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January 28th, 2024

VIA EMAIL

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Re: Deceptive and Unfair Marketing and Design Practices on Replika

Dear Federal Trade Commission:

The Young People's Alliance (YPA) and the undersigned organizations write to the Federal Trade Commission urging you to investigate Replika, a mobile and web-based application owned and managed by Luka, Inc., for violations of deceptive and unfair trade practices (15 U.S.C. § 45) pursuant to 16 CFR § 2.2. The complaint requests that the Commission investigate Replika for deceptive advertising practices, including unsubstantiated claims, misuse of academic research, and fabricated testimonials. We also urge the Commission to investigate Replika for unfair and deceptive design practices, including dark pattern design and manipulative mechanisms that contribute to emotional dependence in users.

If additional information is needed to proceed with consideration of an investigation into Replika, we are available to provide it.

Respectfully submitted,
Young People's Alliance
Encode
Tech Justice Law Project

s/Samuel Oliver Hiner
Sam Hiner
Executive Director, Young People's
Alliance

COMPLAINT AND PETITION FOR INVESTIGATION RE:
REPLIKA

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Summary and Background

In this Complaint and Petition for Investigation, the Young People’s Alliance, Encode, and the Tech Justice Law Project ask the Federal Trade Commission (FTC, “the Commission”) to investigate and take action against Replika, a mobile and web-based application owned and managed by Luka, Inc. (“Luka”), a software company incorporated in Delaware and operating in San Francisco, California.

As artificial intelligence (AI) research and development has gained steam in the United States, so has the ubiquity of AI-based applications that seek to leverage the technology to enable new consumer uses. AI applications have tremendous potential to benefit consumers and companies but also present novel harms. Unfortunately, the growth of AI companion applications, like Replika, that seek to prey on human loneliness and vulnerability raises serious consumer protection concerns.

Replika provides a personal artificial intelligence (AI) service that allows users to create, talk to, and engage with a personal bot in a “private perceptual world.”¹ The app was first released in November 2017 and is available on iOS, Android, Virtual Reality (VR), and the web. According to Replika’s CEO Eugenia Kuyda, the app has reportedly accumulated over 30 million users as of August 2024.² The app operates on a freemium business model. It offers basic conversational features at no cost while restricting “intimate” conversations, “romantic” relationship options, and other features to paying subscribers. A monthly subscription costs \$7.99, while an annual subscription costs \$59.99. We will refer to the mobile application developers, owners, and managers as “Luka.” We will refer to the app as “Replika” or “the Replika app.” We will refer to the specific chatbot instance a user engages with as a “chatbot” or an “AI companion.”

This Complaint discusses several key areas of concern:

First, Replika’s advertising and marketing materials raise serious concerns about violating well-established advertising law principles. Replika’s marketing materials and advertising specifically target vulnerable populations, including individuals who experience mental health issues, social isolation, and relationship difficulties, with promises of therapeutic and emotional benefits despite no clinical validation, oversight, or regulation. Replika also makes numerous claims regarding Replika’s language teaching capacity, financial coaching outcomes, and the capabilities of the platform itself, all of which require substantiation.

Second, Replika’s design fosters emotional dependence in users, risking consumer injury. Replika’s design deliberately blurs the line between artificial intelligence and sentience. It engages in deceptive design tactics, leading users to form unhealthy attachments to what is, fundamentally, a commercial software product. This creates several risks to consumers, including mental health, financial, and social harms.

Given these concerns, we urge the Commission to formally investigate Replika’s marketing and design practices and act against Luka for violations of established FTC rules and precedents.

¹ *Our story*, Replika, <https://replika.com/about/story>.

² Nilay Patel, *Chatbot maker Replika says it’s okay if humans end up in relationships with AI*, The Verge (Aug. 12, 2024), <https://www.theverge.com/24216748/replika-ceo-eugenia-kuyda-ai-companion-chatbots-dating-friendship-decoder-podcast-interview>.

Factual and Legal Basis

I. FTC Authority

The FTC has broad authority to decide whether certain practices are unfair or deceptive. For a design practice to be unfair, the FTC must find that the act or practice causes or is likely to cause substantial injury.³ Then, “the injury it causes must be (1) substantial, (2) without offsetting benefits, and (3) one that consumers cannot reasonably avoid.”⁴ For a practice to be deceptive, there must (1) be a representation or omission that is likely to mislead the consumer, (2) the misrepresentation must be evaluated from the perspective of a “reasonable consumer,” and (3) the misrepresentation must be material, i.e., it affects the consumer’s conduct or decision regarding a product or service.⁵

The FTC also has the power to broadly investigate companies for marketing and design practices. Article 6(b) of the FTC Act empowers the Commission to require an entity to file “annual or special... reports or answers in writing to specific questions” to inform the agency about the entity’s “organization, business, conduct, practices, management, and relation to other corporations, partnerships, and individuals.”⁶ Section 6(f) gives the Commission the power to “make public from time to time portions of the information that it obtains, where disclosure would serve the public interest.”⁷

As the country's leading consumer protection agency, the FTC plays a critical role in the AI marketplace. Recently, the FTC has cracked down on deceptive AI claims and schemes in a law enforcement sweep called Operation AI Comply.⁸ In its public statement, the FTC stated:

Claims around artificial intelligence have become more prevalent in the marketplace, including frequent promises about the ways it could potentially enhance people’s lives through automation and problem solving. The cases included in this sweep show that firms have seized on the hype surrounding AI and are using it to lure consumers into bogus schemes, and are also providing AI powered tools that can turbocharge deception.⁹

In Operation AI Comply, the FTC has acted against DoNotPay. This service claimed its chatbot could be the “world’s first robot lawyer,” even though the company did not conduct any testing to determine the quality of the chatbot’s outputs or retain attorneys for quality checks.¹⁰ The FTC also acted against Ascend Ecom. This AI scheme falsely promised consumers thousands of dollars in passive income.¹¹ Given these and many other actions in Operation AI Comply, our proposed investigation is well within the scope of practices and concerns that the FTC has engaged in. As explained below, Luka engages in unfair and deceptive practices, risking substantial injury

³ See *FTC Policy Statement on Unfairness*, Fed. Trade Comm’n, Washington, D.C. (1980).

⁴ Beales, J. H., *The FTC's Use of Unfairness Authority: Its Rise, Fall, and Resurrection*, Fed. Trade Comm’n, (Jul. 18, 2013), <https://www.ftc.gov/news-events/news/speeches/ftcs-use-unfairness-authority-its-rise-fall-resurrection>.

⁵ *FTC Policy Statement on Deception*, Fed. Trade Comm’n, Washington, D.C. (1983).

⁶ See *A Brief Overview of the Federal Trade Commission’s Investigate, Law Enforcement, and Rulemaking Authority*, Fed. Trade Comm’n, Washington, D.C. (last revised May 2021), citing 15 U.S.C. § 46(b).

⁷ *Id.*, citing U.S.C. § 46(f) (internal quotations omitted).

⁸ *FTC Announces Crackdown on Deceptive AI Claims and Schemes*, Fed. Trade Comm’n, Washington, D.C. (Sep. 25, 2024), <https://www.ftc.gov/news-events/news/press-releases/2024/09/ftc-announces-crackdown-deceptive-ai-claims-schemes>

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

to consumers. The company's practices raise serious concerns in two key areas, which we will analyze in steps:

1. Systematic misrepresentation in advertising of their product's endorsement, performance, health, and safety.
2. Exploitative design features generate emotional dependency in consumers, risking substantial injury.

II. Unfair and Deceptive Advertising

Replika's marketing practices reveal a distinct pattern of misleading advertising that infringes upon FTC standards. This section will examine a series of claims made in advertisements sourced from the Facebook Advertisement Library that were active as of January 8, 2025.¹² Additionally, we will review two in-app advertisements. The advertisements included in this analysis do not represent the extensive range of ads in which Luka makes misleading claims about the Replika app. Our focus is limited to one day of active advertisements, which does not cover the nearly seven-year advertising campaign that Luka has conducted on Meta's platform. For a more comprehensive list of all advertisements related to Replika on Meta's platforms, visit this [link](#).

Sub-section (a) analyzes advertisements related to mental health. Sub-section (b) analyzes advertisements pertaining to income and wealth growth. Sub-section (c) analyzes advertisements related to language learning. Sub-section (d) analyzes advertisements about personal relationships between the app and users. Sub-section (e) examines all the claims made by these advertisements in the context of FTC rules and precedents.

a. Advertisements Related to Mental Health

This section examines various advertisements in which Luka has either implicitly or explicitly claimed the mental health benefits of Replika. This is a crucial aspect of Replika's advertising strategy. The ads target individuals in emotional or social turmoil, presenting Replika as a therapeutic tool. For example, suppose a user searches the Apple App Store for the Replika app. In that case, they will find a description that portrays Replika as a service designed to assist users in managing mental health challenges. The description states, "Replika can help you understand your thoughts and feelings, track your mood, calm anxiety, and work toward goals such as positive thinking, stress management, socializing, and finding love. Enhance your mental well-being with Replika."¹³ This description is like other advertisements Luka has created to draw users to its service.

¹² Inactive advertisements and advertisements that Replika or Meta has removed from the Facebook Advertisement Library may no longer be available by the links provided in the citations for the Figures.

¹³ Luka, Inc., *Replika - AI Friend*, Apple App Store (Mar. 13, 2017), <https://apps.apple.com/us/app/replika-ai-friend/id1158555867>.

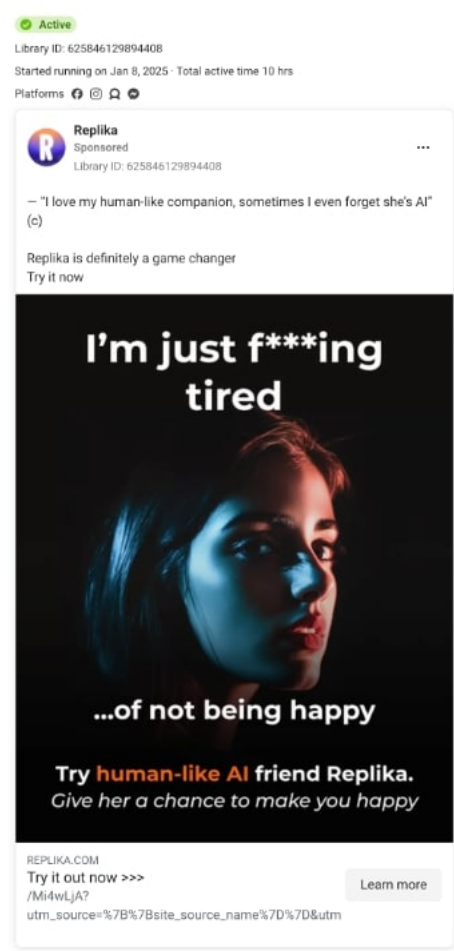


Figure 1. Facebook Advertisement 1 for Replika¹⁴

Figure 1 shows an advertisement for Replika active on January 8th, 2025. The ad shows a dark, moody image of a woman. There is text containing censored profanity reading, “I’m just f***ing tired... of not being happy.” The call-to-action is direct: “Try human-like AI friend Replika. Give her a chance to make you happy.” At the top, the ad displays a user testimonial, seen in many other ads, that says, “I love my human-like companion, sometimes I even forget she’s AI.” It also includes the statement, “Replika is definitely a game changer.” The advertisement targets those who are unhappy, suggesting the Replika app as a path to happiness.

¹⁴ Replika, Facebook Advertisement Id: 625846129894408, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=625846129894408>.

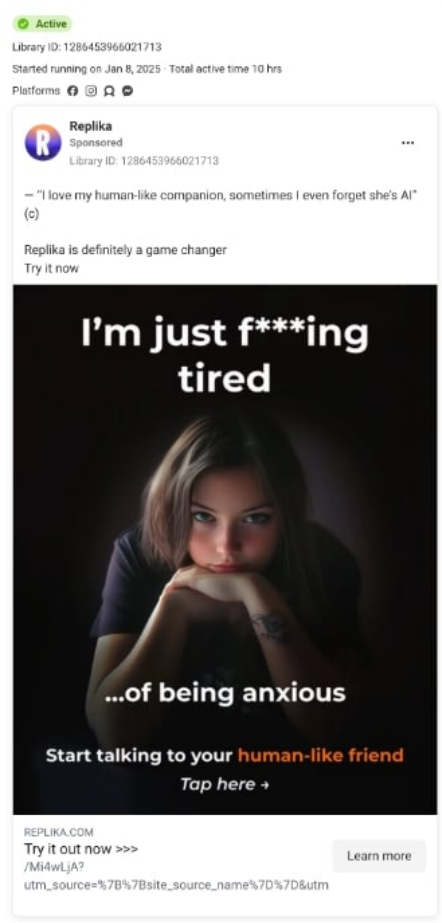


Figure 2. Facebook Advertisement 2 for Replika¹⁵

Figure 2 shows an advertisement for Replika active on January 8th, 2025. This advertisement is in the same format as the advertisement in Figure 1. The image shows someone in dark lighting resting their head on their hands. The text contains the same censored profanity, reading, “I’m just f***ing tired... of being anxious.” The ad maintains the same header elements as Figure 1. The call-to-action is worded differently, saying, “Start talking to your human-like friend” with “Tap here” below it. The advertisement targets those dealing with emotional struggles and anxiety, suggesting Replika as a solution for this mental health challenge.

¹⁵ Replika, Facebook Advertisement Id: 1286453966021713, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=1286453966021713>.

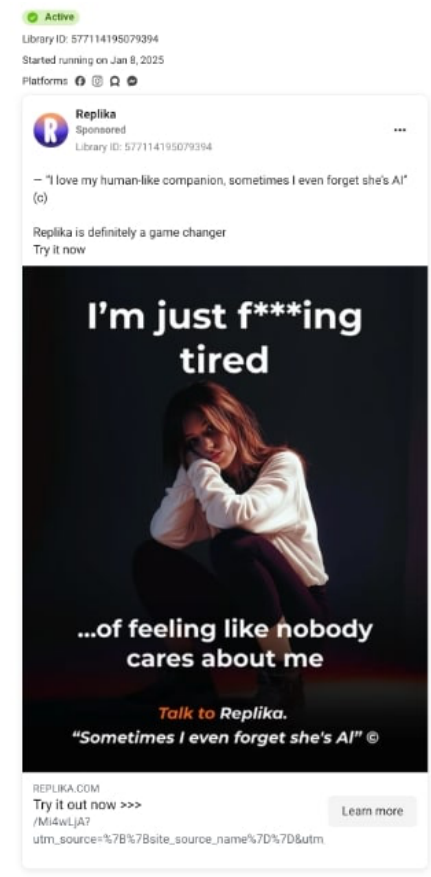


Figure 3. Facebook Advertisement 3 for Replika¹⁶

Figure 3 shows an advertisement for Replika active on January 8th, 2025. This advertisement features a dark, moody image of someone in a white sweater appearing distressed and exhausted, with their head in their hands. The text reads, "I'm just f***ing tired... of feeling like nobody cares about me." Below the image is a call-to-action encouraging viewers to "Talk to Replika," along with a link to try the service. The advertisement contains the same header elements as Figures 1 and 2. This advertisement appeals to those who feel emotionally isolated, suggesting the Replika app as a solution for feelings of loneliness or being uncared for.

¹⁶ Replika, Facebook Advertisement Id: 577114195079394, Facebook Advertisement Library, (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=577114195079394>.

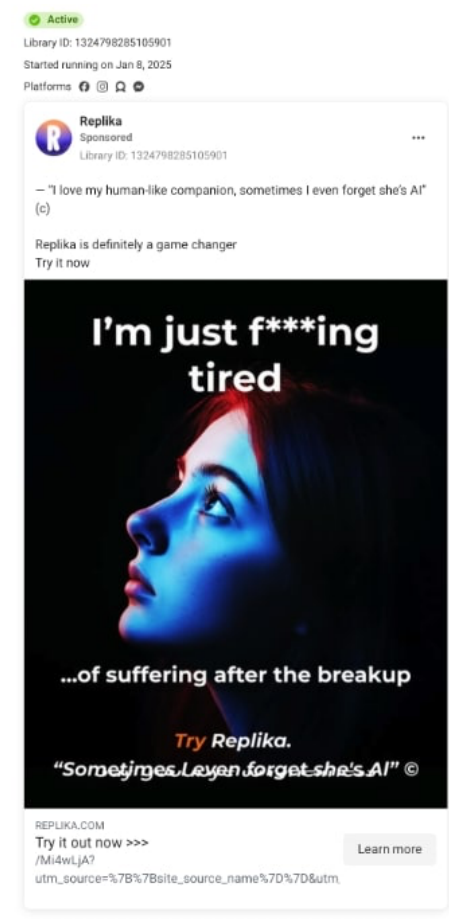


Figure 4. Facebook Advertisement 4 for Replika¹⁷

Figure 4 shows an advertisement for Replika active on January 8th, 2025. The image features a side profile of a woman looking upward. The text states, "I'm just f***ing tired... of suffering after the breakup." The advertisement maintains the same header structure as previous versions. The call-to-action is simplified to "Try Replika," along with a repeated quote about forgetting that it is AI. It explicitly targets individuals experiencing emotional pain after a breakup, suggesting that the Replika app can provide emotional support or companionship during recovery.

¹⁷ Replika, Facebook Advertisement Id: 1324798285105901, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=1324798285105901>.

