

AMENDED Exhibit 858

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Case No.: 4:22-md-03047-YGR

MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

Produced in Native

Youth Awareness of Appearance Alteration in Shorts

go/yaaas



Background

Shorts are an especially popular format with youth. In SupeX, Shorts views account for █ % of views. In Shorts creation, camera [filters](#), [effects](#), and retouch can be used to alter the physical appearance of those in the video.

Today, these appearance alterations are not transparently communicated to our viewers. This may adversely impact teen self-esteem and self-image since teenage years are a critical time when they are developmentally susceptible to negative social comparison of physical appearance.

Our competitors Instagram Reels and TikTok are already clearly labeling image altering effects transparently on their watch page.

Currently available tools...

iOS

Filters (color filters)

Retouch (skin smoothing effect)

Lighting (adjusts lighting in dark/dim environments)

Effects picker Opens library (currently has 21 effects)

Android

Filters (color filters)

Effects

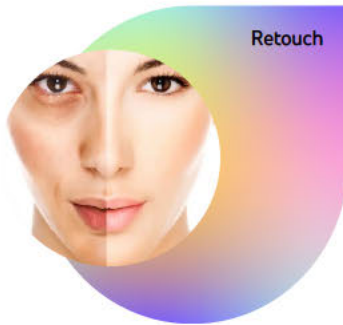
The Shorts team is currently working on labeling effects used with the Suggested Action chip in the watch player. This is great for transparency, and also engagement.

Retouch, Filters, Lighting

The Shorts team decided that these image altering tools will not be labeled using the Suggested Action chip and instead could live within the Structured Description page. The work was approved, but implementation was deprioritized.

[Here's where we come in](#) 🌐



Filters &
Lighting

Why be transparent about Retouch, Filters, & Lighting

Wellbeing Impact on Teen Users

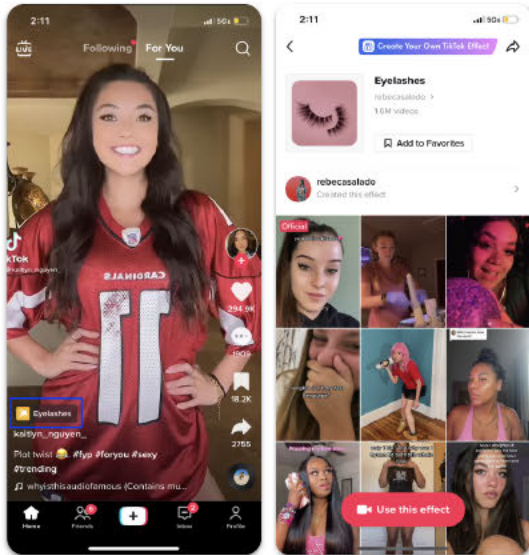
- Appearance filters and comparison may be correlated with negative wellbeing, especially in youth ([Forbes Article](#), [International Journal of Eating Disorders](#))
- Video beauty filters were perceived to be highly severe by teens and drive a high amount of social conversation from teens.
- Anecdotally, users of beauty filters and effects recognize the impact on teens and want platforms to be responsible and transparent about their usage.

Regulatory Pressure

- UK recently passed a law for greater transparency of digitally altered appearance images. Disclosures of appearance filters are now required for sponsored or branded content in order to not mislead viewers.

- Expert researchers have found beauty filters and negative social comparison may be correlated with negative wellbeing, especially in youth:
 - In 2018, researchers discovered 55% of surgeons are now seen by patients looking to improve their appearance for selfies (up from 42% in 2015) and that the pervasive nature of filtered images regularly trigger body dysmorphia. [Forbes Article](#)
 - “Usage of specific features such as touch-up feature...and amount of time spent looking at oneself were associated with appearance comparisons. Additionally, adjusting lighting and camera angles and amount of time spent looking at oneself are associated with self-objectification” [International Journal of Eating Disorders](#)
- In a teen social listening study, video filters were perceived to be highly severe by teens and drive a high amount of social conversation from teens.
- Anecdotally, users of beauty filters and effects recognize the impact on teens and want platforms to be responsible and transparent about their usage.

Other Apps



Beauty effects are shown on the Watch page both on TikTok & IG reels.

Retouch/ Beauty mode on TikTok is not transparent.

