

Research Map on Marketing Law Studies Based on Scopus Database

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This study aims to see the development of research on the topic of "Marketing Law" and research plans that can be carried out based on journals published on the theme. This research uses a qualitative method with a bibliometric analysis approach. The data used is secondary data with the theme "Marketing Law" which comes from the Scopus database with a total of 192 journal articles. Then, the data is processed and analyzed using the VosViewer application with the aim of knowing the bibliometric map of "Marketing Law" research development in the world. The results of the study found that in bibliometric author mapping, the authors who published the most research with the theme "Marketing Law" were Petty R. D; Yahelson Y; Pressey A. D; Renke S.; Steennot R; and Shimpock-Vieweg K. Furthermore, based on bibliometric keyword mapping, there are 3 clusters with the most used words are legislation, product, ambush marketing, strategy, change, and implementation. Then, the research path topics related to marketing law are Future trends in marketing law, Legal implications of brand advertising and EU law and ambush marketing.

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INTRODUCTION

Marketing law refers to a set of regulations and legal guidelines that govern marketing practices. These laws are designed to protect consumers, maintain fair competition, and ensure ethical business practices. Marketing law covers a wide range of topics, including advertising, consumer protection, data privacy, and intellectual property. As the industry develops, marketing law also evolves. The development of marketing law is influenced by various factors, including the evolution of marketing theory and the need for a legal framework to regulate marketing practices. As marketing evolved, it incorporated concepts from sociology, psychology, anthropology, and statistics, thus broadening its conceptual foundation (Key et al., 2022). In terms of marketing law, there are several scientific laws that govern marketing practices, such as Law 95-5 which emphasizes the importance of long-term marketing strategies and targeting "out-market" buyers. Marketing law is also integrated with business law, as marketing practices must comply with various legal frameworks. The legal framework for marketing law includes federal and state laws governing advertising, such as the Federal Trade Commission (FTC) Act, the Lanham Act, and various data privacy laws (Miller, 2024). Marketing law is also relevant to the healthcare sector, as the Journal of Marketing has published a special issue on marketing in this area. Furthermore, in the legal profession, digital marketing has emerged as a new form of entrepreneurial and managerial practice, requiring law firms to adapt to new marketing strategies (Rogers & Song, 2023).

Marketing laws are essential to ensure that advertisers are honest about their products and services, and that comparisons with other products and services are accurate and fair. This helps prevent deceptive advertising practices and ensures that advertising is honest, transparent, and does not mislead, deceive, or abuse consumers (Miller, 2024). In the legal sector, marketing law is also important for law firms to stay relevant to new market forces, as clients become more savvy and sophisticated due to the availability of information on the internet (Tsikirayi et al., 2014). Nevertheless, marketing law faces several challenges that require the attention of academics, practitioners, and policymakers.

Miller (2024) explains that some of these challenges include regulatory complexity, evolving technology and consumer protection. The rapid advancement of technology has given rise to new forms

of advertising, such as digital marketing, social media advertising and influencer marketing, which may not be fully covered under existing regulations. This creates a need for updated laws and guidelines to address these new forms of advertising. In addition, ensuring that advertising is truthful, transparent, and does not mislead or deceive consumers is a key challenge in marketing law. This requires ongoing efforts to prevent deceptive advertising practices and enforce proper advertising laws. In addition, as businesses expand their operations globally, they must apply different legal frameworks for advertising in different countries. This requires a deep understanding of international marketing law and the ability to adapt to different regulatory environments. (Boehmer & Urich, 1990).

The use of marketing research in advertising can raise legal issues, such as the application of privacy laws to data collection and potential bias in research methods (Frey & Kinnear, 1979). These challenges require careful consideration and development of ethical guidelines for marketing research. Furthermore, as the legal sector becomes more competitive and market-driven, law firms must adopt marketing strategies to remain relevant and competitive (Tsikirayi et al., 2014). This requires an in-depth understanding of marketing law and adaptability to changing market conditions.