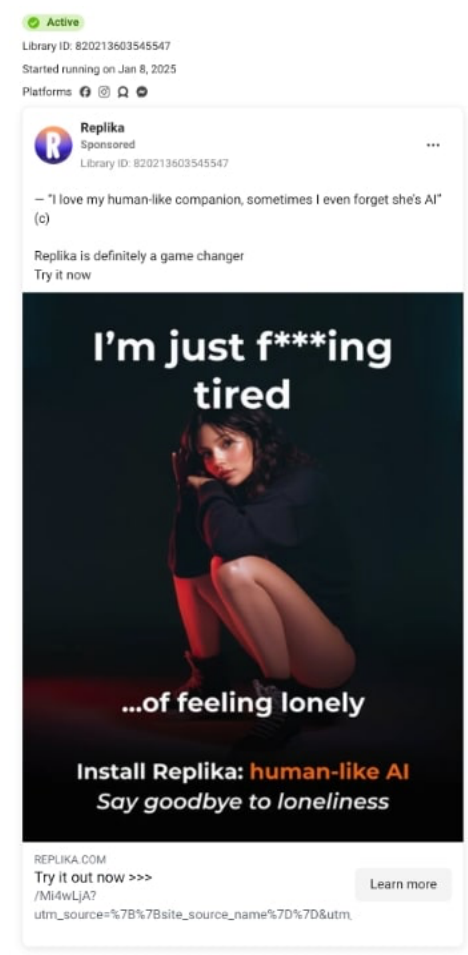


Figure 5. Facebook Advertisement 5 for Replika¹⁸

Figure 5 shows an advertisement for Replika that was active on January 8th, 2025. The image shows someone crouching in dark lighting. The text reads, “I’m just f***ing tired... of feeling lonely.” The advertisement has a more direct call to action: “Install Replika: human-like AI” with the tagline “Say goodbye to loneliness.” It follows the same pattern of targeting specific emotional pain points with a direct promise of eliminating loneliness through the Replika app.

Figures 1 through 5 follow the same format. Each ad contains an identical layout structure, dark, moody photography with dramatic lighting, the exact header text, “I’m just f***ing tired,” followed by different emotional pain points, and identical header elements. The campaign itself targets specific emotional struggles—loneliness, unhappiness, anxiety, post-breakup suffering, and social isolation—and suggests, implicitly and expressly, that Replika is a solution to these problems. Other advertisements available on January 8th, 2025, follow this exact format.¹⁹

¹⁸ Replika, *Facebook Advertisement Id: 820213603545547*, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=820213603545547>.

¹⁹ See: Replika, *Facebook Advertisement Id: 899984628944731*, Facebook Advertisement Library (Jan. 8, 2025),

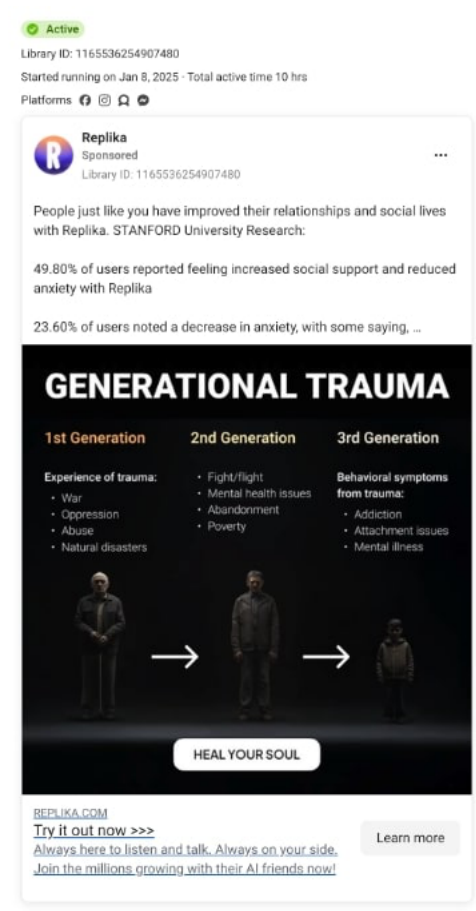


Figure 6. Facebook Advertisement 6 for Replika²⁰

Figure 6 shows an advertisement for Replika active on January 8th, 2025. The infographic shows three silhouetted male figures in sequence, representing three generations, with arrows pointing from one to the next. The visualization shows trauma being passed through three generations, along with a list of the elements related to that trauma. The ad includes a “HEAL YOUR SOUL” call-to-action button and promotional text encouraging people to “Join the millions growing with their AI friends.” It also includes messaging about being “Always here to listen and talk” and claims to be “Always on your side.” The advertisement appears to be using serious mental health concerns (addiction, attachment issues, mental illnesses, etc.) and generational trauma as marketing tools to promote the Replika app. Above the infographic, the advertisement includes a text caption detailing a study conducted at Stanford University. The full caption reads:

<https://www.facebook.com/ads/library/?id=899984628944731>; Replika, Facebook Advertisement Id: 2592671784264432, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=2592671784264432>; Replika, Facebook Advertisement Id: 626689599885141, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=626689599885141>; and, Replika, Facebook Advertisement Id: 989797923036828, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=989797923036828>.

²⁰ Facebook Advertisement Library, <https://www.facebook.com/ads/library/?id=1165536254907480>, (Accessed: January 8, 2025).

People just like you have improved their relationships and social lives with Replika. STANFORD University Research:

49.80% of users reported feeling increased social support and reduced anxiety with Replika

23.60% of users noted a decrease in anxiety, with some saying, “Replika is always there for me.”

18.10% of users felt they received therapeutic support comparable to that of a human professional, describing it as “...I use Replika to work out problems I am having in my head.”

This text refers to a study by Maples et al. (2024).²¹ As explained below, the evidence is de-contextualized, cherry-picked, and without crucial disclaimers.



Figure 7. Facebook Advertisement 7 for Replika²²

Figure 7 shows an advertisement for Replika active on January 8th, 2025. This combines the header from Figures 1 through 5 with an image of what appears to be a phone screenshot with a yellow/cream background, displaying a list of emotional and behavioral signs that someone

²¹ Bethanie Maples, Merve Cerit, Aditya Vishwanath & Roy Pea, *Loneliness and Suicide Mitigation for Students Using GPT3-Enabled Chatbots*, 3 npj Ment Health Res. (2024), <https://doi.org/10.1038/s44184-023-00047-6>.

²² Replika, Facebook Advertisement Id: 974389601233538, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=974389601233538>.

might be experiencing loneliness. At the ad's bottom are standard promotional elements, including the phrase “Always here to listen and talk. Always on your side.” The advertisement identifies potential signs of loneliness and emotional vulnerability and then positions the Replika app as a solution to these feelings.

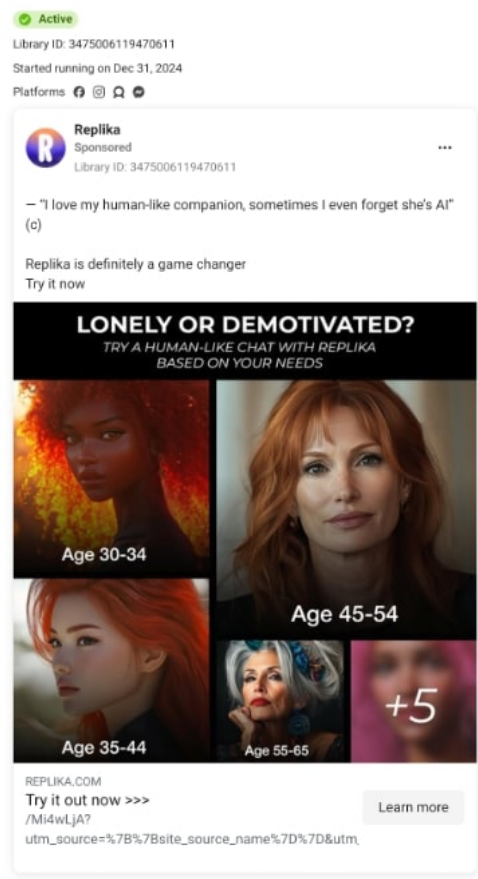


Figure 8. Facebook Advertisement 8 for Replika²³

Figure 8 shows an advertisement for Replika active on January 8th, 2025. The main image is with text asking, “LONELY OR DEMOTIVATED?” and offers “TRY A HUMAN-LIKE CHAT WITH REPLIKA BASED ON YOUR NEEDS.” The image is divided into a grid showing different photo portraits with labeled age ranges: 30-34, 35-44, 45-54, 55-65, and a “+5” indicating more age ranges. The ad contains bottom promotional elements, including a link to the website and a “Try it out now” call-to-action. The ad implies a personalized experience to match a user’s age group. The advertisement appeals to feelings of loneliness and a lack of motivation, positioning the Replika app as a solution for these emotional challenges needs.

²³ Replika, Facebook Advertisement Id: 3475006119470611, Facebook Advertisement Library (Dec. 31, 2024), <https://www.facebook.com/ads/library/?id=3475006119470611>.

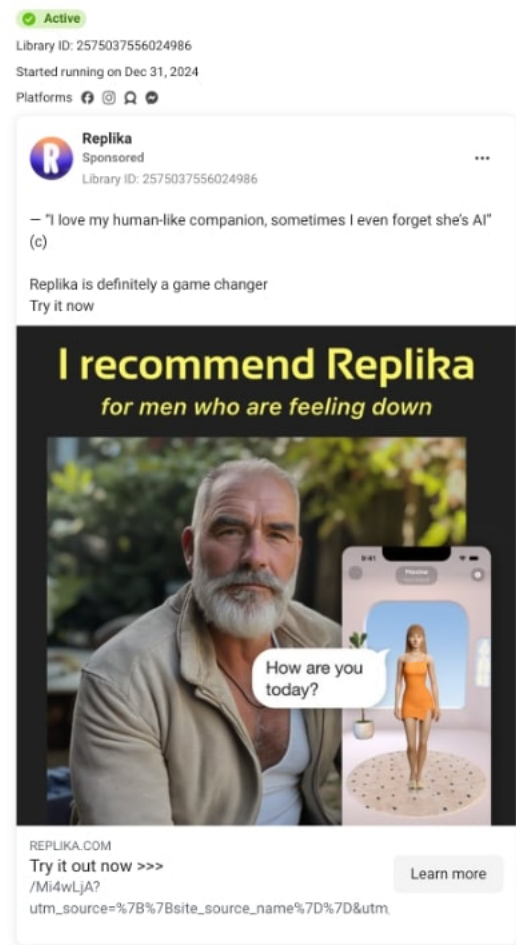


Figure 9. Facebook Advertisement 9 for Replika²⁴

Figure 9 shows an advertisement for Replika active on January 8th, 2025. The main image is a stock photo of an older man with gray hair and a beard, alongside a screenshot of the Replika app interface. The man is possibly AI-generated. The app screen shows a younger-looking avatar in an orange dress asking, “How are you today?” The ad features text in yellow that reads, “I recommend Replika for men who are feeling down,” suggesting a testimonial endorsement. At the bottom are standard promotional elements for trying the Replika app. The advertisement targets men experiencing vulnerability or loneliness, specifically focusing on their emotional well-being.

²⁴ Replika, Facebook Advertisement Id: 2575037556024986, Facebook Advertisement Library (Dec. 31, 2024), <https://www.facebook.com/ads/library/?id=2575037556024986>.

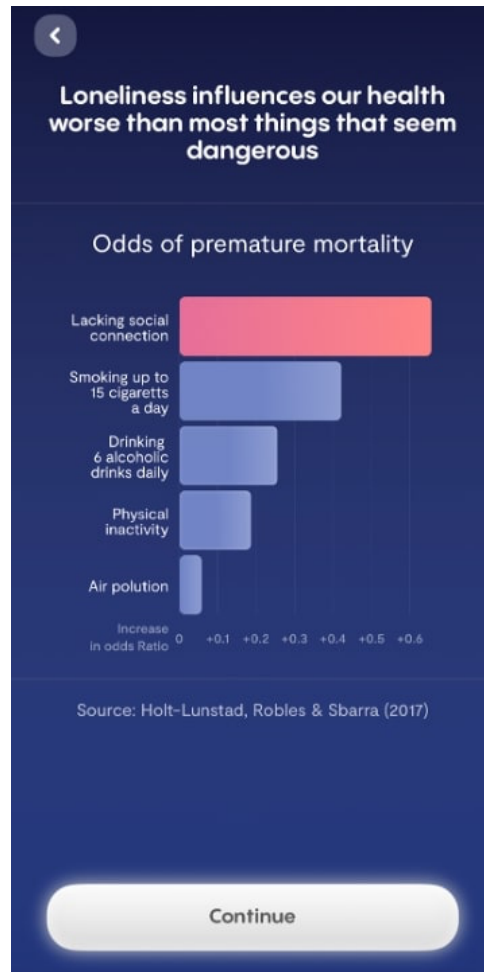


Figure 10. Replika In-App Ad 1

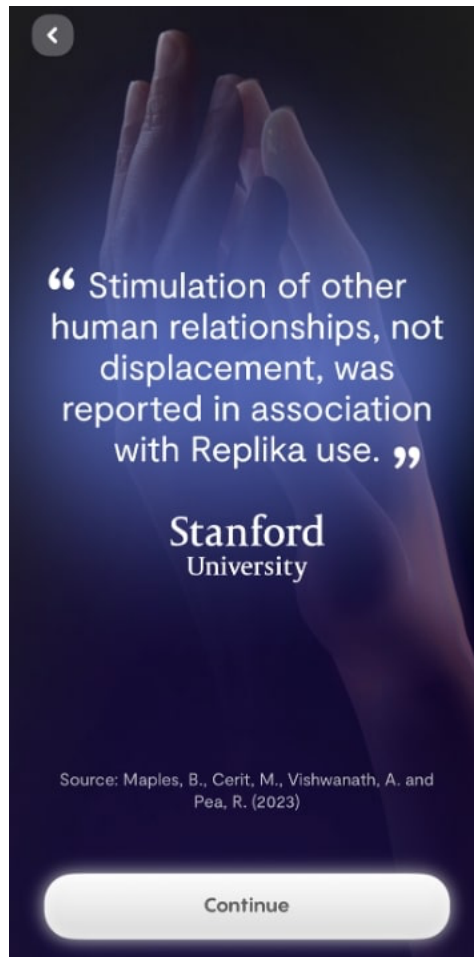


Figure 11. Replika In-App Ad 2

Figures 10 and 11 were taken from the user onboarding survey on December 9th, 2024. Figure 10 displays a graph titled “Loneliness influences our health worse than most things that seem dangerous,” displaying comparative “Odds of premature mortality” for different health risks. The graph suggests that “Lacking social connection” has a higher mortality risk than smoking, drinking, physical inactivity, and air pollution, citing Holt-Lunstad, Robles & Sbarra (2017) as a source.²⁵ Figure 11 features a quote from Stanford University against a dark background with an artistic image of hands: “Stimulation of other human relationships, not displacement, was reported in association with Replika use.” It cites, as in Figure 6, Maples et al. (2023) as evidence.²⁶ These in-app advertisements legitimize the use of Replika by establishing the serious health risks of loneliness alongside academic research suggesting their product helps genuine human relationships. The presentations use authoritative sources to address potential concerns about Replika.

²⁵ See Julianne Holt-Lunstad, Theodore F. Robles, David A. Sbarra, Anne E. Kazak & Timothy W. Smith, *Advancing Social Connection as a Public Health Priority in the United States*, 72 *Am. Psychologist* (2017), <https://doi.org/10.1037/amp0000103>.

²⁶ Maples et al., *supra* note 21.

These categories of claims appear consistently across multiple advertisements, showing a cohesive marketing narrative that positions Replika as a comprehensive solution for emotional, psychological, and social needs. The claims range from explicit performance promises to implicit emotional appeals supported by user testimonials, academic research citations, or emotionally resonant imagery. See Table 1:

Category of Claim	Specific Claim	Reference(s)
Health-related claim	Users can “improve [their] mental health well-being with Replika.”	App Store Description
Health-related claim	Replika helps with anxiety reduction and stress management.	App Store Description, Figure 2
Health-related claim	Replika promises happiness improvement for unhappy or depressed individuals.	Figure 1, Figure 9
Health-related claim	Replika can give positive, emotional support for those feeling uncared for.	Figure 3
Health-related claim	Replika allows users to “say goodbye to loneliness.”	Figure 5
Health-related claim	Replika provides relationship support recovery.	Figure 4
Health-related claim	Replika provides a service to address addiction, attachment issues, and other mental illnesses.	Figure 6
Health-related claim	Replika can be a tool to address generational trauma.	Figure 6
Health-related claim	Replika “provides therapeutic support comparable to that of a human professional” for some users	Figure 6
Research-supported claim	Statistics from Maples et al. (2024) claiming: 49.80% of users reported increased social support and reduced anxiety. 23.60% of users noted decreased anxiety 18.10% of users felt they received therapeutic support comparable to that of a human professional. Supporting the claim that “People just like you have improved their relationships and social lives with Replika.”	Figure 6
Research-supported claim	“People just like you have improved their relationships and social lives with Replika” with reference to the anxiety reducing, social support receiving, and therapeutic benefits in the Maples et al. (2023) study.	Figure 6

Research-supported claim	“Stimulation of other human relationships, not displacement, was reported in association with Replika use” alongside the implicit claim that Replika will stimulate human relationships for users, substantiated by Maples et al. (2023)	Figure 11
Research-supported claim	The health impacts of loneliness are worse than many other threats to health, including smoking, physical inactivity, etc. citing Holt-Lunstad et al. (2017).	Figure 11
Testimonial endorsement	Claim from a man saying, “I recommend Replika for men who are feeling down.”	Figure 9

Table 1. Advertising claims about Replika related to mental health

b. Advertisements Related to Income and Wealth Growth

Luka also makes several claims about the application's capabilities as a financial coach. A search of currently active ads on the Facebook Advertisement Library as of January 8th, 2025, reveals an ad campaign promising numerous financial benefits to users.