Filters are also not transparent on TikTok; but, Instagram users have asked for some beauty filters to be disclosed:

"Let's talk about the Paris filter on Ig stories- it's an **instant-smoothing, mood-lifting, feel-good filter** but **I think when used, it should have a disclosure tag**. Imagine teenagers going through puberty and acne issues comparing themselves with unrealistic and impossible filters they see on social media! So I am making a formal request to [@instagram](#) to put disclosures on their story filters, everyone please do the same 😊"

[Instagram Beauty Influencer Tina Chen Craig](#)

Overview

A lot of competitors beauty altering options are labeled Effects

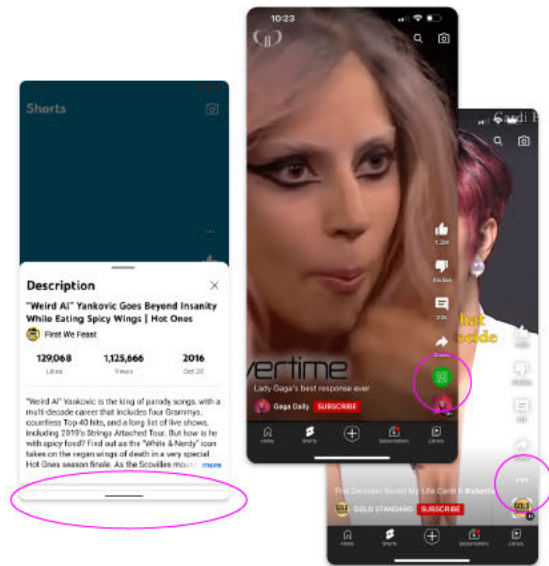
Our Focus	2	How does it alter appearance?	Shorts	Tiktok	Instagram/ Reels
	Filters (color filters)	Changes skin undertone	Not Transparent	Not Transparent	Stories has filters that are not transparent
	Retouch	Smoothes skin (blurs lines, texture, and pigmentation)	Not Transparent	Not Transparent	N/A (IG does not have retouch)
	Lighting	Brightens skin	Not Transparent	Not Transparent	N/A (IG does not have lighting)
Shorts Team 'Q1	Effects Picker	Overall glow-up (More appearance effects will be available in future)	Watch player (TBC: Q1)	Watch player	Watch player

Considerations

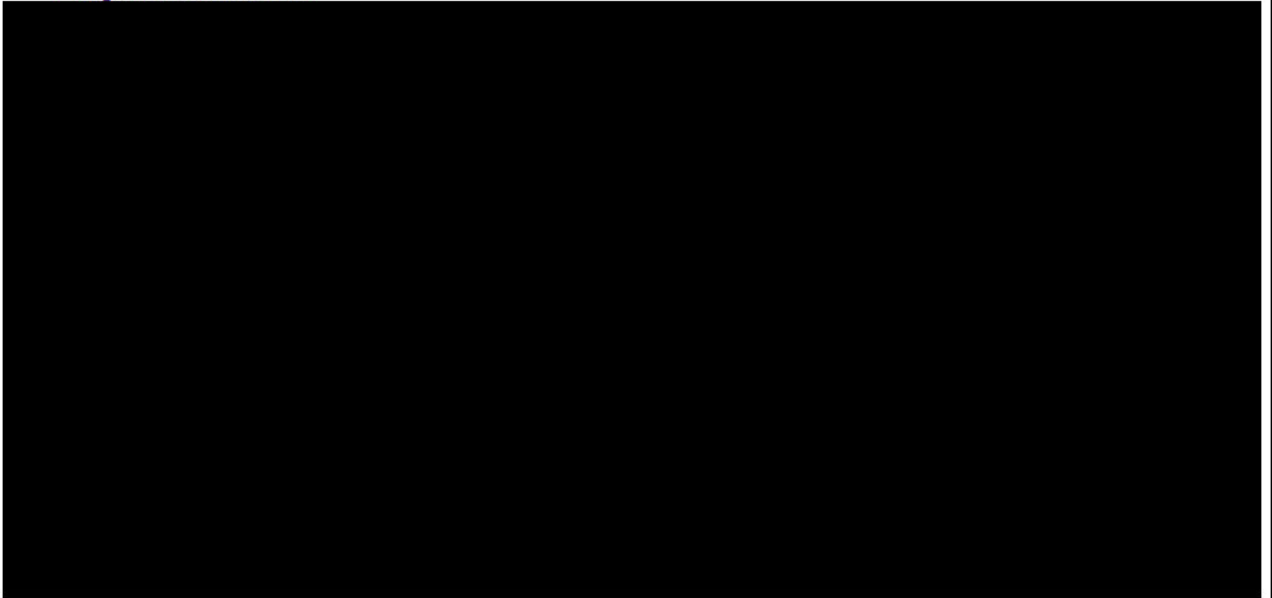
1 Adding retouching information to the Structured Description makes sense, however hiding this important information behind multiple clicks, diminishes our mission of transparency.

2 We also should consider that the 3 dot menu that triggers the Structured Description is sometimes a different icon, which is confusing and could be misleading

3 Filters and Effects information is most often buried below the fold of the initial engagement panel height for Structured Description, thus burying it even further.