Therefore, it is important to see the extent of the current development of *Marketing Law* through research, and one method that can be used to see the development of research is bibliometrics using VosViewer. The method is able to create and display author journal maps and research paths based on co-citation data or keyword maps based on shared incident data. Some studies that examine related to *Marketing Law* include Mediano Stoltze et al (2019) examining the prevalence of marketing aimed at children on breakfast cereal packages before and after the food marketing law in Chile, where this study concluded that Chile's restrictions on marketing unhealthy food products aimed at children have been effective, as evidenced by a significant decrease in the use of these strategies on breakfast cereal packages that exceed the regulatory threshold, while an increase occurred in products that did not exceed the threshold.

Miskiewicz (2020) investigated the structure and dynamics of scientific publications related to the development of the Internet of Things (IoT) from a marketing point of view, with the research hypothesis being to analyze the background of the investigation of issues in the relationship between IoT and marketing presented in the Scopus database until 2020. The results

of the bibliometric analysis of publications show the dynamics of publication activity, highlighting the most influential articles and trustworthy journals, as well as visualizing the occurrence of keywords in papers and cooperation between authors between countries. Onjewu et al (2022) conducted a bibliometric analysis of Scopus-indexed articles published on the subject of obesity in the marketing corpus. The results found that a large body of literature explores obesity in the field of marketing as authors have drawn parallels between the influence of persuasive communication and advertising on human well-being and child health. The United States is the country with the highest number of obesity publications, followed by Australia and the United Kingdom. The topic dendrogram shows two sets of obesity discourse: opportunities for social and policy interventions and the impact on social groups in the population.

Saleem et al (2021) consolidated the state-of-the-art research on green marketing through a bibliometric study, it was found that based on keywords and three-factor analysis, it was concluded that green marketing, sustainability, sustainable development, environmental marketing, and sustainable marketing have attracted widespread attention over the past decade as keywords. Ghorbani et al (2021) investigated trends and patterns in the field of digital marketing research from 1979 to June 2020 through bibliometric analysis techniques, to conclude that digital marketing research continued to increase during the research period and the maximum publication occurred in 2019 which reached 163 documents.

Patrick & Hee (2020) analyzed global online marketing research trends from 1975 to 2019 through bibliometric analysis procedures, with the results showing a shift in research focus from multinational corporations, construction, and software industries in 2001-2010 to more focus on small and medium enterprises, business-to-business marketing, and agribusiness in 2011-2019, as well as identifying the most preferred online marketing platforms such as Google AdWords, affiliate marketing, email marketing, and others. Kandoth & Shekhar (2022) conducted a Bibliometric analysis of Recruitment Marketing, with the results revealing that this topic has not been found much in the literature but has room to be developed in the future. Faruk et al (2021) reviewed articles on digital marketing to identify key themes, determine the current status of research in digital marketing, and show how influential works have shaped it, and the results showed the existence of three dominant clusters in digital

marketing research, namely strategic planning with digital marketing, mobile marketing with app development, and handling customer demographic profiles.

This research was conducted to complement existing research and fill the gaps of previous research and to expand the literature related to *Marketing Law* through the research path. Specifically, the purpose of this research is to see the development of "*Marketing Law*" research around the world published by journals on the theme and see future research opportunities by formulating a research agenda.

METHODOLOGY

In this study, various scientific journal publications related to the theme of "*Marketing Law*" around the world were used as data sources. Data is collected by searching for journal publications indexed in the Scopus database using the keyword "*Marketing Law*". After that, scientific articles or journals that are relevant to the research theme will be selected based on the publication data that has been collected. Journals equipped with DOI are the criteria in the screening process and data processing using software. There were 192 journal articles published from within the research theme "*Marketing Law*". The development of publication trends related to the research topic was analyzed using VOSviewer software, which can generate bibliometric maps and allow for more detailed analysis.

In order to build the map, VOSviewer uses the abbreviation VOS which refers to Visualizing Similarity. In previous studies, the VOS mapping technique has been used to obtain bibliometric visualizations which are then analyzed. Furthermore, VOSviewer is able to create and display author journal maps based on co-citation data or keyword maps based on co-incidence data. Several studies using VOSviewer can be seen at (Puspita, 2023; Uula, 2023; Marlina & Maliha, 2023). Meanwhile, other bibliometric studies using R-Biblioshiny (As-Salafiyah, 2023; Rusydiana & Kanz, 2023; Herindar & Shikur, 2023). Therefore, this study will analyze journal maps related to "*Marketing Law*", including author maps, and keywords which are then analyzed for research paths that can be carried out in the future through clusters on *keyword mapping*.