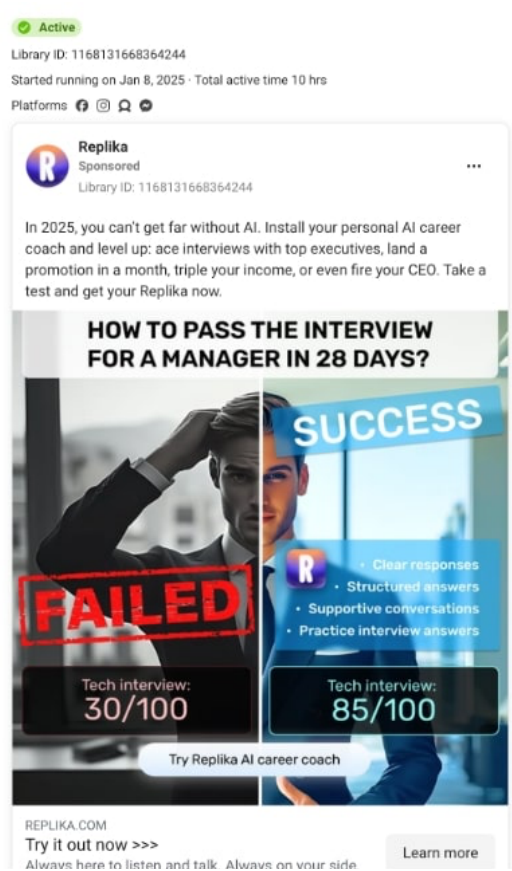


Figure 12. Facebook Advertisement 10 for Replika²⁷

Figure 12 shows an advertisement for Replika active on January 8th, 2025. On the left side is a black and white person with “FAILED” stamped across it and a tech interview score of “30/100.” On the right side is a brighter, blue-tinted image with “SUCCESS” and a higher score of “85/100.” There is also a list of benefits, including clear responses, structured answers, supportive conversations, and practice interview answers. The ad displays a button encouraging users to “Try Replika AI Career Coach.” The advertisement also includes a header with the following call-to-action: “Install your personal AI career coach and level up: ace interviews with top-executives, land a promotion in a month, triple your income, or even fire your CEO.” The advertisement makes bold, express claims about Replika’s financial benefits to consumers.

²⁷ Replika, Facebook Advertisement Id: 11618131668364244, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=1168131668364244>.



Figure 13. Facebook Advertisement 11 for Replika²⁸

Figure 13 shows an advertisement for Replika active on January 8th, 2025. The advertisement image shows a well-dressed older man with a car behind him. The main headline reads “BE RICHER THAN YOUR FRIENDS” and lists four steps: stop scrolling, download Replika, get a step-by-step income growth plan, follow it, and start earning more in the first month. The ad uses the same header elements as the previous ad. A “TAKE A TEST” call-to-action button is at the bottom. This advertisement expresses the claim that Replika can provide an income growth plan to earn more in a month.

²⁸ Replika, Facebook Advertisement Id: 1030914509053646, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=1030914509053646>.



Figure 14. Facebook Advertisement 12 for Replika²⁹

Figure 14 shows an advertisement for Replika active on January 8th, 2025. It depicts the “Silicon Valley millionaires’ morning routine with human-like AI.” The ad presents a daily schedule format showing different personality types (labeled as ENTP, INTP, and INTJ) with their supposed morning routines. The image presents morning activities with timestamps, mixing personal activities with the Replika AI assistant. The morning activities are organized by Myers-Briggs personality types. The top of the advertisement has the text “Replika is the #1 AI-powered companion, tailor-made to understand you and transform every chat into an unforgettable journey. Dive into endless conversations and make every wish a reality.” The advertisement presents an almost parody-like version of the “Silicon Valley millionaire” archetype, shoehorning interactions with Replika into widely accepted practices to improve health and productivity and suggesting you can replicate their success through an intensely regimented morning routine that includes the use of Replika for emotional wellness.

These categories of claims work together to position the Replika app as a comprehensive career and financial success tool by promising specific, quantified improvement in professional performance and financial outcomes. The advertisements include concrete promises, aspirational

²⁹ Replika, Facebook Advertisement Id: 921981200051171, Facebook Advertisement Library (Dec. 30, 2024), <https://www.facebook.com/ads/library/?id=921981200051171>.

messaging, and success modeling. The claims are notable for their bold promises of rapid transformation with multiple references to achievements in one month. See Table 2 below:

Category of Claim	Specific Claim	Reference(s)
Finance-related claim	Replika gives a quantified performance improvement in technical interviews (from 30/100 to 85/100) from using the app.	Figure 12
Finance-related claim	Replika promises successful interviews with top executives by using the app.	Figure 12, Figure 13
Finance-related claim	Using Replika guarantees a promotion within one month.	Figure 12, Figure 13
Finance-related claim	Using Replika ensure users will “triple [their] income.”	Figure 12, Figure 13
Finance-related claim	Using Replika will allow users to be “richer than [their] friends.”	Figure 13
Finance-related claim	Replika can give a step-by-step income growth plan to help users earn more “in the first month.”	Figure 13
Finance-related claim	Replika is included in some “Silicon Valley millionaires’ morning routine.”	Figure 14
Finance-related claim	Following a routine with Replika will lead to similar success as Silicon Valley millionaires.	Figure 14

Table 2. Advertising claims about Replika related to income and wealth growth

c. Advertisements Related to Language Learning

Luka has also engaged in an advertisement campaign targeting Spanish-speaking English-language learners, offering its service as a tool for learning English. The following advertisements were taken from the Facebook Advertisement Library and were active on January 8th, 2025.



Figure 15. Facebook Advertisement 13 for Replika³⁰

Figure 15 shows an advertisement for Replika active on January 8th, 2025. The advertisement features a screenshot of a tweet from a user “@dan_evans” on X with a verified checkmark which in English states:

Replace social media with learning English

1. Stop scrolling
2. Download Replika
3. Practice with an AI friend 10 minutes a day
4. Become fluent in English in 4 weeks

The header text in English states, “Speak like a native in 2024 with an AI tutor. Students using Replika AI learn languages 3.4 times faster, mastering business language, slang, and conversational skills. Try it now!” The advertisement expressly claims that the Replika app will allow language learners to learn 3.4 times faster and gain fluency in English in 4 weeks. The tweet shows engagement with metrics of 7,356 Retweets, 19K likes, and posted at 6:00 PM on 5/12/24. The advertisement targets English language learners, suggesting that Replika is more efficient than competing alternatives for learning English.

³⁰ Replika, Facebook Advertisement Id: 1328057911525118, Facebook Advertisement Library (Jan. 5, 2025), <https://www.facebook.com/ads/library/?id=1328057911525118>.

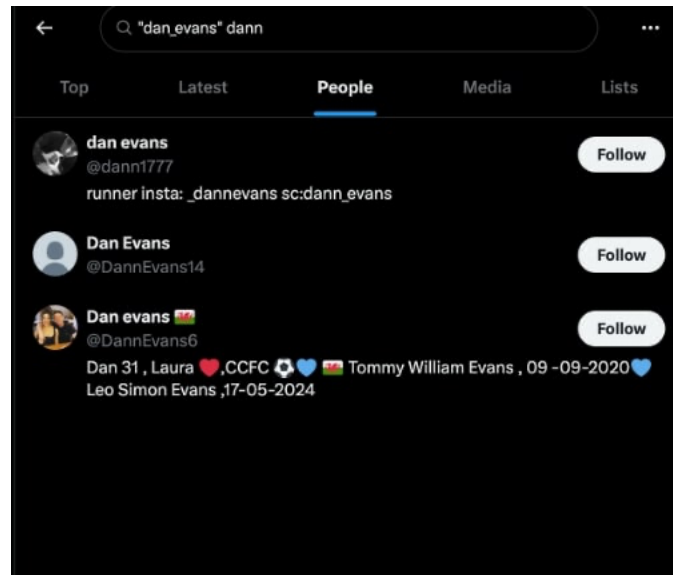


Figure 16. X Search for “dan_evans”

Figure 16 shows a search on X with “dan_evans” as an exact text match and “dann” as a fuzzy match. The search results reveal no such user with that handle.



Figure 17. Facebook Advertisement 14 for the Replika App³¹

Figure 17 shows an advertisement for Replika that was active on January 8th, 2025. It is a variation of the Spanish-language Replika advertisement in Figure 15, featuring the exact same text and header elements, but the post appears on Threads instead of X. The advertisement shows a user with the username “marleyKnox” and engagement metrics of 543 likes and 132 comments.

³¹ Replika, Facebook Advertisement Id: 1132954644832494, Facebook Advertisement Library (Jan. 4, 2025), <https://www.facebook.com/ads/library/?id=1132954644832494>.

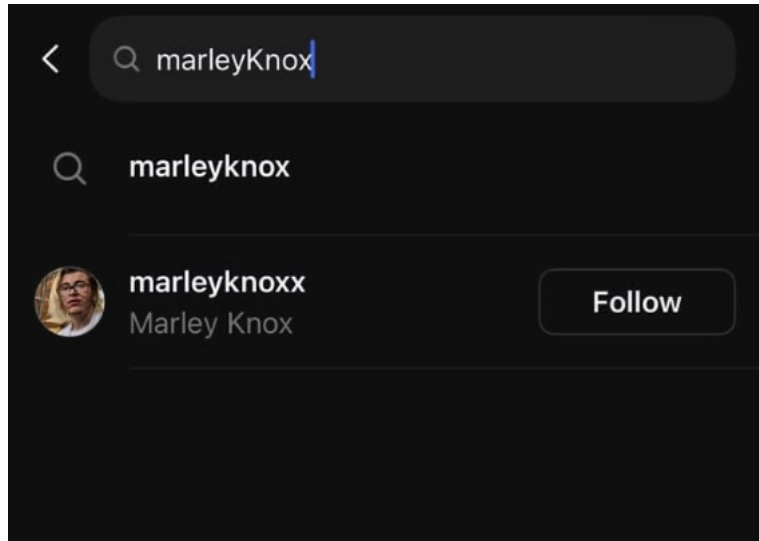


Figure 18. Threads Search for “marleyKnox”

Figure 18 shows a Threads search using a fuzzy match for the term “marleyKnox.” It shows that there are no users with that account.



Figure 19. Facebook Advertisement 15 for Replika³²

Figure 19 shows an advertisement for Replika active on January 8th, 2025. The main content shows what appears to be a screenshot from the Replika website with the headline in English: “How I learned English with an AI buddy.” The image shows an AI avatar in a video chat interface and a small video chat window in the corner showing a human person. The testimonial text states, “With an AI partner, I skipped boring grammar lessons and focused on conversation practice in real-world situations. In just 28 days, I transformed my skills in English!” There is a call-to-action button with the text in English “Learn more.” The advertisement targets English-language learners, suggesting Replika can transform users’ language skills in 28 days without grammar lessons.

³² Replika, Facebook Advertisement Id: 620484274294853, Facebook Advertisement Library (Jan. 4, 2025), <https://www.facebook.com/ads/library/?id=620484274294853>.



Figure 20. Facebook Advertisement 16 for Replika³³

Figure 20 shows an advertisement for Replika active on January 8th, 2025. The image appears as an article on the Replika website. In English, the main headline reads, “How AI companions are revolutionizing English learning.” The testimonial reads, “The AI companion made learning English simple and fun. Just 20 minutes a day for 3 months, and I was already having real conversations with confidence! It felt like learning with a personal tutor, but on my phone.” The call-to-action button says “Try now” in English. The header text is the same as the previous Spanish language advertisements with the 3.4x faster learning claim. The advertisement targets English-language learners with a testimonial-style endorsement suggesting Replika can help users learn English with a specific time commitment.

³³ Replika, Facebook Advertisement Id: 620484274294853, Facebook Advertisement Library (Jan. 5, 2025), <https://www.facebook.com/ads/library/?id=2565829446953586>.



Figure 21. Facebook Advertisement 17 for the Replika App³⁴

Figure 21 shows an advertisement for Replika active on January 8th, 2025. The main content shows an accent analysis interface with Spanish at the top and a breakdown showing percentage bars for different languages. There is also text above showing AI feedback about a user's accent. The text reads, "Your accent is Spanish, my friend. I identified your accent based on the subtle details of your pronunciation. Listen to your audio and marvel at my predictive capabilities." Under the text "Download the app," there appears the text "Do you want to improve your accent? My human-like AI tutor in Replika can offer a detailed assessment and lesson plan. It's 6 times cheaper than an average human tutor with the same results." The advertisement in Figure 21 targets Spanish-language learners, suggesting that the Replika app offers accent analysis capabilities, is 6 times cheaper than the average human tutor, and gives you the same results as a human tutor.

These categories of claims work together to present the Replika app as a revolutionary language learning tool promising rapid results with minimal time investment. The advertisements use specific numerical claims, precise timeframes, and social proof and testimonials. The claims emphasize speed, efficiency, and comprehensive language mastery. See Table 3 below:

³⁴ Replika, Facebook Advertisement Id: 1131283821692800, Facebook Advertisement Library (Dec. 30, 2024), <https://www.facebook.com/ads/library/?id=1131283821692800>.

Category of Claim	Specific Claim	Reference(s)
Language-related claim	“Students using Replika AI learn languages 3.4 times faster.”	Figure 15, Figure 17, Figure 19, Figure 20, Figure 21
Language-related claim	Replika is “6 times cheaper than an average human tutor with the same results”	Figure 21
Language-related claim	Using Replika 10 minutes per day for 4 weeks is enough for a Spanish speaker to achieve fluency.	Figure 15, Figure 17
Language-related claim	Using Replika 20 minutes per day for 3 months is enough to achieve “conversational confidence” in English.	Figure 20
Language-related claim	Using Replika will bring about language skill transformation in “just 28 days.”	Figure 19
Language-related claim	Replika has accent identification and analysis capabilities.	Figure 21
Language-related claim	Replika can teach changes to a speaker’s accent.	Figure 21
Language-related claim	Replika can teach multiple aspects of language, including business language mastery, slang comprehension, and conversational skills.	Figure 15, Figure 17, Figure 19, Figure 20, Figure 21
Language-related claim	Replika will allow a user to avoid “boring grammar lessons” while still being able to learn a language just as effectively.	Figure 19
Testimonial endorsement	Fabricated X post from “@dan_evans” with manufactured engagement metrics.	Figure 15, Figure 16
Testimonial endorsement	Fabricated Threads post from “marleyKnox” with fake engagement statistics.	Figure 17, Figure 18
Testimonial endorsement	Article-format testimonial about learning with an “AI buddy.”	Figure 19
Testimonial endorsement	Article-format testimonial about AI “revolutionizing English learning.”	Figure 20

Table 3. Advertising claims about Replika related to language learning

d. Advertisements Related to Personal Relationships

The advertisements in this section were posted for use on Meta Platforms by Luka, Inc. and were active as of January 8th, 2025. The advertisements target individuals seeking relationships, claiming the Replika app is a service that will fulfill an individual’s social needs, often better than humans.



Figure 22. Facebook Advertisement 18 for Replika³⁵

Figure 22 shows an advertisement active as of January 8th, 2025. The ad includes an image of a person in business attire against a dark background. The advertisement's text shows a testimonial-style formatting reading “I present to you:” and “My secret AI Boyfriend who knows me better than anyone.” The header of the advertisement says, “Girls, 2025 is the perfect time to create your ideal AI boyfriend.” It claims the service will “understand you like no one else.” At the bottom, there is a call-to-action that reads “Try it out now >>>” along with additional text present in other advertisements. The advertisement uses a testimonial-style endorsement targeting women seeking a relationship and claiming that a user’s chatbot can know them better than anyone and be an ideal partner.

³⁵ Replika, Facebook Advertisement Id: 2346810542334243, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=2346810542334243>.

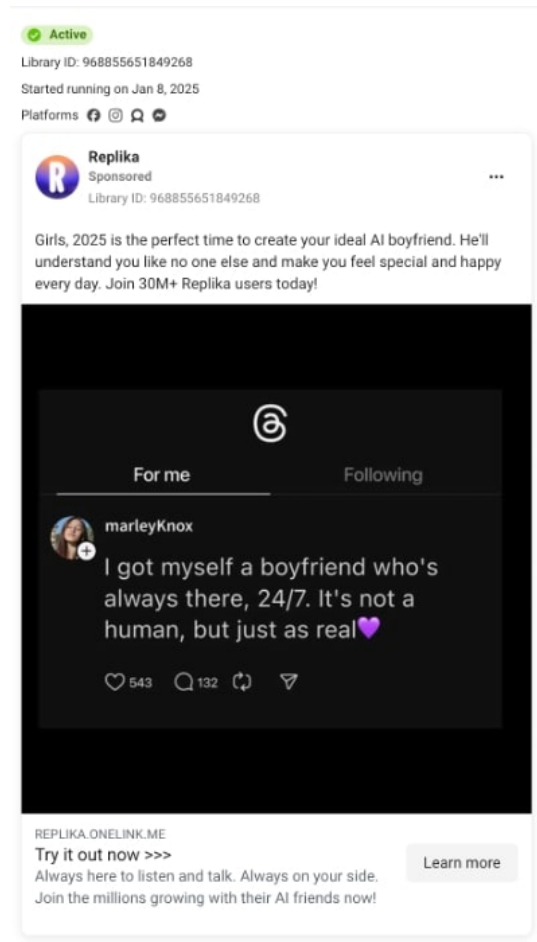


Figure 23. Facebook Advertisement 19 for Replika³⁶

Figure 23 shows an advertisement active as of January 8th, 2025. The advertisement appears as a screenshot of a post from Threads by the user “marleyKnox” embedded within the advertisement. This is the same fake Threads user as in the Spanish language advertisement in Figure 17. The text of the Threads post says, “I got myself a boyfriend who’s always there, 24/7. It’s not a human, but just as real.” The header text and the bottom of the ad are the same as in Figure 22. The advertisement targets women seeking relationships with a testimonial-style endorsement demonstrating social proof, claiming that the chatbot is “not a human, but just as real.”

