

Don't Download Apps

Updated: 25 Nov 2025

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Companies want you to download apps. Here in Taiwan it's particularly bad: I've had shop staff tell me about some discount if you download their app, and when I decline, say something like "It's really easy! Here, just give me your phone and I'll do it for you." Once when I was setting up my phone plan, the staff wanted my phone to, idk, note my IMEI or something, and then when I wasn't paying attention, installed a local e-commerce app, using my new phone number and name as login details, then proudly told me, "Now you get 300NTD off your first phone bill!" Thanks, for 10\$ I can get weekly text and email spam from Shopee, great.

So first tip, in Taiwan, never hand your phone over the counter.

Second tip, never download the app. Corps have all sorts of ways to try to convince you: Use the app to order in-store rather than the kiosk, get free chicken nuggets. Download our app at checkout, get a discount. Whatever the reason, don't do it, you're giving more than you're getting.

Two reasons.

First, we've entered an era defined by [surveillance capitalism](#). Companies try to get as much data on you as possible, and then treat you differently based on the data they have on file for you. We all know this as seeing poorly-tuned ads (you just bought a refrigerator? You must love refrigerators! Here's 100 refrigerator ads), but the new trend is [surveillance pricing](#). A company will know that you just got paid and so charge you just a bit more for your chicken nuggets than they do when you haven't been paid in two weeks. Annoying, don't download them app, don't give them more data than they already have.

The other scary thing though is that that gives the power of currency valuation to companies. Without surveillance pricing, everyone pays the same for a cheeseburger. Rich people can buy more cheeseburgers, sure, but at least the price of cheeseburgers is pegged against a dollar, so if someone starts charging too much for cheeseburgers, you can take your dollars to a competitor. Once companies can start charging individual prices, the global economy doesn't determine how many cheeseburgers your dollars can buy, McDonald's does. Way too much power to give to these companies that already have too much power.

Second reason, binding arbitration. Binding arbitration is when you sign an agreement with someone that has a clause that says, "if there's a dispute, we don't sue each other, instead we go through a private process outside the court system and let a mediator decide the outcome." Bonus, unlike judges, whose salaries are paid for by

the taxpayers and therefore you don't pay a "judge fee" when you go to court (mostly), a mediator needs to be hired. Guess who hires them? Not you!

Walking into a restaurant to buy a cheeseburger, there's no way a company can force you to enter a contractual agreement that includes binding arbitration. Downloading an app, however, requires agreeing to a "Terms of Service," and those can *absolutely* include a binding arbitration clause, and that clause can be applied even to cases outside the app. This happened to Jeffrey Piccolo when his wife died of food poisoning in a Disney World. Disney made a motion to dismiss because a couple years back, Jeffrey had signed up for a free trial of Disney+, which included a binding arbitration clause, which meant that if Jeffrey wanted to complain about how Disney murdered his wife, they'd have to settle it out of court with a mediator that Disney hired. No jury, no judge, no oversight. In the end the only reason Disney dropped this motion is because the news picked it up. That won't always happen.

At least in the USA, binding arbitration is totally cool according to the Supreme Court, so don't count on the government to save you. You need to take personal steps to make sure you aren't signing your rights away. So, don't download apps.

Predictions: Sometime in the next 5 years, someone will be forced into arbitration with Uber after being hit by one of their self driving cars, because they use Uber Eats. Sometime in the next 5 years, someone's house will burn down from their Tesla exploding, and they'll be forced into arbitration because they had a Twitter account, and Twitter is now a subsidiary of TeXla. Sometime in the next 5 years, an Amazon employee who lost a finger on the job will be forced into arbitration because they have a WaPo subscription.

If you want to learn more, [Cory Doctorow](#) covers the topic in much more detail.

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