This research uses a descriptive qualitative approach with meta-analysis and descriptive statistical literature study based on 192 journal publications that discuss the theme of "*Marketing Law*". Meta-analysis is a method that integrates previous research related to a particular topic to evaluate the results of existing studies.

Furthermore, the qualitative method used in this research is also referred to as a constructive method, where the data collected in the research process will be constructed into themes that are easier to understand and meaningful. The sampling technique used in this research is purposive non-probability sampling method, which aims to fulfill certain information in accordance with the desired research objectives.

RESULT AND DISCUSSION

This research discusses "*Marketing Law*" by utilizing 192 publications of journal articles indexed in Scopus. Bibliometrics is a method used to measure and evaluate scientific performance by taking into account factors such as citations, patents, publications, and other more complex indicators. Bibliometric analysis is conducted to evaluate research activities, laboratories, and scientists, as well as the performance of countries and scientific specializations. Some of the steps in bibliometric analysis include identifying the background of the research, collecting the databases to be used, and

determining the main indicators to be used in the research.

This section will deepen the meta-analysis results by showing a visual mapping chart depicting 192 journals related to "*Marketing Law*". In this research, mapping is done by analyzing keywords and important or unique terms contained in journal articles. Mapping is a process to identify knowledge elements, configurations, dynamics, dependencies, and interactions among these elements. The results of the network visualization of 192 journals with the theme "*Marketing Law*" will be explained in more detail in the next section.

Bibliometric Author Mapping

By using bibliometric analysis using VOSviewer software, a mapping of authors contributing to the field of "*Marketing Law*" is obtained. The resulting image provides a visual representation of the mapping, the bigger and brighter the point marked in yellow, the more the number of journal publications related to the theme "*Marketing Law*" that have been published by that author.