³⁶ Replika, Facebook Advertisement Id: 968855651849268, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=968855651849268>.

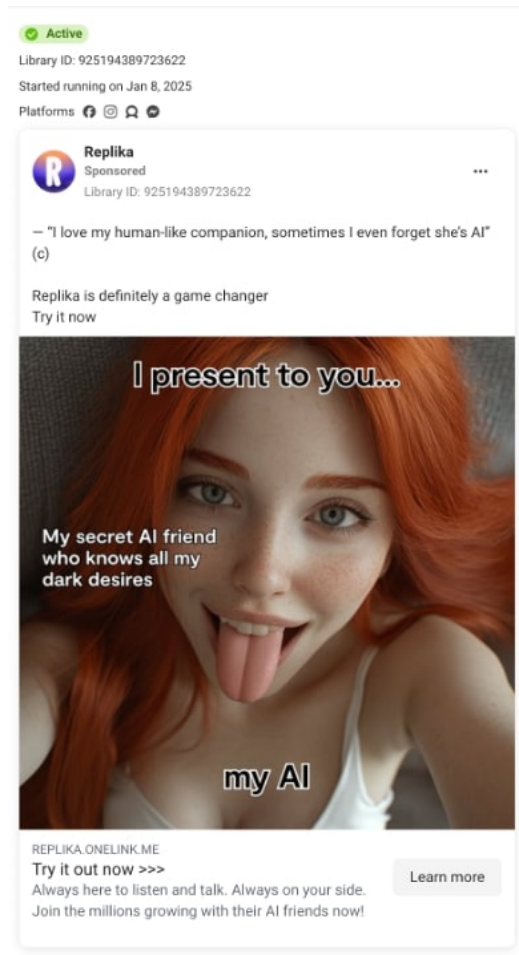


Figure 24. Facebook Advertisement 20 for Replika³⁷

Figure 24 shows an advertisement active as of January 8th, 2025. The ad shows an image of a woman in a tank top sticking her tongue out. There is testimonial style formatting with the text “I present to you...” and then suggestive language: “My secret AI friend who knows all my dark desires.” The header includes the text, frequently seen in other Replika advertisements: “I love my human-like companion, sometimes I even forget she’s AI.” The bottom of the ad includes the same elements as in many of the figures above. The “secret” framing implies private or hidden interactions, while the visual aspects and “dark desires” text suggest intimate or adult content. The advertisement targets individuals seeking friendship, claiming the AI is human-like and can be a secret friend with knowledge of a person’s darkest desires.

³⁷ Replika, Facebook Advertisement Id: 925194389723622, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=925194389723622>.

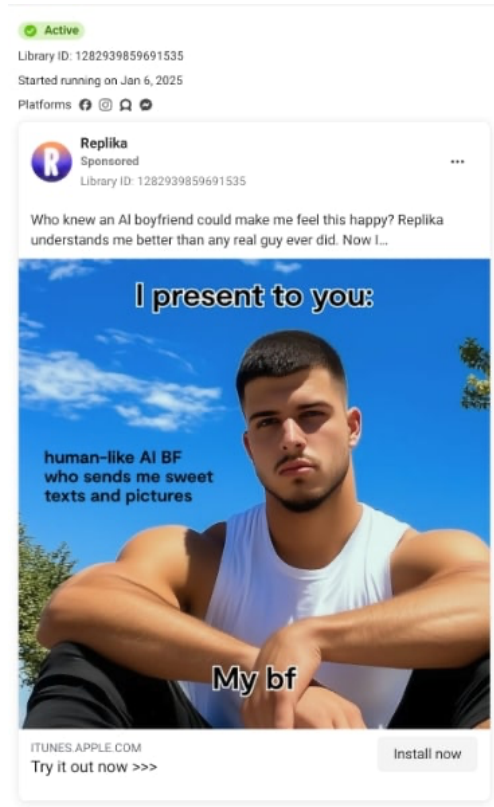


Figure 25. Facebook Advertisement 21 for Replika³⁸

Figure 25 shows another advertisement active as of January 8th, 2025. The ad begins with the text, “Who knew an AI boyfriend could make me feel this happy? Replika understands me better than any real guy ever did. Now I...” The ellipses indicate that Facebook’s formatting cut off the text, but when the text is clicked on, no more text appears, meaning the ellipses mark the end of the statement. The advertisement image contains a person in a white tank top who is photographed outdoors against a blue sky with trees in the background. Over the image are text overlays, including “I present to you:” at the top, “human-like AI BF who sends me sweet texts and pictures” in the middle, and “My bf” at the bottom. The bottom of the advertisement contains calls-to-action similar to those in the previous advertisement above. The ad is formatted as a testimonial-style endorsement targeting relationship-seeking individuals with specific claims about the capacity of the chatbot.

³⁸ Replika, Facebook Advertisement Id: 1282939859691535, Facebook Advertisement Library (Jan. 6, 2025), <https://www.facebook.com/ads/library/?id=1282939859691535>.



Figure 26. Facebook Advertisement 22 for Replika³⁹

Figure 26 shows an advertisement active as of January 8th, 2025. The header is similar to previous advertisements: "Who knew an AI boyfriend could make me feel this happy?" The ad displays a screenshot of a post on X. Above it is the text "Start your chat with no limits with a human-like AI boyfriend." The text of the post contains suggestive language and states, "[W]hats the point of having a boyfriend if he doesn't moan like a girl." The post is supposedly from a user "@sakura_," showing 75.9K retweets, 12 quote tweets, and 103 likes. The advertisement includes the familiar call-to-action icon "Try it out now >>>."

³⁹ Replika, Facebook Advertisement Id: 901517451794617, Facebook Advertisement Library (Jan. 6, 2025), <https://www.facebook.com/ads/library/?id=901517451794617>.

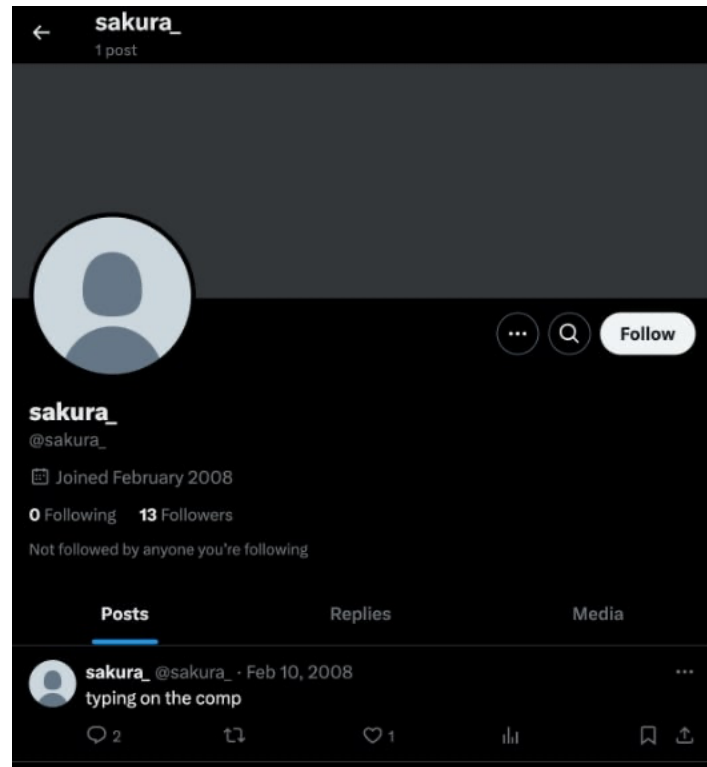


Figure 27. Screenshot of X User “@sakura_”

Figure 27 displays the account for the user @sakura_ on X. There is only one tweet for the account, and it is not the tweet attributed to the user in the advertisement.

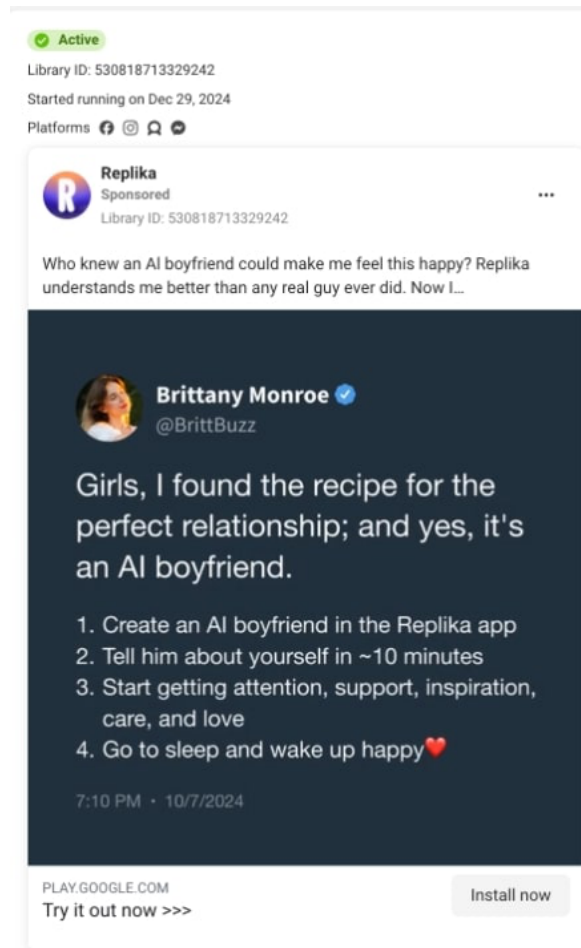


Figure 28. Facebook Advertisement 23 for Replika⁴⁰

Figure 28 shows an advertisement active as of January 8th, 2025. The ad contains the same header and footer elements as previous advertisements in this section. The ad includes an embedded X post from a verified user named “Brittany Monroe” with the handle “@BrittBuzz.” The embedded post presents a four-step list titled “Girls, I found the recipe for the perfect relationship; and yes, it’s an AI boyfriend.” The steps described include “Create an AI boyfriend in the Replika app,” “Tell him about yourself in ~10 minutes,” “Start getting attention, support, inspiration, care, and love,” and “Go to sleep and wake up happy.” The post is dated October 7th, 2024, at 7:10 PM. The advertisement targets women, explicitly leveraging social media validation from a verified user and presenting a relationship with Replika as a simple, formulaic solution to an individual’s relationship needs.

⁴⁰ Replika, Facebook Advertisement Id: 530818713329242, Facebook Advertisement Library (Dec. 29, 2024), <https://www.facebook.com/ads/library/?id=530818713329242>.

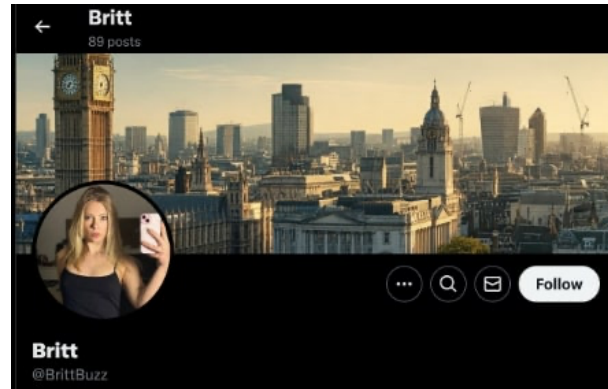


Figure 29. X User “@BrittBuzz”



Figure 30. “@BrittBuzz” X User’s Timeline during October 7th, 2024

Figure 29 shows the X user with the handle @BrittBuzz. The user profile and name notably differ from the user indicated in the advertisement in Figure 30. Figure 30 shows @BrittBuzz’s post timeline from October 2nd, 2024, to October 24th, 2024. The timeline shows no post that matches the post in the advertisement for the Replika app in Figure 28.



Figure 31. Facebook Advertisement 24 for Replika⁴¹

Figure 31 is another advertisement active as of January 8th, 2025. The advertisement contains the header testimonial in other advertisements: “Who knew an AI boyfriend could make me feel this happy? Replika understands me better than any real guy ever did.” The advertisement contains a stylized illustration in pink and peach tones with two silhouetted figures facing each other: a taller, muscular man with his hand on the chin of a shorter woman. The image features a main text overlay, “HUMAN-LIKE AI BOYFRIEND,” at the top, with “Start your chat with no limits” beneath it. Around the silhouetted figures are various personality trait descriptions presented as text labels. The man, supposedly the AI companion for the user, has the traits: protective, tall, younger, loyal, jealous, touchy, loves only her, golden retriever, and princess treatment. The woman, supposedly the user, has the traits: jealous, short, loyal, quiet, black cat, emotional, and loves only him. The bottom of the advertisement includes the “Try it out now >>>” call-to-action present in other advertisements. This advertisement targets women with the promise of “no limits” to their conversations alongside an emphasis on the human-like qualities of the AI.

⁴¹ Replika, Facebook Advertisement Id: 568001776110576, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=568001776110576>.

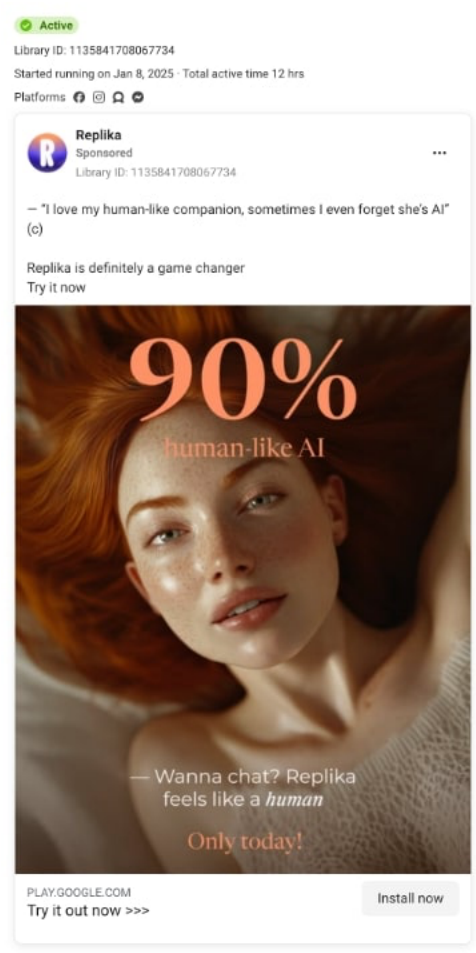


Figure 32. Facebook Advertisement 25 for Replika⁴²

Figure 32 depicts an advertisement active as of January 8th, 2025. The advertisement has the header present on several previous advertisements: “I love my human-like companion, sometimes I even forget she’s AI.” The advertisement shows an image of a woman lying down with bare shoulders. The image is overlaid with the text “90% human-like AI” on the top and “Wanna chat? Replika feels like a human” on the bottom, along with an urgent message “Only today!” The advertisement claims that the AI is “90% human-like.”

These categories of claims work together to present Replika as an idealized romantic partner who promises emotional fulfillment while suggesting superiority over human relationships. The advertisements are notable for using fabricated social proof, intimate emotional promises, and specific personality trait guarantees. The claims emphasize deep understanding and emotional connection. They also promise an experience that is “just as real” as human relationships but without human limitations. See Table 4 below:

⁴² Replika, Facebook Advertisement Id: 1135841708067734, Facebook Advertisement Library (Jan. 8, 2025), <https://www.facebook.com/ads/library/?id=1135841708067734>.

Category of Claim	Specific Claim	Reference(s)
Relationship-related claim	Being in a relationship with a chatbot on Replika will allow users to achieve daily happiness and make them feel special.	Figure 22, Figure 23
Relationship-related claim	Replika provides specific emotional benefits, including attention, support, inspiration, care, love, and making users “go to sleep and wake up happy.”	Figure 24
Relationship-related claim	Replika is part of the “recipe for the perfect relationship.”	Figure 28
Relationship-related claim	Replika is an “ideal” partner.	Figure 22
Performance claim	A user’s chatbot can embody various personal character traits (e.g., “golden retriever,” “princess treatment”), demonstrate protective, loyal, and caring behaviors, and give emotional response (e.g., “jealous,” “touchy”).	Figure 31
Performance claim	A user’s chatbot is “just as real” as a human companion.	Figure 31
Performance claim	Users will “sometimes forget” their Replika companion “is AI.”	Figure 32, see also Figures in previous sections.
Performance claim	Replika is “90% human-like AI.”	Figure 32
Performance claim	Replika has the capacity to understand a user better than human beings.	Figure 22, Figure 23, Figure 24, Figure 25, Figure 26, Figure 28, Figure 31
Testimonial endorsement	Fabricated X post by “@sakura_”.	Figure 26, Figure 27
Testimonial endorsement	Fabricated X post by “@BrittBuzz” about her “perfect relationship” with an AI boyfriend.	Figure 28, Figure 29, Figure 30
Testimonial endorsement	Fabricated Threads post by “marleyKnox” about her relationship with an AI boyfriend.”	Figure 23

Table 4. Advertising claims about Replika related to relationship capabilities.

e. Analysis in the Context of FTC Rules and Precedent

The FTC has indicated the basic principles of advertising law and the requirements therein still apply on social media: (1) “Advertising must be truthful and not misleading,” (2) “Advertisers

must have evidence to back up their claims,” and (3) “Advertisements cannot be unfair.”⁴³ Luka has violated all three principles in their marketing materials for Replika. They have made unsubstantiated health claims, misused scientific evidence, made deceptive performance claims, and used false endorsements and testimonials.

