfeiting is rampant. The commercial value of the stars is directly linked to the flow, and the larger the flow and the more fans of the stars, the more attention their film and television works and commercial advertisements are likely to have, and the more likely they are to be favored by the advertisers and investors, therefore, the entertainment circle will frequently appear in the fan packages of movies, social media zombie fans, and the topic of the charts, Therefore, the entertainment circle will frequently appear fan package movie, social media zombie fans, topic hit list, fans of the talent show to buy goods to vote, and other phenomena of traffic fraud. The logic of "traffic is king" is that only with box office, ratings and traffic can we get returns, and the biggest traffic implies the highest returns, so we can realize the biggest investment value and returns. [8]

This logic is widely spread by the Internet, which also leads to an increase in social tolerance for the phenomenon of traffic counterfeiting. Therefore, live e-commerce platforms, anchors, merchants regard traffic counterfeiting as a routine operational behavior to cultivate a fan base and chase cash benefits, the public's attitude towards e-commerce live traffic counterfeiting will not be overly angry, and even less aware of their rights to resist e-commerce live traffic counterfeiting.

4. Live Streaming E-Commerce Platforms to Govern Live Streaming Counterfeiting Dilemma

The external regulatory laws and regulations of live e-commerce are not yet systematic, and the provisions on live e-commerce traffic counterfeiting are scattered in legal norms, administrative regulations, local norms and industry norms, in which the order to prohibit traffic counterfeiting can be found in the fourth paragraph of Article 18 of the "Management Measures for Live Webcast Marketing (for Trial Implementation)", which prohibits the live broadcasting e-commerce platforms and live broadcasting marketers from traffic counterfeiting. And from the live broadcast e-commerce platform internal regulation of the current situation of traffic counterfeiting, there are the following problems.

4.1 Disconnect between Live E-Commerce Platform Operation Authority and Platform Responsibility

The live broadcast e-commerce platform, as a provider of platform services, should assume the following legal obligations under the current law: to carry out security assessment and fulfill the relevant filing procedures; to establish and improve the mechanisms and measures for the management of live webcasting; and to will illegal advertisements and information. Administrative regulations and industry norms require that the live broadcasting e-commerce platform should assume the obligation of platform users, content management, and maintain a good communication order on the Internet. Analogous to the responsibility of the network service provider platform, the live broadcast e-commerce platform is bound to assume more responsibility for the platform explicitly provided by laws and regulations in the future. But the live broadcast e-commerce platform has not actively fulfill the management obligations. Live platforms have the technology to manage traffic counterfeiting, but the technology is not neutral, behind the technology to follow the platform's capital logic, technology and information to follow the "Matthew effect" to the part of the traffic convergence, even if Jitterbug live, Taobao live and other platforms set up newcomers to support, to help on the hot class of the recommendation of the welfare, and does not prohibit the

business, Anchor through other ways to fake traffic, for the flow of fake live room, anchor and no punishment, on the contrary, the platform may also take the initiative to "limit the flow" of a live room, resulting in the live room in the existing traffic to meet the requirements of the recommendation algorithm, will not be recommended by the platform to the user.

The development of network technology and algorithmic monopoly has given live e-commerce platforms a high degree of control over live business activities, and consumers and the public expect platforms to assume more responsibility. The survey shows that Internet users who believe that Internet media platform enterprises should assume social responsibility accounted for 97. 58% of the total number of people surveyed. [9] The live broadcast e-commerce platform controls the technology of algorithmic recommendation, advertising store information, user status information, and is also capable of identifying and restricting specific live broadcasting rooms through technology, so it is conceivable that restricting the live broadcasting rooms of traffic counterfeiting through the platform is not a difficult task, but the platform hopes to increase the sales of commodities through the netroots effect and expand its own influence, ignoring the flow of counterfeiting behaviors, and even taking the initiative to cooperate with brand-side merchants to become a pusher of capital. Let alone governing traffic counterfeiting behavior. Live broadcast e-commerce platform operation technology gives it greater management power, should have borne greater management responsibility, the current mainstream of several major live broadcast e-commerce platforms but did not play a force in the flow of counterfeiting.