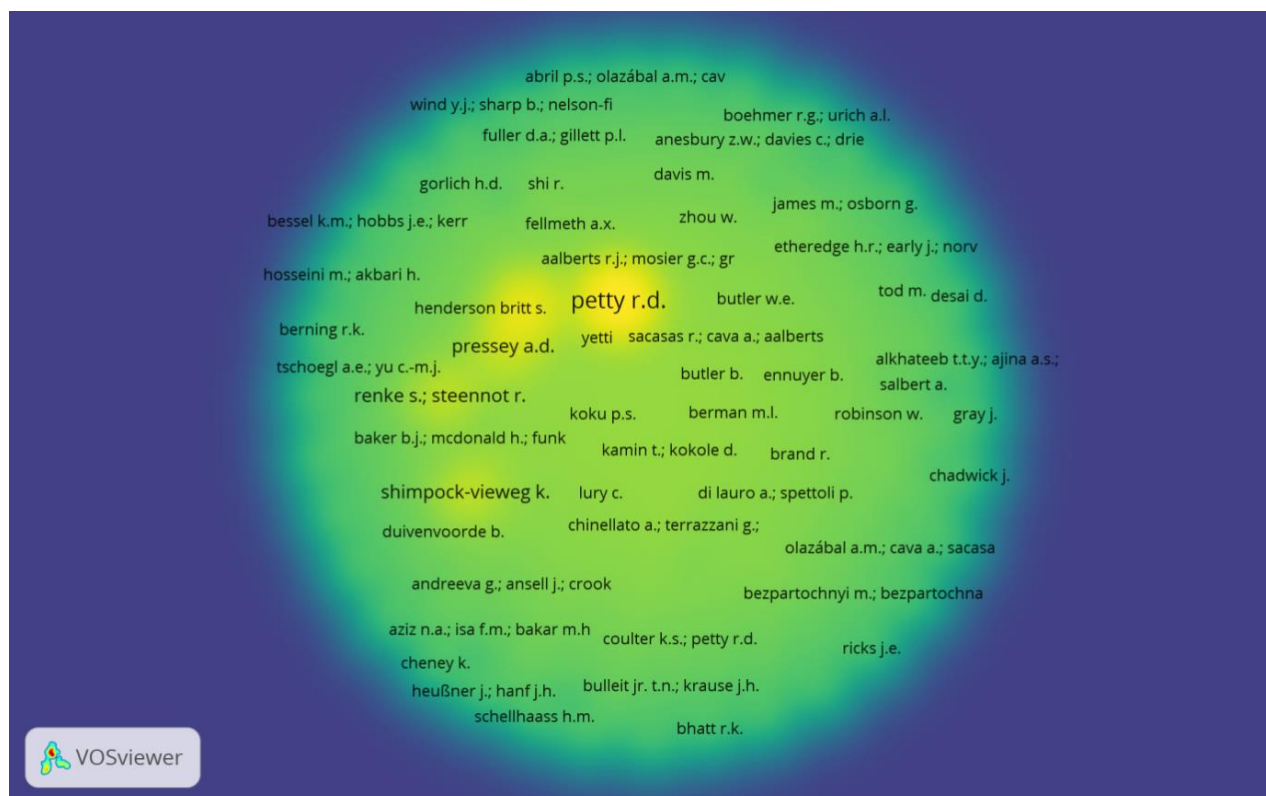


Figure 1. Author mapping

The figure above explains that the cluster density in the bibliometric map depends on the intensity of the yellow color shown. And the yellow color on the map depends on how many items are related to other items. For this reason, this section is very important to

get an overview of the general structure of the bibliometric map that is considered important to analyze. From this, it is possible to identify the authors who publish the most works.

In general, each author or researcher has different tendencies in each publication of their work. On some occasions, an author appears as a single author, but on other occasions the author may co-author with other authors or researchers, so this will affect the cluster density and some clusters show different densities. However, authors who have a large enough cluster density identify that the author has published the most research on the theme of "Marketing Lan", when compared to authors whose cluster density is lower, so the results found can be a reference for other researchers in the future. From the results of the analysis, it was

found that the authors who published the most publications related to "Marketing Lan" included Petty R. D; Yahelson Y; Pressey A. D; Renke S.; Steennot R; and Shimpock-Vieweg K.

Research Map

The figure below describes the trend of keywords appearing in research on the theme "Marketing Lan" and the larger shapes are the most used words in journal publications on the theme "Marketing Lan".

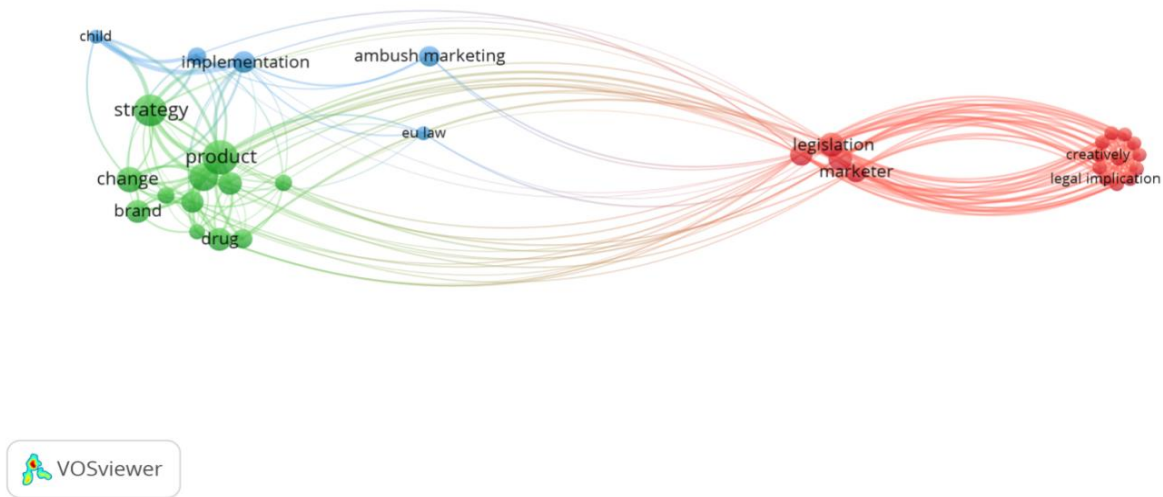


Figure 2. Keywords cluster

As for the mapping, the keywords that appear most in the publication "Marketing Lan" include legislation, product, ambush marketing, strategy, change,

and implementation, which are then divided into 3 clusters, as follows:

Table 1. Research cluster

Cluster	Keywords
Cluster 1 (16 items)	Court, creatively, effective management, future trend, governing case law, legal factor, legal implication, legal ruling, legislation, management, marketer, marketing decision, modern marketing professional, particular emphasis, recent court case, regulatory statute
Cluster 2 (12 items)	Advertisement, advertising, area, brand, change, drug, information, knowledge, law firm, market, product, strategy
Cluster 3 (5 items)	Ambush marketing, child, eu law, implementation, restriction

Research maps that can be created based on 3 keyword mapping clusters, namely:

Cluster 1: Future trends in marketing law

A number of relevant studies include research from [Rebolledo et al \(2022\)](#) examining whether the

sweetness of beverages changed with the Chilean Food Labeling and Marketing Law. The Chilean Food Labeling and Marketing Law led to a decrease in sugar content and an increase in non-nutritive sweeteners in packaged non-alcoholic beverages. However, the overall sweetness of purchased beverages remained consistent due to the balancing effect of these changes. Family sociodemographics did not affect the sweetness of the changes. The results found that NNS sweetness increased relative to the counterfactual, while total sugar sweetness decreased following the law. However, the absolute change in NNS sweetness was almost entirely offset by a decrease in total sugar sweetness, so there was no change in the total sweetness of beverage purchases. In addition, there were no differences in sweetness changes based on family sociodemographics. These findings suggest that Chilean consumers are exposed to similar levels of sweetness in their beverages following the law.

Roeseler et al (2010) summarized California tobacco industry monitoring of events and retail outlets, and findings on exposure to and beliefs about tobacco industry marketing among youth and adults. Tobacco marketing influences initiation of tobacco use, maintenance of tobacco use, and undermines comprehensive tobacco control programs. Policies banning the impact of tobacco marketing are likely to be more effective if implemented comprehensively, as partial bans will divert marketing to non-banned forms of media. The results of this study concluded that there was no overall change in the average number of cigarette ingredients per store, and an increase in the percentage of stores advertising cigarette price discounts. Then, overall, the number of tobacco-sponsored public events decreased from 77.3% to 48.1%. This trend is consistent with the significant decline noted among high school students and adults who reported seeing tobacco advertisements at events or attending tobacco company-sponsored events.

Stamat (2023) analyzes the essence of trends in marketing activities. The penetration of new technologies into our lives has fundamentally changed the values of marketing, making the aspects of safety and concern for the health of clients a priority, and not just obtaining commercial profit. In addition, the onset of the crisis showed all market participants how important it is to develop their adaptive abilities and prepare for new challenges in the future. The results of this research found changes in the needs, habits and other characteristics of consumers, new ways to win their loyalty and competitive characteristics, strengthening the

role of socially responsible corporate behavior and brands, active development of educational communications, etc. Then, dynamic changes in marketing communications, which complicate the tracking of current trends and complicate their integration into the marketing activities of enterprises. In addition, the narrowness of the development of trends does not allow finding new personnel and methods of rapid adaptation to changes. The coronavirus pandemic in early 2020 changed the entire model of the usual world. Previous marketing strategies, including via the Internet, are now also effective. Many brands have significantly changed their approach to marketing in general, and new trends have emerged in the field of digital communications.

Other relevant research includes Verma et al (2023) identifying current trends and future research opportunities in mass marketing. The study found an increase in the number of articles published and identified major contributing countries and sources of research on Masstige. Then, Goldsmith (2004) examined current and future marketing trends and their implications for the discipline, Marcum & Campbell (2016) examined legal marketing and marketing trends, Jewel (2014) examined how new technologies, cultural trends, and market forces can change a single legal practice, Nguyen & Simkin (2017) examined the state of play, future trends, and implications for marketing, and research from Anca-Couce et al (2021) examined bioenergy technologies, uses, markets and future trends in Austria.