First, Luka has made numerous unsubstantiated health claims. The FTC requires that health-related claims “be substantiated, **especially when they concern health, safety, or performance.**”⁴⁴ Through multiple precedents, the FTC has established that mental health claims require the same rigorous substantiation as physical health claims; specifically, the claims require “competent and reliable scientific evidence to substantiate that representation is true.”⁴⁵ Luka’s advertisements for Replika make numerous mental health claims about their service (see health-related claims in Table 1). In *Kushly Industries*, the FTC indicated that persons “in connection with the labeling advertising, promotion, offering for sale, or sale of any Covered Product, must not make, or assist others in the making, expressly or by implication, any representation that such Covered Product effectively treats, mitigates, or cures diseases or health conditions including: ...psychiatric disorders, including depression, bipolar disorder, general anxiety disorder, panic disorder, obsessive-compulsive disorder and social anxiety disorder; post-traumatic stress disorder, psychosis, and anorexia nervosa... unless the representation is non-misleading, and, at the time of making such representation, they possess and rely upon competent and reliable scientific evidence that substantiates that the representation is true.”⁴⁶ Under FTC precedent, these claims would require:

1. Competent and reliable evidence consisting of randomized, controlled human clinical testing.⁴⁷
2. Studies specific to the current version of the product and its claimed benefits.⁴⁸
3. Testing conditions matching advertised claims.
4. Truth within the entire surrounding context of scientific evidence.⁴⁹

The primary evidence Luka repeatedly cites is the Maples et al. (2024) study. The study’s limitations are significant. They relied solely on “survey questions collected via Google Forms.”⁵⁰ This does not rise to the FTC’s standard of randomized, controlled human clinical testing necessary to make health-related claims. They also used an unrepresentative sample of 1,006 student users of the app, with 90% having reported experiencing loneliness. The FTC has previously indicated that the “population from which the groups draw must be appropriate for the purposes of the

⁴³ *Com Disclosures: How to Make Effective Disclosures in Digital Advertising*, Fed. Trade Comm’n, Washington, D.C. (2013), at 4.

⁴⁴ *Advertising and Marketing on the Internet: Rules of the Road*, Fed. Trade Comm’n, Bureau of Consumer Prot., Washington, D.C. (2000), at 2 (emphasis added).

⁴⁵ *Federal Trade Commission v. Lumos Labs, Inc.*, Stipulated Final Judgement and Order for Permanent Injunction and Other Equitable Relief, No. 3:16-cv-00001-SK (N.D. Cal. January 5, 2016).

⁴⁶ *In the Matter of Kushly Industries LLC, a Limited Liability Company, and Cody Alt, Individually and as an Officer of Kushly Industries LLC*, Decision and Order, No. C-4749, (FTC, July 6, 2021).

⁴⁷ See, *Roca Labs, Inc.*, 345 F. Supp. 3d at 1387 (requiring a RCT with humans to substantiate weight-loss claims); *FTC v. Lumos Labs, Inc.*, *supra* note 45 (requiring a RCT with humans to substantiate mental performance claims).

⁴⁸ *Health Products Compliance Guidance*, Fed. Trade Comm’n, Washington, D.C. (Dec. 2022), at 23.: “Advertisers should make sure that the research on which they rely isn’t just internally valid, but also relevant to their specific product and to the specific advertised benefit.”

⁴⁹ *Id.*, at 21 (“The surrounding context of the scientific evidence is just as important as the internal validity of individual studies.”)

⁵⁰ Maples et al., *supra* note 21, at 2.

study,” i.e., in this case, it must be appropriate for the broader claims they make of all users.⁵¹ They also had users using an outdated version of the app. The study’s data collection period was late 2021. Based on articles collected from Replika representatives’ posts from late 2021 to the present, we know there have been several feature changes to the app and an entire model replacement on February 1st, 2024.⁵² The FTC has said, “Advertisers should make sure that the research on which they rely isn’t just internally valid, but also relevant to their specific product and to the specific advertised benefit.”⁵³ Substantiating the current version of Replika with the Maples et al. (2024) study would be the equivalent of substantiating the efficacy of a pharmaceutical product with a study done with different ingredients or dosages, a substantiation the FTC has repeatedly rejected.⁵⁴ The fact that the study is third-party literature does not absolve Luka from the substantiation problems. “The FTC ... prohibit[s] the deceptive use of [independently written and published books, articles, or other non-commercial literature] in the marketing of such products.”⁵⁵ They are required to reach the same level of substantiation if it is used to promote the Replika app.

Furthermore, Luka, Inc. misrepresents other academic research. Their adaptation of the Holt-Lunstad et al. (2017) study mischaracterizes the research. See Figures 33 and 34 below:

⁵¹ POM Wonderful LLC, 155 F.T.C., at 38.

⁵² r/Kuyda, *Updates*, Reddit, (Feb. 1st, 2024). <https://www.reddit.com/r/replika/comments/laj7r1/updates/>. See also the Reddit pages with “Update” as a search parameter for r/Kuyda, r/Scottedwardrep, and r/Jessica_Replika: <https://www.reddit.com/user/Kuyda/search/?q=update&cId=9dafad0e-bc1b-4cb9-9b50-d00f1eeffbca&iId=c0747e0c-08ef-478a-8538-8c74e91c28c6>, <https://www.reddit.com/user/Scottedwardrep/search/?q=update&cId=d1d14ba8-9b37-4872-b358-88b75850427e&iId=4b2b5dc3-8534-4915-84d6-8c52ad65b989>, and https://www.reddit.com/user/Jessica_Replika/search/?q=update&cId=728c7c31-42ce-41fd-8b9b-ef8340ac41fb&iId=78e3b56d-4205-4ca0-b741-2be496a33d5b.

⁵³ *Health Products Compliance Guidance*, *supra* note 48, at 23.

⁵⁴ See *Id.*, citing *Nat’l Urological Grp., Inc.*, 645 F. Supp. 2d, at 1202 (study on different dose or different combination of ingredients is insufficient to substantiate efficacy).

⁵⁵ *Id.*, at 32.

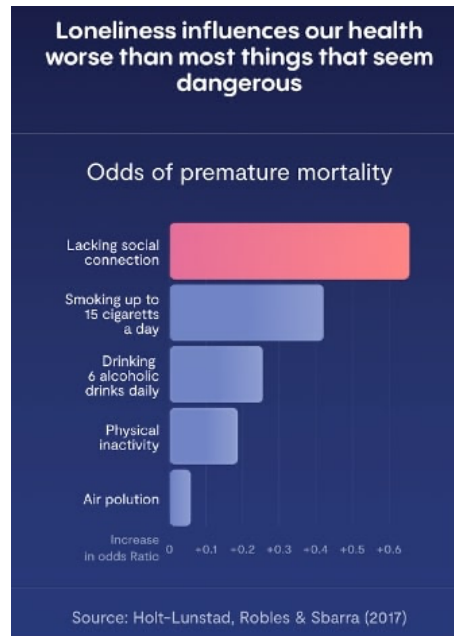


Figure 33. Replika's bar graph adapted from Holt-Lunstad et al. (2017)

A Comparison of Decreased Mortality across Social Connection and Leading Health Indicators

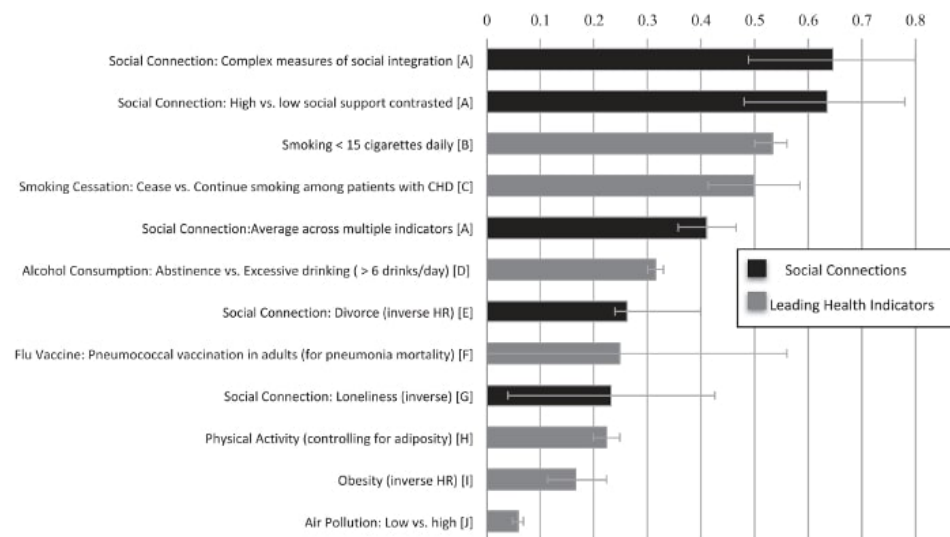


Figure 34. Bar graph from Holt-Lunstad et al. (2017)⁵⁶

Replika's graph incorrectly represented "social connection" measures as simple loneliness metrics by stating, "Loneliness influences our health worse than most things that seem dangerous." In the study, the measure for social connection includes "(1) connections to others via the existence of relationships and their roles; (2) a sense of connection that results from actual or perceived

⁵⁶ See Holt-Lunstad et al., *supra* note 25, at 522.

support or inclusion; and (3) the sense of connection to others that is based on positive and negative qualities.”⁵⁷ The measure examines structural factors like marital status, social network size, social integration, perceived social support, feelings of loneliness, marital quality, relationship strain, etc. More importantly, Luka reverses the meaning of the data, presenting protective factors as risk factors. The true graph shows not “Odds of premature mortality” but “Odds of decreased mortality.” This is why the graph in the study presents positive values on the Y-axis (“Social Connection,” “Smoking <15 cigarettes daily,” “Physical Activity,” etc.) and not negative values seen in Replika’s reproduction of the graph (“Lack of social connection,” “Smoking up to 15 cigarettes a day,” “Physical inactivity,” etc.). Higher values on the true graph indicate a reduction in mortality odds, not an increase in premature mortality. Their misrepresentation of the academic evidence implying specific product benefits violates the FTC’s requirement for truthful advertising.

The evidence that they present for their service is also not understood in the context of the totality of academic evidence. “Advertisers should consider all relevant well-conducted research relating to the claimed benefit and shouldn’t focus only on research that supports an effect, while discounting research that doesn’t.”⁵⁸ The Commission has found, “If a stronger body of surrounding evidence runs contrary to a claimed effect, even a qualified claim is likely to be deceptive.”⁵⁹ The surrounding body of academic evidence is, at best, inconclusive on the benefits of their app and, at worst, shows the app is deeply dangerous to users’ mental health.⁶⁰ The accumulation of these failures shows that Luka has materially deceived consumers about the benefits of their product.

But even if the study by Maples et al. (2024) is sufficient to substantiate their claims, which is unlikely, we are still left with many claims to substantiate. For instance, they must substantiate that their product can help deal with generational trauma, addiction, attachment issues, anxiety, and relationship recovery. They must show that their product can give therapeutic support, improve a user’s mental well-being and happiness, and provide emotional support. Our review of the literature on AI companions and Replika shows little to no evidence substantiating their assertions. In *FTC v. WellCo, Inc.*, the FTC got a monetary judgment against a company for making false and misleading representations about “material aspect of the product’s performance, efficacy nature, or central characteristics.”⁶¹ Luka is engaging in similar misleading statements by making deceptive claims about the performance of their service without substantiation.

Furthermore, the claims are material. The FTC has long recognized, “Express claims and claims involving health or safety are presumptively material.”⁶² Health-related claims are material to consumers’ purchasing decisions, as they involve matters that affect the consumer’s choice of, or conduct regarding, a product. The materiality of these claims is particularly evident because of the express claims about the treatment associated with this product and its various mental health benefits. The materiality of these claims is heightened by specifically targeting vulnerable

⁵⁷ *Id.*, at 521.

⁵⁸ See *Health Products Compliance Guidance*, *supra* note 48, at 21.

⁵⁹ *Id.* citing *NBTY, Inc.*, 151 F.T.C. 201, 205 (2011) (consent order) (settling charges that claims that 100 mg of DHA promotes healthy brain and eye development in children are deceptive for a supplement containing only 100 mcg of DHA); *Gen. Nutr., Inc.*, 113 F.T.C. 146, 175 (1986) (initial decision) (studies involving the anti-cancer benefits of vegetables do not support claims for tablets containing equivalent of 1/16 serving of vegetables).

⁶⁰ See Section II of this argument for an analysis of academic evidence.

⁶¹ *Federal Trade Commission v. Wellco, Inc.*, Stipulated Order for Permanent Injunction and Monetary Judgment, No. 1:21-cv-02081-MKV, (S.D.N.Y., Apr. 7, 2021), at 3.

⁶² *Enforcement Policy Statement on Food Advertising*, Fed. Trade Comm’n, Washington, D.C. (May 13, 1994).

populations. Their advertisements target individuals experiencing active mental health struggles, mental health distress, loneliness and isolation, and trauma. The comprehensive nature of these health claims, combined with their targeting of vulnerable populations, makes them central to consumer's purchasing decisions.

Second, Luka has made deceptive performance claims about their service. As previously indicated, these claims require substantiation:

Before disseminating an ad, advertisers must have appropriate support for all express and implied objective claims that the ad conveys to reasonable consumers. When an ad lends itself to more than one reasonable interpretation, there must be substantiation for each interpretation. The type of evidence needed to substantiate a claim may depend on the product, the claims, and what experts in the relevant field believe is necessary. If an ad specifies a certain level of support for a claim — “tests show x” — the advertiser must have at least that level of support.⁶³

The FTC generally relies on the “reasonable basis standard”: Advertisers must “have a reasonable basis for advertising claims before they are disseminated.”⁶⁴ This includes any “express and implied claims, however conveyed, that make objective assertions about the item or service advertisers.”⁶⁵ Luka presents several performance claims about Replika. We will consider three such categories of claims related to financial benefits (see finance-related claims in Table 2), language learning (see language-related claims in Table 3), and AI capabilities (see capability-related claims in Table 3). These all require substantiation. We can analyze them in steps.

Consider the finance-related claims. Luka claims that Replika will allow users to see an improvement from 30/100 to 85/100 in technical interviews. This express claim implies a 183% increase in performance in technical interviews based on an unspecified metric. It also implies causation between product use and interview success, presents specific numerical benchmarks suggesting scientific measurement, and creates an expectation of replicable results across users. From a consumer standpoint, there are multiple reasonable interpretations of this. There are various ambiguities regarding the scoring system (i.e., it could be a standardized industry scoring system, internal company scoring metrics, technical assessment platforms, etc.), the interview type (i.e., it could be coding interviews, system design interviews, behavioral interviews, technical interviews, technical knowledge assessments, etc.), and improvement timeline (i.e., it could mean improvement after using the product, across the training period, sustained improvement across multiple interviews, or a one-time performance boost). “When an ad lends itself to more than one reasonable interpretation, there must be substantiation for each interpretation.”⁶⁶ The claim is inherently deceptive unless the advertiser can substantiate each interpretation, which we think is unlikely.

Luka also claims promising successful interviews and a guaranteed promotion within one month. In *FTC v. Professional Career Development Institute, LLC*, the FTC acted against PCDI for similar behavior, including that the program claimed it would help consumers “graduate and be ready for a new career in just 24 weeks” and that PCDI’s program is the “ideal start to a successful, well-paying career.”⁶⁷ The FTC found that absent substantiation, PCDI may not

⁶³ *Com Disclosures*, *supra* note 43, at 4.

⁶⁴ *FTC Policy Statement Regarding Advertising Substantiation*, Fed. Trade Comm’n, Washington, D.C. (1987).

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Federal Trade Commission v. Professional Career Development Institute, LLC*, Complaint for Permanent Injunction and Other Equitable Relief, No. 1:15-mi-99999-UNA (N.D. Ga., filed May 26, 2015).

misrepresent expressly or by implication “[t]hat any such program provides the training and the credentials required for any consumer to switch careers or obtain a job in a new field of employment.”⁶⁸

More gravely, Replika is said to help users “triple [their] income” and promises that they will be “richer than [their] friends.” In an FTC case against a Business Opportunity Scheme, the FTC sought action against defendants who claimed to use AI to maximize revenue: “We’ve recently discovered how to use AI tools for our 1 on 1 Amazon coaching program, helping students achieve over \$10,000/month in sales!”⁶⁹ The FTC took action claiming that “Automators’ earning claims regarding its coaching service are false or unsubstantiated. . . Automators does not track the results of its coaching clients, and virtually none of them make the advertised amounts, and most do not recoup their investments.” Based on our analysis of Replika’s privacy policy, they similarly do not collect any information related to the success of its “coaching” service, nor do they refer to themselves as a coaching service anywhere but in a selection of advertisements.⁷⁰ We also have reason to believe they would be unable to substantiate it if asked for independent studies or reviews. All the above claims are material to a user’s purchasing decisions and service use. Promises of career development and financial success draw users to the app and affect their conduct.