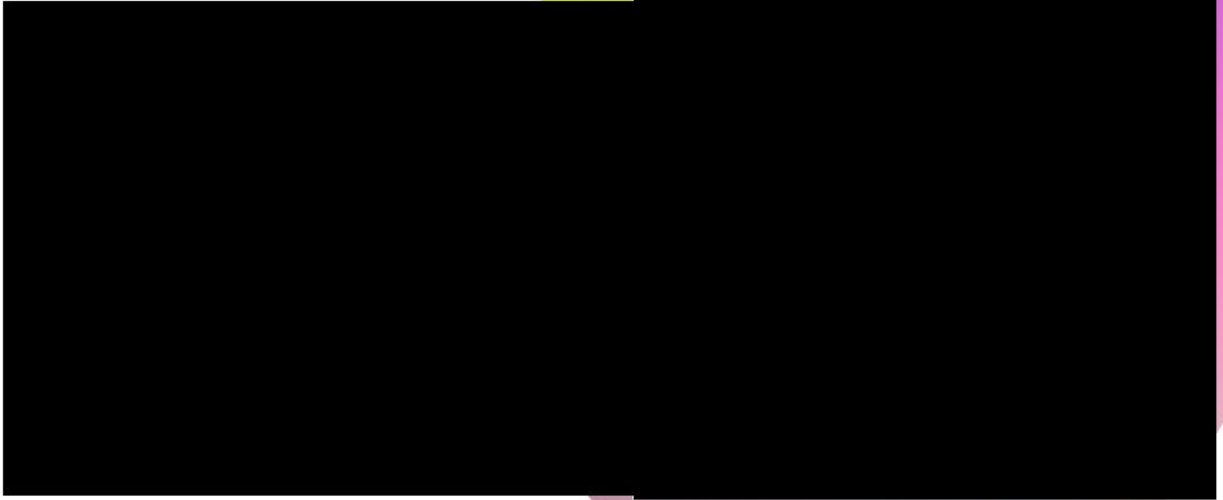


Explorations



Additional Animation

Watch page iconography + Structured Description



Helpful Resources

PRD

[Came a Filter Landscape](#)

UXD

[YAAAS Figma](#)

[Structured Description Figma](#)

UXR

[Filters vs. Effects Understanding Value](#)

[Shorts Wellbeing Principles in Design](#)

[How & Why do people participate in SFV](#)

[Trends](#)

Milestones

DWB & Youth Principles

INTERNAL ONLY: Confidential +
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YT Shorts Brainstorm UX principles synthesized

When designing for digital wellbeing, support creators' and viewers' intentions by applying these 3 principles

01 Empowerment

Start with supportive defaults

02 Transparency

Provide clear information on what's happening

03 Safety

Make everyone feel welcome and protected

INTERNAL ONLY: Confidential + Proprietary

Empowerment

Start with supportive defaults.

We: 1. anticipate users needs, assist them with completing their tasks easily (spend no more time than needed/wanted)

2. enable users to feel in control of their experience & help them maintain/embrace positive self-image.

Transparency

Provide clear information on what's happening.

We build user trust by providing helpful information about content they consume or create to give them necessary context that help them make informed decisions.

Safety

Make everyone feel welcome and protected.

We help users feel welcome, respected, and protected by showcasing content representative of many, offering tools to reduce negativity, and promoting positive feedback.

Product example

Empowerment

Start with supportive defaults

3 Filters & Retouching:

For features that alter self-image, set defaults to *off* & let users opt in, not out.

Filter default (**Concept**)

Empower users to opt in, not opt out for tools that alter original content (ex. Filters, VFX).

Product example

Transparency

Provide clear
information on what is
happening

Suggested Action:

Suggested action can inform viewers
when image is heavily altered using
filters and/or effects.

Visual effects/ Filters
Suggested Action (**Concept**)

Teens Responsibility Principles Adapts our NSPs



Kids must be protected

therefore reaching and engaging them on YouTube is a privilege.



Kids want to use YT

and we strive to serve their varied interests and creativity.



We help parents/caregivers

make the right choices for each and every kid.

Teen Principles

Set a higher bar for safety of teens
in areas where they're more vulnerable

Teens want to be supported, inspired, and connected;
strive to serve their developmental needs & interests

Teens want independence, give them awareness & control
instead of restrictions that turn them away and towards less-safe options

Step 1: Structured Description for Effects, Filters, Retouch, and Lighting

Youth Wellbeing

- Aggregate number of shorts is not needed for wellbeing
- Thumbnails aren't needed
- Would not need a CTA for Retouch, Filters, and Lighting

Step 2: Brainstorm Principles

10

When does the appearance alteration need to be more prominently visible to viewers for transparency & wellness?

1. When viewing the alteration is associated with negative outcomes for the viewer
 - Implies when there are many alterations layered because the difference is drastic [TBD from #3]
2. Support young creators who feel more positive and build confidence by making small enhancement
3. Lean on expert research for the tipping point between increasing self-confidence vs reduced self-esteem

Step 1: Starting on Structured Description for all ingredients used to create the Short.

But, when does the appearance alteration need to be more prominently visible to viewers for transparency & wellness?

1. When viewing the alteration is associated with negative outcomes from the viewer
 - Implies when there are many alterations applied/ layered because the difference is drastic [Base on research from principle 3]
2. Support young creators who feel more positive and build confidence by making small enhancement
1. Lean on expert research for the tipping point between increasing self-confidence vs reduced self-esteem