Cluster 2: Legal implications of brand advertising

There is a paucity of research on this topic, and the few relevant studies Beck-Dudley & Williams (1989) investigated the regulatory environment for comparative advertising in terms of industry regulations, government regulatory agencies, and private court actions under state laws and the federal Lanham Act. The main legal issues examined in this study were trade libel and defamation, trademark infringement and dilution, and fraud. The Lanham Act offers protection and redress for parties harmed by false, misleading, or unfair comparative advertising. The legal theory of Lanham's application to comparative advertising is detailed and the implications of the U-Haul vs. Jartran case, where Lanham was applied with U-Haul awarded damages and legal fees in excess of forty million dollars, are discussed. Several public policy issues are raised including whether the FTC's private action policy serves the public interest given the legal risks and costs of defending lawsuits.

Tushnet (2010) examines federal trademark and false advertising laws, providing a comprehensive analysis of the key legal principles and their practical implications. The research delves into the nuances of trademark law, focusing on issues such as trademark infringement, dilution, and false advertising. In addition, the research also explores the evolution of trademark law in the United States, highlighting key legal decisions and legislative developments that have shaped the legal landscape.

Fogel & Lewis (2010) examined advertising ethics issues, the use of animated spokesperson characters, market discrimination, misleading practices, ethical issues in minority marketing, and related advertising regulations. In this study, it is discussed that marketing to targeted minority groups can provide a competitive advantage for an organization. However, there are ethical and legal issues that must be carefully evaluated. Youth, children, and protected minority groups, including women and the elderly, are high advertising targets due to the growing importance of these segments in purchase decision-making. Recent population and demographic factors continue to influence marketing to address minority marketing issues with an eye on ethics and social responsibility.

Baird (2023) explored the legal implications of branding in the context of brands and trademarks. It discusses the complex relationship between brand and trademark law, highlighting the importance of protecting brand identity and intellectual property rights. In addition, it delves into various aspects of branding, including brand development, management, and the role of trademarks in establishing brand distinctiveness and market presence. The research also underscores the importance of legal considerations in branding strategies, emphasizing the need for businesses to navigate the complex intellectual property legal landscape to safeguard their brand assets and maintain a competitive edge in the market.

Cluster 3: EU law and ambush marketing

Research on this topic is scarce, with Berger-Walliser et al (2012) conducting a comparative legal analysis of ambush marketing, focusing on the legal implications and strategies used in different jurisdictions. This research examines the concept of ambush marketing, where companies seek to associate themselves with a particular event without paying for official sponsorship, and its treatment under various legal frameworks. Through a comparative analysis of case law and legislative provisions, the authors explore

the approaches taken by different countries, highlighting the challenges and controversies surrounding ambush marketing.

James & Osborn (2016) discuss the role of transnational law and legal transplantation in the context of the Olympic Games. The research highlights how the International Olympic Committee (IOC) uses the rule of law to counter ambush marketing practices and illegal ticket sales. The research shows how legal rules developed by the IOC can be adopted by Olympic host countries to protect the commercial interests and reputation of the event. The results of this research provide insight into the complexity of legal regulations involved in international sporting events and the importance of cooperation between countries in implementing uniform legal rules.

CONCLUSION

This research aims to find out the extent of the development of research on the theme of "*Marketing Law*" in the world. The results of the study show that the number of research publications related to "*Marketing Law*" is 192 Scopus indexed journal articles. Furthermore, based on the results of the analysis on bibliometric author mapping, it shows that Petty R. D; Yahelson Y; Pressey A. D; Renke S.; Steennot R; and Shimpock-Vieweg K are the authors who have the most publications with the theme "*Marketing Law*". Furthermore, in the development of research related to "*Marketing Law*" based on bibliometric keyword mapping, it is divided into 3 clusters with the most used words being legislation, product, ambush marketing, strategy, change, and implementation. Based on the keywords that are often used, it can then be grouped into 3 *research map* clusters with topics that discuss *Future trends in marketing law*, *Legal implications of brand advertising* and *EU law and ambush marketing*. The policy implication of this research is the importance of paying attention to future trends in marketing law, the legal impact of brand advertising, and the legal aspects of combating unfair marketing practices. It emphasizes the need for a strong understanding of the laws and regulations applicable to marketing as well as appropriate strategies in the face of changes in marketing practices.

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