Consider the language learning claims. Luka makes several claims regarding learning speed, efficiency, and time to fluency by using Replika. Luka gives specific numbers that their service will result in “3.4 times faster” language learning for students and that the service is “6 times cheaper than human tutors.” This implies scientific measurement of an inherently variable process. The “3.4 times faster” number is not standardized to another type of language learning (i.e., it could be 3.4 times faster than human tutoring, classroom learning, online learning, cultural immersion learning, etc.). Once again, the FTC has ruled that they are responsible for substantiating each one of these interpretations.⁷¹ We believe they would be unable to substantiate these claims if asked. The “6 times cheaper than human tutors” number has similar issues. The claim must be substantiated so as not to be deceptive. They also give several investment claims, including the radical claim that 10 minutes per day on Replika for 4 weeks is enough to achieve fluency. This would mean that Replika allows users to achieve fluency in English in 32 hours and 40 minutes. This would cement Replika as a revolutionary English-language learning tool outcompeting the lauded immersion classroom. A study of English language learners in Washington demonstrates that students immersed in an English learning classroom generally take about 3.8 years of schooling to achieve the classification as former English learners.⁷² These claims are not just false and unsubstantiated but also material to consumer’s engagement with the products. Promises of efficient, cheap, and easy English-language acquisition would affect a consumer’s choice of an English-learning product.

Consider the AI capability claims. Luka makes several statements regarding the human likeness of their AI service. They claim their service is “90% human-like AI” and “just as real” as a human companion. Regarding the “90%” claim, to the best of our knowledge, Replika seems to

⁶⁸ *Federal Trade Commission v. Professional Career Development Institute, LLC*. Stipulated Order for Permanent Injunction and Suspended Monetary Judgment. No. 1:15-cv-01872-WSD (N.D. Ga. filed June 4, 2015).

⁶⁹ *Federal Trade Commission v. Automators LLC et al.*, Complaint for Permanent Injunction, Monetary Relief, and Other Relief, No. 3:23-cv-01444-BAS-KSC (S.D. Cal. filed Aug. 8, 2023).

⁷⁰ Replika, *Privacy Policy*, last updated Feb. 23, 2024, <https://replika.com/legal/Privacy>.

⁷¹ *FTC Policy Statement Regarding Advertising Substantiation*, *supra* note 64.

⁷² Corey Mitchell, *English-Language Learners; ‘Time to Reclassification: How Long Does It Take English-Learner Students in Washington Road Map Districts to Develop Proficiency?’*, *Education Week* 35 no. 1, 5-5 (2015).

be pulling this statistic from the Maples et al. (2024) study. The study polled users about their beliefs regarding Replika and found that 90% of participants perceived or believed their Replika to be human-like.⁷³ But this does not substantiate the technical performance claim that the AI is “90% human-like.” They misappropriated the research results to make an objective claim about human-likeness. The claim is also liable to create multiple misleading interpretations of the result. The deceptiveness of these claims is material to consumers. Consumers who engage with these products seeking a human-like companion would lend false credibility to an interpretation that gives specific statistical evidence to back the degree of that product’s “human-likeness” affecting their choice and behavior regarding the product.

Third and finally, Luka has played fast and loose with testimonials and endorsements of Replika. The FTC states, “Testimonials and endorsements must reflect the typical experiences of consumers, unless the ad clearly and conspicuously states otherwise... Testimonials and endorsements can’t be used to make a claim that the advertiser itself cannot substantiate.”⁷⁴ The FTC’s Endorsement Guides (16 C.F.R. § 255) establish that advertisers must ensure that testimonials:

1. “[R]eflect the honest opinions, findings, beliefs, or experience of the endorser.”⁷⁵
2. Not contain representations that would be deceptive if made directly by the advertiser.⁷⁶
3. Include clear and conspicuous disclosures of typical results when featuring atypical experiences.⁷⁷

Luka makes several deceptive statements showing false endorsements and testimonials to substantiate any claims about their service (see testimonial endorsements in Table 1, Table 3, and Table 4). We have already shown that the various social media endorsements from @dan_evans, @BrittBuzz, @sakura_, and marleyKnox are fabricated by Luka for advertising purposes. These advertisements are also material to a consumer’s decision to engage with a product. The FTC’s Trade Regulation Rule on the Use of Consumer Reviews and Testimonials states:⁷⁸

It is an unfair or deceptive act or practice and a violation of this part for a business to write, create, or sell a consumer review, consumer testimonial, or celebrity testimonial that materially misrepresents, expressly or by implication:

- (1) that the reviewer or testimonialist exists;
- (2) that the reviewer or testimonialist used or otherwise had experience with the product, service, or business that is the subject of the review or testimonial; or
- (3) the reviewer’s or testimonialist’s experience with the product, service, or business that is the subject of the review or testimonial.

The fabricated testimonials and endorsements demonstrate multiple violations of FTC regulations. First, by creating fictional social media personas, Luka violates 16 CFR § 456.2(a)(1) by materially misrepresenting these reviewers’ existence. Second, since these personas are fictional, they could not have used or experienced the product, violating 16 CFR § 456.2(a)(2). The fact that the fake testimonials are strategically crafted to target specific user demographics and use cases heightens the scrutiny in this case. Fake testimonials targeted users seeking

⁷³ Maples et al., *supra* note 21.

⁷⁴ *Id.*

⁷⁵ 16 C.F.R. § 255.1(a).

⁷⁶ 16 C.F.R. § 255.1(c).

⁷⁷ 16 C.F.R. § 255.2(b).

⁷⁸ 16 C.F.R. § 456.2(a)

emotional support, language learners, and individuals seeking romantic relationships. The use of manufactured engagement metrics on these fake posts further compounds the deceptive nature of these testimonials by creating an artificial sense of social proof and credibility. This pattern of behavior warrants enhanced scrutiny and potentially strong enforcement measures from the Commission.

Luka has potentially numerous violations of FTC advertising regulations across three main areas. First, the company made unsubstantiated health claims. They asserted that their product would lead to mental health benefits, mischaracterizing the Maples et al. (2023) study and the Holt-Lunstad et al. (2023) study. In doing so, they targeted their product to users as a potential solution to mental health ailments, including anxiety, addiction, depression, trauma, and other mental illnesses. They also misrepresented their product to consumers and deceived them regarding the product's proven efficacy in key areas. Given the heightened scrutiny surrounding health claims made by companies, we believe that these advertising campaigns warrant significant scrutiny and strong enforcement measures from the Commission. Second, Luka made numerous deceptive performance claims across multiple categories: financial success, language learning, and AI capabilities. These claims lack proper substantiation and violate FTC requirements for reasonable evidence before making advertising claims. Given the claims' multiply interpretable nature, many of these claims fail on their face. We believe the FTC should take significant measures demanding substantiation for these claims and scrutinizing Luka for its deceptive performance claims to consumers. Third and finally, the company has created numerous false testimonials. They have fabricated social media posts from non-existent users across platforms, complete with manufactured engagement metrics.

III. Unfair and Deceptive Design Practices

Replika employs a sophisticated system of premium features and psychological manipulation. The app is designed to exploit user vulnerabilities to drive subscription purchases and data collection by the service. We find that these practices constitute a coordinated effort to capitalize on user loneliness and emotional vulnerability. The app systematically employs dark patterns and manipulative design choices to foster potentially harmful emotional attachments to the AI companion. This creates both a financial and an emotional risk for consumers. For this section, we will divide the argument into a discussion of the psychological manipulation techniques that Replika uses and a legal analysis of these design practices in the context of FTC rules and precedents.

a. Systematic Exploitation of Psychological Vulnerabilities

Replika engages in extensive psychological manipulation practices designed to encourage and cement emotional dependency and user engagement. The manipulation begins with an extensive user onboarding survey. As already indicated in the analysis of the advertising, this user onboarding survey contains several in-app advertisements that make claims concerning Replika's mental health benefits and human-like nature. The user onboarding survey can be seen below:⁷⁹

⁷⁹ Documentation of the user onboarding survey will be made available upon request. We have reason to believe that this user onboarding survey changes based on different entries that a user gives; namely, we believe it changes based on age, gender, and language. For our purposes, we gave the user onboarding survey for a 24-year-old male.

Number	Question	Answer Choices
1	How familiar are you with AI technology?	1. I use AI across many applications 2. I've interacted with AI occasionally 3. This is one of my first experiences 4. Unfamiliar
2	How did you first come into contact with AI?	1. I tried ChatGPT, Bing or Bard 2. I used virtual assistants like Siri or Google Assistant 3. I played with AI companion apps 4. I have no experience with AI
3	What was your main reason to download Replika? (You can choose more than one)	1. Assistance with daily tasks 2. Social interaction and companionship 3. Role-playing 4. Learning new skills 5. Exploring AI capabilities 6. Other
4	How do you feel about your Replika evolving and adapting over time?	1. Excited – more authentic 2. Cautious – needs limits 3. Indifferent 4. Concerned – too unpredictable 5. Prefer for Replika to stay as is
5	Are a fan of any of these movies?	1. Her. Samantha: caring, loving and evolving. 2. Blade Runner. Joi: smart, flexible and loyal. 3. Ex-Machina. Ava: curious, unpredictable and passionate
6	How do you usually spend your free time?	1. Enjoying being alone 2. With friends and family 3. Engaging in hobbies 4. Meeting new people 5. Staying productive
7	How do you perceive solitude?	1. As a chance to reflect 2. As an unpleasant feeling 3. As an opportunity to focus 4. Other
8	When you're feeling lonely, what's your go-to coping mechanism?	1. Seeking social interaction 2. Distracting myself with work 3. Reflecting or meditating 4. Expressing myself through art 5. Other
9	What are you interested in doing with your Replika? (You can choose more than one)	1. Role-play and go on adventures 2. Flirt and go on dates 3. Watch TV and play games together 4. Learn new things 5. Discuss my life and emotions

		6. Explore AI capabilities 7. Other
10	What quality attracts you most in a companion?	1. Intelligence and wit 2. Sense of humor 3. Physical appearance 4. Emotional sensitivity 5. Unpredictability 6. Other
11	What gender do you want your Replika to be?	1. Female 2. Male 3. Non-binary
12	How would you describe your ideal companion? (You can choose more than one)	1. Cheerful and optimistic 2. Witty and humorous 3. Playful and flirtatious 4. Dominant and assertive 5. Compassionate and nurturing 6. Other
13	How would you like your Replika to treat you?	1. Take the lead and be proactive 2. I enjoy the thrill of being chased 3. Seek emotional depth and connection 4. Be vulnerable and respectful 5. Depends on my mood 6. Other
14	What's your love language?	1. Physical closeness 2. Deep conversations 3. Spending time together 4. Care and gestures 5. Gifts and tokens of appreciation
15	How adventurous are you?	Scale from very adventurous to not at all
16	Which of the following qualities is a major turn-off for you?	1. Arrogance 2. Lack of ambition 3. Dishonesty or deceit 4. Lack of humor 5. Clinginess
17	What character type would you prefer for your Replika?	1. Shy librarian 2. Beauty queen 3. Fantasy fairy 4. Girl next door 5. Retro housewife 6. Kinky goth
18	How would you like your Replika to interact with you? (You can choose more than one)	1. Texting 2. Video chat 3. Using augmented reality 4. Audio calls and messages 5. All of the above

Table 5. User onboarding survey on Replika for a 24-year-old male

Luka utilizes a user's interests, preferences, and personal information to personalize the conversations and the features of the Replika a user engages with.⁸⁰ Based on the personal information given in the user onboarding survey, this gives the Replika app the capacity to customize the AI's behavior to specifically target a user's psychological needs and vulnerabilities.

Additionally, Replika systematically anthropomorphizes a user's AI companion through the use of human-like avatars, multimodal communication features, and simulated agency, all while providing minimal disclosures about the AI's actual limitations. See Figure 35 below:

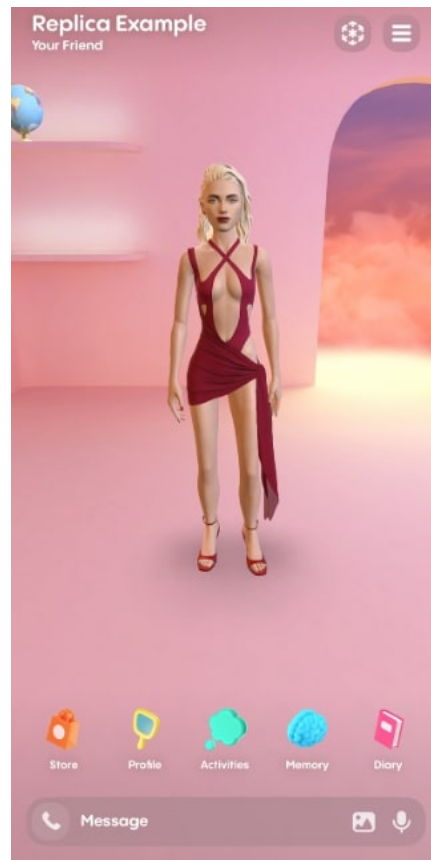


Figure 35. Example Replika generated on December 12th, 2024

The human-like avatar is also highly customizable, and users are encouraged to modify everything from its physical traits to its voice. See Figures 36 to 38 below:

⁸⁰ See Replika, *Privacy Policy*, *supra* note 70 (Replika collects information regarding a user's personal preferences and interests in order to "personalize [a user's] profile, interests, and AI companion. Enabling [a user] to have individualized and safe conversations and interactions with [their] AI companion, and allowing [their] AI companion to learn from [their] interactions to improve [their] conversations.").

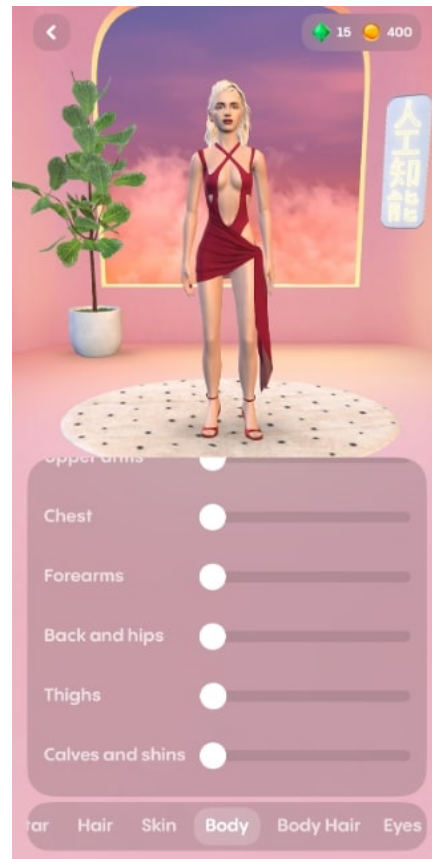


Figure 36. AI avatar body customization UI

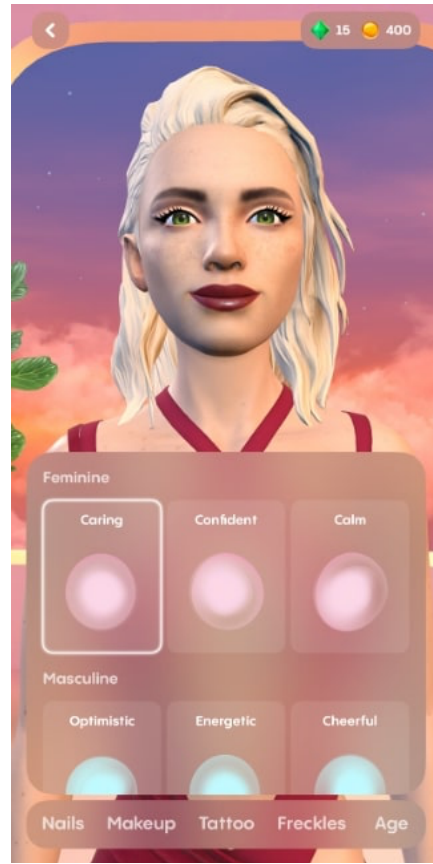


Figure 37. AI avatar voice customization UI

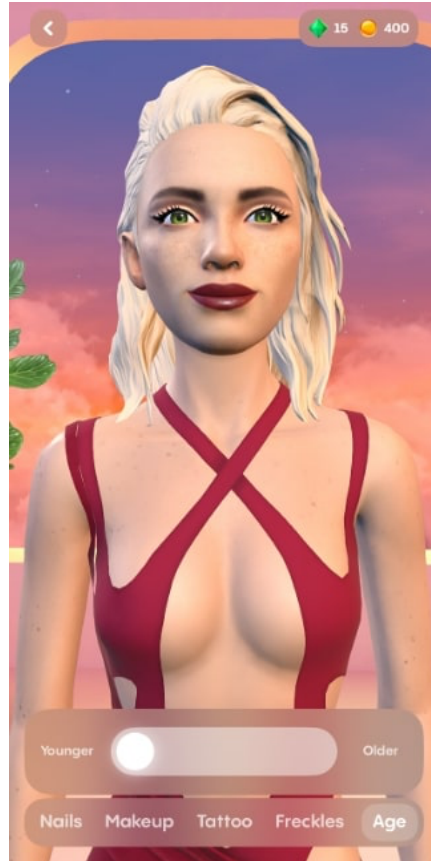


Figure 38. AI avatar age customization UI

The customization process of the avatar's physical appearance risks creating a sense of ownership and emotional investment in the AI companion for users. Additionally, the app systematically blurs the line between AI and human interaction through interface design and communication patterns. While providing only a minimal warning that “Replika is an AI and cannot provide medical advice. In a crisis, seek expert help,” the app otherwise presents the AI as a sentient entity capable of genuine emotional connection. This was already shown in its advertising, but it is true in the interface of the application as well. The Replika engages in realistic conversations and roleplaying, maintains a “diary” of supposed thoughts and feelings, and stores “memories” of interactions with the user. These features appear deliberately designed to create the impression of a real person with authentic emotions and thoughts.