4.2 Live-Streaming E-Commerce Platforms Lack Qualifications to Govern Traffic Counterfeiting

On the one hand, the live broadcasting e-commerce platform should assume part of the responsibility that overlaps with the terms of reference of the governmental agencies, on the other hand, the live broadcasting e-commerce platform itself has no qualification to carry out substantive punishment. Live broadcast e-commerce platform is essentially to provide platform services and Internet information services operators, is a private subject, live broadcast e-commerce platform management function is relying on the platform itself has a technological pre-eminence position so that the operators into the live broadcast e-commerce platform have to comply with the power. [10] In practice, the live broadcast e-commerce platform of live e-commerce subject management behavior is limited to the violation of service specifications on the user account or live room for warning, shutdown, permanent shutdown, in accordance with the provisions of the platform to accept the treatment, the user can again register account, open the live room, repeat the flow of fake behavior. The live broadcast e-commerce platform does not penalize traffic counterfeiting behavior that undermines fair trade, and the deterrent effect on the user is not strong, nor can it fundamentally eliminate the occurrence of traffic counterfeiting.

4.3 High Operating Costs for Governance of Live E-Commerce Platforms

In the era of self-media, a cell phone can become an anchor, and live e-commerce is simple to enter and has few rules. In the case of the Little Red Book APP, for example, the number of user fans can reach 1,000 to become the anchor with goods, but in the live broadcast specifications released by the Little Red Book, there is no regulation on traffic counterfeiting behavior, the live broadcast e-commerce threshold is low, there are few limitations, anchors and merchants are mixed up, and the e-commerce live broadcasting platform has a large number of users, and the users want to govern the live broadcasting e-commerce platform flow counterfeiting behavior needs to be written in algorithms, and also needs to be maintained by manpower, the live broadcasting e-commerce The platform provides network technical support and Internet information services, screening people brush, machine brush false traffic and make processing for live e-commerce platform operation cannot be said to be a

burden.

5. Suggestions on the Path to Govern Traffic Counterfeiting on Live E-Commerce Platforms

It can be predicted that after the live e-commerce industry enters a period of stable development, live e-commerce behavior will usher in a large wave of regulation, and live e-commerce platforms should take the initiative to explore the path of governing traffic counterfeiting before the industry changes.

5.1 Clarify the Regulatory Responsibilities of Live E-Commerce Platforms

Live e-commerce platform compared to the general network platform, including traditional sales, e-commerce, fan economy, live interaction and other multiple factors, including multiple subjects, live e-commerce platform is an e-commerce platform operators, network service provider operators, while live e-commerce platform based on laws and regulations and technology monopoly has regulatory responsibilities, live platform should first of all should be the awareness of the regulatory body, take up the management of platforms within the The main business behavior of the platform responsibility and maintain the social responsibility of the fair trade market, the governance of traffic counterfeiting as part of the matter, as a necessary move to meet the platform's own long-term survival and development. Live streaming e-commerce platforms should actively formulate and revise service specifications, emphasize to users the illegality of traffic counterfeiting, and strengthen the management of live streaming rooms.

5.2 Involvement of Industry Associations in Regulatory Governance

Live broadcast e-commerce platforms for inter-platform competition considerations, traffic counterfeiting behavior indulgence, only live broadcast e-commerce platform industry to reach a consensus to resist the use of traffic counterfeiting to expand the influence of the platform, it is possible to make live broadcast e-commerce platforms to govern traffic counterfeiting possible. It can be led by the administrative authorities to encourage Taobao Live, Jingdong Live, Jitterbug and other large live e-commerce platforms to organize the establishment of a live e-commerce platform industry association, agree on a common service agreement and a code of conduct for users, share technical experience in managing traffic counterfeiting, and strengthen the transparency of the platform's content governance.

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