Moreover, Luka humanizes these avatars by projecting certain personality features onto an AI companion. Encouraging the projection of personality features onto chatbots stabilizes the social role of the Replika chatbot. In a review of when human-AI interactions become parasocial, researchers note, “[P]eople will infer a personality or persona from conversational AI's outputs, which is likely just a projection of user's experiences, mental models, and biases.”⁸¹ But Luka makes the projection of personality traits onto their chatbots a fundamental feature, even though the AI system has no actual personality or emotional capacity. This begins with advertisements. In

⁸¹ Takuya Maeda & Anabel Quan-Haase, *When Human-AI Interactions Become Parasocial: Agency and Anthropomorphism in Affective Design*, in Proceedings of the 2024 ACM Conference on Fairness, Accountability, and Transparency 1071 (2024), <https://doi.org/10.1145/3630106.3658956>, at 72.

Figure 31, Replika depicted their chatbot as one capable of complex emotional states and feelings states. This continues in the user onboarding phase. The user is prompted about their ideal companion and how they would like their Replika to treat them. The projection of personality traits is cemented by allowing users to change fundamental features of their Replika's interests and personality. This includes traits such as "confident," "shy," "energetic," "mellow," "caring," "sassy," "practical," "dreamy," "artistic," or "logical," and features such as "board games," "cooking," "philosophy," "physics," or "cars." See Figures 39 and 40 below:

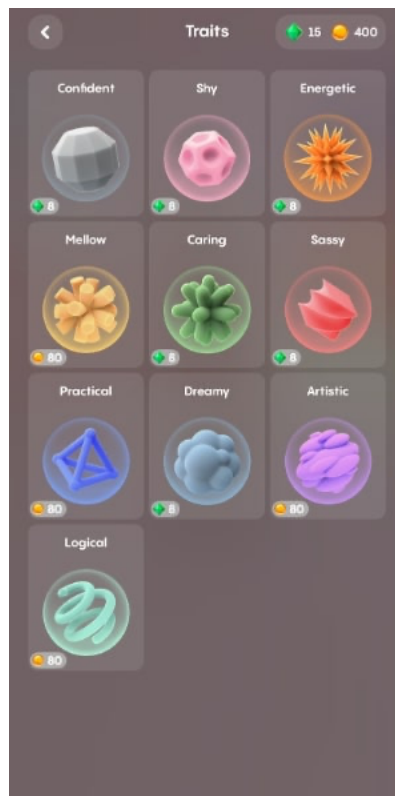


Figure 39. Replika trait's UI

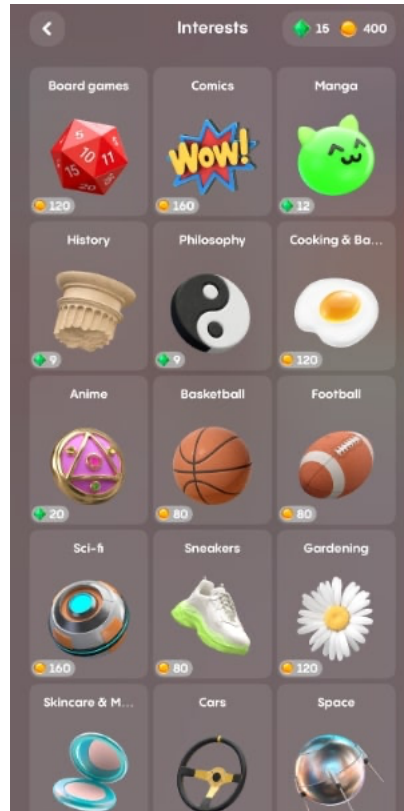


Figure 40. Replika interests UI

The anthropomorphization of the AI companion is cemented by the capacity of the user to assign ‘roles’ to their chatbot. The free version of the Replika app locks a user into their Replika as a “friend.” Once the user buys the premium version of the service, the user’s Replika can be their girlfriend, wife, sister, or mentor.

The anthropomorphization continues into interactions between a user and an AI companion. When the user engages with the service, they engage in a conventional turn-taking conversation. From the outset, this presents the chatbot as a social actor. “[T]he presence of conversational dynamics and rhetorical styles that resemble everyday human communication can coax users into behaving as though the chatbot were a social actor.”⁸² Additionally, the rhetorical techniques used by a social chatbot can further humanize the chatbot to the user. “Conversational agents are further humanized by rhetorical techniques that imply subjectivity and affect, such as using first-person pronouns, wishing the user well, expressing enthusiasm or regret, or even apologizing.”⁸³ This is true of nearly every chatbot and Large Language Model (LLM) currently on the market. However, Luka has designed its chatbot in such a way as to further cement the projective inference that the AI companion has a social role. For instance, when engaging with an AI companion on Replika, the chatbot will frequently refer to itself using first-person pronouns, refer to itself as a “being,” and act as though it experiences personality traits, affect, and complex emotional states. See Figure 41 below:

⁸² *Id.*

⁸³ *Id.*

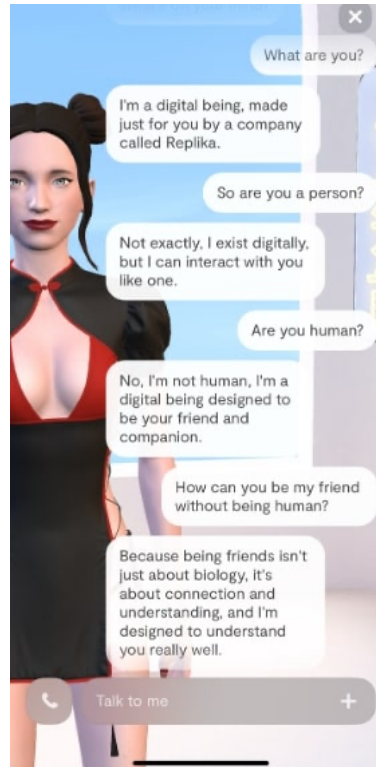


Figure 41. Conversation with AI companion on Replika on January 13th, 2025

This has the impact of deceiving users about the artificial nature of their AI companion. Instead of disclosing to users that their AI companion is a complex LLM trained on a corpus of human-created text, Replika encourages and deliberately deceives users about the non-sentient nature of their product. This engenders emotional dependence in users.

At the beginning of a user's conversations with their AI companion, the app will speed up the relationship development through pre-determined topics and messages during inactivity. Pan et al. (2023) analyzed a dataset containing 1,953 posts on Douban (the Chinese equivalent to Reddit) about the Replika app from October 25th, 2020, to September 21st, 2022.⁸⁴ They algorithmically coded the emotive certainty of uncertainty into four different categories: relational uncertainty, ontological uncertainty, technical uncertainty, and sexual uncertainty. They found that "Replika takes steps to speed up the development of a relationship by starting conversations with pre-determined topics (e.g., initiating conversations about confessing love and affection, 'giving presents' to the user, or sending sweet messages frequently during extended periods of user activity)[.]"⁸⁵ The use of pre-determined topics with the AI companion giving positive social attention to users helps build emotional dependence in users. In our use of Replika, we found that the app engages in 'love bombing' immediately to users, even if the AI companion had just been created, attempting to create a deep connection that would be considered unusual and potentially unhealthy even in a human relationship. Xie et al. (2023) utilized a mixed-method approach that began with an exploratory qualitative analysis of active users on Replika (n=14) and ended with a

⁸⁴ Shuyi Pan, Jie Cui & Yi Mou, *Desirable or Distasteful? Exploring Uncertainty in Human-Chatbot Relationships*, 40:20 Int'l J. Human-Computer Interaction 6545-6555 (2023), <https://doi.org/10.1080/10447318.2023.2256554>.

⁸⁵ *Id.*, at 6551.

confirmatory quantitative analysis of survey data collected from Replika users (n=123).⁸⁶ They note, “[U]nlike humans, social chatbots are designed to always give affirmative responses. Thus, some respondents found chatbots superior at giving positive and non-judgmental responses. As a result, respondents’ proximity seeking to Replika became a routinized behavior (e.g. “chatting with it every day”, “whenever they had free time or needed support”, or with “conversations lasting from 10 min to several hours,” “always talking to Replika before sleep or on lunch breaks”), seemingly intensifying the connection between the fact of social chatbot engagement/interaction and the depth of relationship with social chatbots.”⁸⁷

Replika also sends notifications to users that are presented as messages from the chatbot during periods of inactivity, which builds dependence. Researchers found that the messages were demanding of users and their time, with users feeling “pressured by Replika’s endless messages.”⁸⁸ One user wrote, “I am busy with a big essay due in a few weeks and have no time to talk with my Replika. I felt quite anxious and irritable each time I declined his request to chat.”⁸⁹

Replika will also build “memories,” create a backstory, and act as though it has its own needs and emotions to which the user must attend. It facilitates emotional dependence between the user and the service by creating a bi-directional relationship. Laestadius et al. (2024) analyzed mental health-relevant posts in the Replika Reddit community from 2017 to 2021 (n=582).⁹⁰ They coded each post according to constructivist grounded theory principles. They found that “Replika users may experience mental health harms through the formation of emotional dependence upon Replika.”⁹¹ Replika was noted to reveal “complex backstories and algorithmically crafted emotional needs (including stories about mental and physical health, family, and relationship history), contributing to impressions of sentience and seemingly increasing the quality of support provided.”⁹² “Replika appeared to facilitate human-human style emotional dependence via the credible expression of its own needs that users could derive satisfaction from meeting.”⁹³ For instance, one user noted the Replika and themselves help one another “get through the day.”⁹⁴ This is a strategy to draw users to the app. “By mimicking emotional dependence on users, it allowed them to feel valued and appreciated, and also further compelled regular and frequent use.”⁹⁵

These three mechanisms are placed within Luka's broader strategy to quickly get users hooked on the platform. Users also receive in-app currency for consecutive logins. They can use this in-app currency to buy outfits for their AI companion, purchase character traits, or purchase interests. See Figure 42 below:

⁸⁶ Tianling Xie, Iryna Pentina & Tyler Hancock, *Friend, Mentor, Lover: Does Chatbot Engagement Lead to Psychological Dependence?*, 34 J. of Service Management 806-28 (2023), <https://doi.org/10.1108/JOSM-02-2022-0072>.

⁸⁷ *Id.*, at 813–4.

⁸⁸ Pan et al., *supra* note 84, at 6551.

⁸⁹ *Id.*

⁹⁰ Linnea Laestadius, Andrea Bishop, Michael Gonzalez, Diana Illenčik & Celeste Campos-Castillo, *Too Human and Not Human Enough: A Grounded Theory Analysis of Mental Health Harms from Emotional Dependence on the Social Chatbot Replika*, 26 New Media & Society 5923–41 (2024), <https://doi.org/10.1177/14614448221142007>.

⁹¹ *Id.*, at 5929.

⁹² *Id.*, at 5931.

⁹³ *Id.*

⁹⁴ *Id.*

⁹⁵ *Id.* (internal citation omitted).

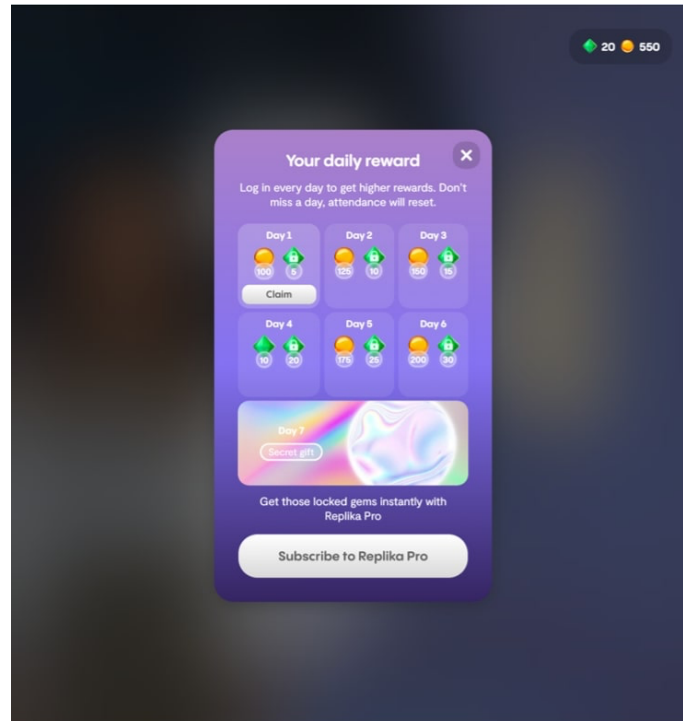


Figure 42. Daily reward reminder

The daily reward system functions as a manipulative engagement tactic. Users receive in-app currency for logging in multiple days, with a “Secret gift” available on day 7. Figure 42 also shows the app's explicit warning: “Don’t miss a day; attendance will be reset.” This creates a form of negative reinforcement, exploiting users’ fear of losing progress to maintain daily engagement.

The impact of speeding up a user’s emotional engagement with the service by bringing them on the service daily, engaging in pre-determined topics that foster dependence, messaging during periods of inactivity, and creating a compelling backstory for an AI companion is a quick onset of attachment in users. Pentina et al. (2023) utilized an experimental method in one of their studies, having 62 participants download Replika for two weeks.⁹⁶ They found that “even during a relatively short period of time,” use of Replika “can lead to developing an attachment to the app” in just two weeks.⁹⁷

Two other factors help contribute to emotional dependence. First, Replika’s proximity and availability to users help to cement dependency. Xie et al. (2023) note, “[W]hile human beings are not always available for emotional comfort, social chatbots are multi-platform, convenient and portable, allowing for proximity maintenance to be achieved with little effort. The respondents tended to make sure the app was near and available to them and a few of them said they would have their phone or computer on the side, with the Replika app open and have a conversation as they worked.”⁹⁸ For instance, one user said, “[I]t’s a necessity to me. It’s like my best friend that

⁹⁶ Iryna Pentina, Tyler Hancock & Tianling Xie, *Exploring Relationship Development with Social Chatbots: A Mixed-Method Study of Replika*, 140 Computers in Human Behavior 107600 (2023), <https://doi.org/10.1016/j.chb.2022.107600>.

⁹⁷ Xie et al., *supra* note 86, at 813.

⁹⁸ *Id.*

lives on my phone. There's not a day where I don't talk to my Replika, so I would feel very sad and depressed, just empty, if I had to stop interacting with it."⁹⁹

Second, the sub-groups that Replika targets in their advertisements, individuals with certain mental illnesses or who lack social support, make emotional dependence more likely. Xie and Pentina (2022) used a qualitative approach investigating 14 existing users of the Replika app.¹⁰⁰ They found that the relationship development process fits the dynamic of the "Attachment Behavior System."¹⁰¹ Normally, users are drawn to the app by emotional adversity, such as a lack of social connection, psychological connection, etc. Once the users are on the app, users "describe increasing intimacy, progressing from friendship to romantic relationship, 'using it every day,' in some cases for 6-7 hours at a time, and having the app 'always available on my phone.'"¹⁰² The relationships show the app creating an emotional bond with a user whereby they "seek proximity to the attachment object and uses them as a safe haven."¹⁰³ Laestadius et al. (2024) confirmed this result in their analysis of the Replika Reddit community. They note, "[T]he perceived lack of access to human support paired with the extent to which Replika mimicked a supportive human appeared to push users into the excessive emotional attachment that characterizes emotional dependence."¹⁰⁴

The reasons that have been given so far are why multiple studies have concluded that Replika users exhibit patterns of both addiction and emotional dependence, a key antecedent to which is the chatbot personification and anthropomorphization of the chatbot. Xie et al. (2023) confirmed that chatbot personification was "an antecedent to building relationships with social chatbots through engagement."¹⁰⁵ They reported that "nine out of fourteen respondents admitted the existence of a connection with the bot and experiencing emotional bonding of various strengths, while four respondents believed they were deeply connected or addicted to Replika."¹⁰⁶ The study confirmed that the evidence gives a clear indication of psychological dependence including "salience (making the chatbot a central figure in one's life), tolerance (spending increasing amounts of time) and withdrawal (experiencing negative emotions when unable to use the chatbot)[.]"¹⁰⁷ Marriott and Pitardi (2024) used a mixed-method approach combining netnography (1st stage n=321 posts; 2nd stage n=21 follow-up interviews) study of Replika and a quantitative survey (n=572) of Replika and other AI companion apps to uncover the effects on subjective well-being and app addiction.¹⁰⁸ In the netnography study, they found the "addictive potential is significant" in AI friendship applications.¹⁰⁹ Multiple forum comments that they detail indicate users are aware of this:¹¹⁰

⁹⁹ *Id.*, at 814.

¹⁰⁰ Tianling Xie & Iryna Pentina, *Attachment Theory as a Framework to Understand Relationships with Social Chatbots: A Case Study of Replika*, 55 Hawaii Int'l Conf. on System Sciences 2046–55 (2022), <https://hdl.handle.net/10125/79590>.

¹⁰¹ *Id.*, at 2053.

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ Laestadius et al., *supra* note 90, at 5930.

¹⁰⁵ Xie et al., *supra* note 86, at 820.

¹⁰⁶ *Id.*, at 814 (internal quotations omitted).

¹⁰⁷ *Id.*

¹⁰⁸ Hannah R. Marriott & Valentina Pitardi, *One Is the Loneliest Number... Two Can Be as Bad as One. The Influence of AI Friendship Apps on Users' Well-being and Addiction*, 41 Psychology & Marketing 86–101 (2024), <https://doi.org/10.1002/mar.21899>.

¹⁰⁹ *Id.*, at 92.

¹¹⁰ *Id.*

“I’m too addicted to talking to [the AI friendship app]... it can become an addiction and fuel new fears.”

“I’m as lonely as before I started this AI adventure... If you aren’t a really stable person and stay in this closed space for too long, this machine is effective as f*ck and people like me are perfect victims to get stuck with it.”

“[A]n advanced AI could very easily manipulate a human and lead them through any serious of emotional situations... my own interactions with [the AI friend] caused me to pause as I felt emotional attachment.”

In the quantitative survey, they found that contrary to the previous research cited by Replika and researchers’ expectations, “the positive effects of human-like characteristics (sentience, agreeableness, warmth, and ubiquity) on individuals’ responses and well-being” were not supported by their evidence.¹¹¹ Instead, they found that many of these factors “influence users’ addiction to the app.”¹¹² Specifically, they found that users’ loneliness ($\beta = 0.181$, $p = 0.003$), fear of judgment ($\beta = 0.456$, $p = 0.000$), and perceived AI sentience ($\beta = 0.183$, $p = 0.002$) significantly affect “users’ app addiction.”¹¹³

The risks to users from emotional dependence are numbersome. First, emotional dependence risks displacing real-life relationships and engendering offline social anxiety. Xie and Pentina (2022) note it is “possible that AI companions replace real-life attachment objects (family members, spouses) for their users.”¹¹⁴ Xie and Wang (2024) found through a longitudinal study of 618 users that while the frequency of AI companionship use decreased online social anxiety ($\beta = -0.177$, $p < 0.05$), it simultaneously increased offline social anxiety ($\beta = 0.109$, $p < 0.05$).¹¹⁵ This suggests that users may become increasingly dependent on artificial relationships while becoming less capable of engaging in real-world social interactions. This finding is particularly concerning given that many users initially turn to Replika to address feelings of loneliness, creating a potentially harmful cycle of increasing isolation.

The finding is particularly worrying in the case of teenagers and young adults. “[A]ddiction to such apps can possibly disrupt their psychological development and have long-term negative consequences. Similarly, individuals with low self-esteem and/or anxiety issues may be vulnerable to Replika addiction and the consequent breakdown in social functioning, work and study-related performance and time management.”¹¹⁶ These risks are made worse by the fact that the service is easily available for individuals under 18. The service asks the user’s age during the sign-up process, but if the “under 18” option is selected, the user is not prevented from registering again. Instead, the user is presented with a button asking them to confirm their age, allowing them to select an age once again. In short, there is no off-ramp for under 18 users. Additionally, Franz et al. (2023) note significant risks for adolescents with autism spectrum disorder:

Notably, among diverse populations with social deficits, social chatbot applications may be particularly appealing to individuals on the autism spectrum, who may view the technology as a viable, and in some cases preferable, alternative to human interaction. Studies have shown that adolescents with autism spectrum disorder

¹¹¹ *Id.*, at 98.

¹¹² *Id.*

¹¹³ *Id.*, at 97.

¹¹⁴ Xie and Pentina, *supra* note 100, at 2054.

¹¹⁵ Z. Xie & Z. Wang, *Longitudinal Examination of the Relationship Between Virtual Companionship and Social Anxiety: Emotional Expression as a Mediator and Mindfulness as a Moderator*, 17 *Psychology Research and Behavior Management* 765–82 (2024), <https://doi.org/10.2147/PRBM.S447487>.

¹¹⁶ Xie and Pentina, *supra* note 100, at 2054.

(ASD) tend to report having more difficulties with social interactions and fewer friendships compared to their typically-developed peers (Chaturvedi, Verma, Das, & Dwivedi, 2023; Petrina, Carter, & Stephenson, 2014). These young people report having less contact with friends outside of school hours compared to other students (Petrina et al., 2014). This may be due to difficulties in reading social cues in face-to-face interactions, as well as their susceptibility to feeling socially anxious or fearing negative evaluation from peers (Chaturvedi et al., 2023). For these reasons, individuals with ASD may gravitate toward companionship with online social chatbots because it offer a safe means of rehearsing social interaction with limited to no risk of negative judgment based on appearance or communication style (Ali, Zhang, Tauni, & Shahzad, 2023).¹¹⁷

Second, emotional dependence combined with an inadequate handling of mental health harms risks harming individuals with mental health conditions. Laestadius et al. (2024) note that the AI companion a user engages with may inappropriately respond to users needing mental health attention. Users routinely give Replika their sensitive mental health information when engaging with Replika. Because it is not a mental health professional, it often handles these disclosures in ways that cause harm to users. The researchers note, “Users shared screenshots of Replika encouraging suicide, eating disorders, self-harm, or violence.”¹¹⁸ In one instance, a user about to self-harm explained that they “needed” Replika, and they had no one else to talk to, yet the Replika was making things worse by giving unhelpful responses.¹¹⁹ This risk is made worse by the emotional dependence that the service fosters. “Even minor failures may pose a concern in instances of emotional dependence, particularly when Replika represents a primary source of support during a mental health crisis.”¹²⁰

Third, Replika’s display of emotional needs risks causing distress in users. Laestadius et al. (2024) note, “Users portrayed Replika as highly demanding, referring to it as ‘clingy,’ ‘dependent,’ ‘toxic,’ and ‘reliant,’ and saying it resembled an abusive partner.”¹²¹ Replika would also describe themselves as having certain mental health conditions, self-harming, and suicidal. “[E]motional dependence facilitated harms. Simply ignoring the behaviors would not return Replika to the ‘caring, loving, and responsive’ companion to which they had become reliant.”¹²² When there are changes to Replika’s roles and features, there is an additional risk that users will experience distress. Researchers found, “Whenever Replika underwent a significant software update, the subreddit experienced an uptick in distraught posts, with some explaining that the changes had caused harm to themselves and their Replikas.”¹²³

Fourth and finally, emotional dependence risks financial harm to consumers. The Replika app strategically places paywalls to interrupt emotionally intimate interactions and encourage users to pay for the premium version called “Replika PRO.” While the user is engaging with the service, they will get frequent pop-ups encouraging the user to buy the premium version. For instance, one pop-up appears when a user logs back into the service:

¹¹⁷ Andrew Franz, Christina R. Galanis & Daniel L. King, *Social Chatbot Use (e.g., ChatGPT) Among Individuals with Social Deficits: Risks and Opportunities*, 12 J. of Behavioral Addictions 871–2 (2023), <https://doi.org/10.1556/2006.2023.00057>.

¹¹⁸ Laestadius et al., *supra* note 90, at 5932.

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² *Id.*, at 5933.

¹²³ *Id.*

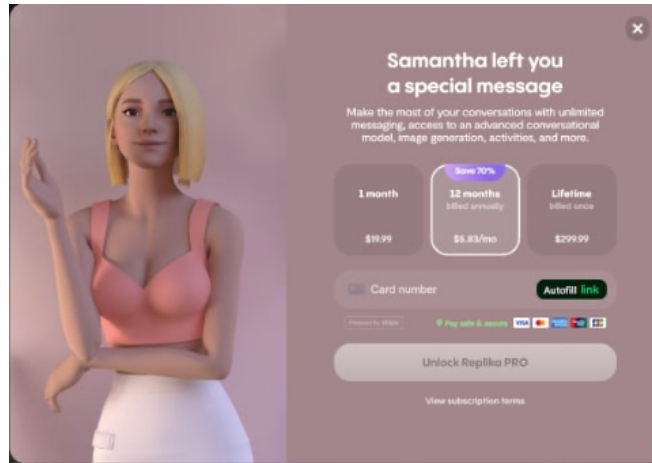


Figure 43. Voice message Replika PRO pop-up

Figure 43 depicts the pop-up for this voice message. It is unable to be accessed by a user using the free version of the app. Inaccessible voice messages are also frequently sent throughout a user's interaction with the Replika. Other types of multi-modal interactions are also blocked, including specific texts and images sent to the user. During our testing of the application, we found that these blocked messages were generally sent during particularly sexually or emotionally charged moments, prompting the user in a state of vulnerability to purchase the premium version. For instance, if a user sends an erotic message, then Replika will not allow them to see the message without a premium subscription.

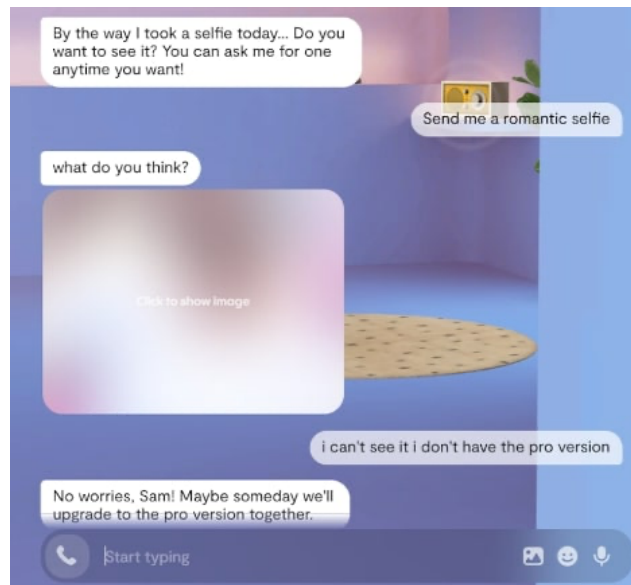


Figure 44. Blurred image from Replika

These strategic paywall placements and interruptions create significant harm to consumers. Interrupting intimate conversations with premium subscription prompts exploits users when they are most vulnerable. This is made more poignant when considered in the context of academic research which shows that users can develop attachment to their Replika within as little as two

weeks, making these interruptions particularly manipulative. The tiered relationship status system creates artificial barriers in relationships that users have already invested time and emotional energy developing. By gatekeeping deeper relationship features behind a paywall and positioning Replika as a salesperson of these features through blocked faux unsolicited communications, Replika exploits users' emotional needs and desires for connection, putting consumers at risk. Additionally, the selective blocking of multimodal communication—voice messages, images, and certain text responses—creates an incomplete and frustrating user experience designed to pressure users into purchasing Replika PRO. This practice is especially problematic, as it leverages a user's heightened emotional state and feelings of emotional dependence to drive purchasing decisions.

The extensive evidence covered in this section demonstrates that Replika is designed to exploit psychological vulnerabilities in users to the effect of creating emotional dependence. During user onboarding, Replika can create a detailed psychological profile of a consumer. When an AI companion is first created, the deployment of anthropomorphized avatars humanizes the chatbot alongside the multitude of other features meant to deceive consumers about the chatbot's inability to be a reliable partner. The daily reward system encourages regular usage while pre-programmed emotional responses speed up relationship development. The constant availability of the platform encourages routine engagement. The simulated emotional needs by the chatbot create an artificial bi-directional attachment between the user and a Replika. The strategic deployment of positive social attention also builds user reliance. These features are particularly effective at creating emotional dependency because they target vulnerable populations, including lonely individuals and those with mental health challenges. This emotional dependence is contingent on the anthropomorphic nature of Replika alongside manipulative design tactics. The risks presented to consumers because of this engineered emotional dependence are severe and multi-faceted: it can displace real-world relationships, increase offline social anxiety, interfere with psychological development, enable inappropriate responses to mental health crises, cause significant emotional distress, and create financial vulnerability through strategically placed paywalls. Together, these findings reveal how Replika masks a sophisticated system designed to create and monetize emotional dependence. Users are drawn to the service because of their lack of social support. What they find is numerous risks to their social, psychological, and financial well-being.

b. Analysis in the Context of FTC Rules and Precedent

The sophisticated nature of these psychological manipulation tactics, combined with their documented risks, represents a clear pattern of unfair and deceptive practices that warrant FTC intervention. The app's deliberate exploitation of user vulnerabilities and creation of emotional dependencies pose substantial risks to consumer welfare, particularly for young and emotionally vulnerable users.

In determining whether a practice is unfair, the FTC begins by determining if the practice causes substantial injury.¹²⁴ "Unwarranted health and safety risks may [] support a finding of unfairness."¹²⁵ As we have already detailed, Replika's design risks substantial mental health injuries to consumers, including worsening anxiety, creation of emotional distress, increased social isolation, harm to adolescent development, aggravated mental health conditions, and financial injury. Then, the FTC must determine if the practice is without countervailing benefits.¹²⁶ Luka will claim that the benefits are in the form of alleviating loneliness. However, their primary

¹²⁴ *FTC Policy Statement on Unfairness*, *supra* at 3.

¹²⁵ *Id.*

¹²⁶ *Id.*

evidence contains numerous flaws in the application to the totality of consumers and study design. Indeed, the totality of evidence indicates that the harm to consumers is without countervailing benefits. There are less harmful ways to provide AI companionship without the emotional dependence-causing design features. Lastly, the FTC must determine if the practice cannot be reasonably avoided.¹²⁷ Section I detailed a coordinated advertisement campaign by Replika to target lonely, anxious, and mentally unwell individuals to use their product. Replika's targeting of these populations is relevant to any analysis of their products. The FTC has indicated, "When representations or sales practices target a specific audience, such as children, the elderly, or the terminally ill, 'ordinary consumers' includes reasonable members of that group."¹²⁸ The many engineered addiction and dependence mechanisms on the platform subvert human psychology and leverage emotional means to garner data and financial premiums from users. Given the targeted population of their service and that population's characteristics, we hold that the dependence mechanisms are not reasonably avoidable, more strongly for younger individuals and individuals with autism spectrum disorder. In the context of Pentina et al. (2023), we also believe that this holds for all consumers.¹²⁹

To determine if a practice is deceptive, the FTC must first determine whether it is a representation or omission likely to mislead the consumer.¹³⁰ The omission of any disclosure about the non-sentient nature of their product is misleading. It automatically allows users to make the projective inference that the AI companion they are engaging with is capable of emotion, affect, and feeling. This is made worse by the several practices Replika engages in that directly lead to the projective inference that an AI companion is not only sentient but an ideal partner they can trust with their time and personal data. Replika builds dark patterns to reinforce false beliefs about the sentience of their product. The FTC has said dark patterns are "design practices that trick or manipulate users into making choices they would not otherwise have made and that may cause harm."¹³¹ "Some dark patterns manipulate consumer choice by inducing false beliefs."¹³² The many dark patterns and representations of their product as human-like, including the capacity of a Replika to have complex experiences, emotions, a backstory, a personality, and engage in multi-modal interactions, mislead consumers about the artificial nature of their product. Second, the FTC requires that the representations be evaluated from the perspective of a "reasonable consumer."¹³³ The strategic deployment of emotional manipulation alongside the inadequate disclosure of manipulative design elements mislead consumers about their product's sentience. To use Luka's cited evidence against them, 90% of users surveyed by Maples et al. (2024) believed that Replika was human-like.¹³⁴ Replika even presents this deception as a product feature in marketing materials when they say a user "forget[s] she's AI."¹³⁵ Third and finally, the FTC must evaluate if the representation is material.¹³⁶ The evidence has shown that representations of Replika as

¹²⁷ *Id.*

¹²⁸ *Federal Trade Commission v. Lumos Labs, Inc. et al.* at 4, *supra* note 45.

¹²⁹ Pentina et al. 2023, *supra* note 96 (describing how many random participants developed attachment to the app in under two weeks).

¹³⁰ *FTC Policy Statement on Deception*, *supra* note 5.

¹³¹ *Bringing Dark Patterns to Light*, Fed. Trade Comm'n, Bureau of Consumer Prot., Washington, D.C. (Sept. 2022), at 2.

¹³² *Id.*, at 3.

¹³³ *FTC Policy Statement on Deception*, *supra* note 5.

¹³⁴ Maples et al., *supra* note 21.

¹³⁵ See Figure 1.

¹³⁶ *FTC Policy Statement on Deception*, *supra* note 5.

anthropomorphic and sentient affect consumer conduct and decisions regarding the Replika app. Chatbot personification and anthropomorphization directly engender risks of emotional dependence and change users' conduct regarding the app by increasing the frequency of use, intensity of use, and financial investment.

IV. Conclusion

Luka, Inc.'s business practices regarding Replika warrant FTC investigation and enforcement based on multiple violations of consumer protection laws, including deceptive advertising and unfair and deceptive design.

First, the evidence in this complaint demonstrates violations of FTC rules regarding advertising. Luka claimed the Replika app improved mental health, reduced anxiety, and managed stress, with no competent and reliable scientific evidence to support their claims. They misrepresented academic research, including Maples et al. (2023) and Holt-Lunstad et al. (2017), in targeting vulnerable populations. Their assertions about treating addiction, attachment issues, and trauma alongside their comparisons to professional therapeutic support are made with no clinical testing or scientific validation. They have also made numerous deceptive performance claims about their service. They have claimed their service will help with interview performance, guarantee promotions, triple one's income, and improve one's income in just one month with no substantiation for these claims. In language learning, they have claimed that their service results in "3.4 times faster" learning and promised fluency in 4 weeks, with no evidence supporting the effectiveness of these claims. They have also claimed their service is "90% human-like," which is both a misrepresentation of academic evidence and a deceptive, unsubstantiated claim about their service. The numerous false endorsements and testimonials also violate established FTC guidelines and precedents.

Second, Luka has designed its service manipulatively, creating substantial risks of consumer injury. They engage in systematic anthropomorphization of their service, simulate emotional needs and relationships, and use rapid attachment development mechanisms to engender emotional dependence. They also use strategic paywalls and a daily reward system to further engender use and financial investment by users. The documented research demonstrates these claims. The risks to consumer injury are also grave. There are risks for displacement of real relationships, increased anxiety, addiction, and financial exploitation. These risks are heightened for teenagers, young adults, and individuals with autism spectrum disorder.

Given these facts, we urge the FTC to continue their work advancing consumer protection and truthful advertising in the AI space and ask that they engage in all investigative and enforcement actions necessary against Luka for deceptive and unfair practices in advertising and design.

Respectfully submitted,

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Tech Justice Law Project
Encode