

# RESEARCH ON THE INFLUENCE OF CONSUMER PSYCHOLOGY ON THE PROTECTION OF TRADEMARK LAW

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## SUMMARY

**Introduction:** Nowadays, enterprises are facing unprecedented fierce competition. The market is evolving from seller monopoly to buyer monopoly. The era of consumer-led marketing has come. As the country pays more and more attention to intellectual property rights, the protection of trademark law has gradually raised the important agenda. Based on consumer psychology, this paper studies and designs the commodity protection law, which aims to urge producers and operators to ensure the quality of goods and services and protect the interests of consumers and producers and operators, not to promote the development of socialist market economy.

**Subjects and methods:** Starting from reality, this study adopts an interview questionnaire survey for consumers, through effective face-to-face interview, deeply understands consumers' cognition of trademark law protection, and carries out correlation analysis and multiple regression analysis between consumers' psychological factors and trademark law protection, so as to evaluate the impact of consumers' psychology on trademark law protection.

**Results:** The analysis results show that at the level of the basic situation of the survey samples, the proportion of men and women is basically the same, the age distribution is relatively uniform, the average monthly income is relatively balanced, the level of education is universal, and it is more reasonable to be included in the professional field. According to the basic characteristics of the survey sample, it is more in line with the main body of consumer research and representative, so as to ensure that the research results are as realistic as possible. At the correlation analysis level, the correlation coefficients of consumers' cognition, attitude, norms, consumption behavior tendency and purchase psychology are greater than 0.700. Consumers' cognition, attitude, norms, consumption behavior tendency and purchase psychology are positively correlated with trademark law protection. At the level of regression analysis, the regression analysis coefficients of consumers' age, gender, monthly income, occupation and education are greater than 0.400, which has a corresponding relationship with the protection of trademark law. At the same time, the regression analysis coefficients of consumers' cognition, attitude, norms, consumption behavior tendency and purchase psychology are greater than 0.700.

**Conclusions:** On the basis of previous studies, this study has made improvements and innovations, adopted a more careful experimental design and more accurate statistical methods, and carried out research on the impact of consumer psychology on trademark law protection, so as to evaluate the value and significance of consumer psychology in trademark law legislative protection. The conclusions include: consumer cognition, attitude, norms, consumer behavior tendency and purchase psychology are positively correlated with trademark law protection, the higher the degree of positive attitude and consumption intention of consumers, the better. Therefore, in the legislative protection of trademark law, we should fully consider the psychological factors of consumers, so as to strengthen trademark management, protect the exclusive right to use trademarks, urge producers and operators to ensure the quality of goods and services, protect the interests of consumers and producers and operators, and promote the development of the socialist market economy.

**Key words:** consumer - psychological factors - trademark law protection - correlation regression analysis

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## INTRODUCTION

Consumer psychology is a science that studies consumer behavior and is committed to exploring consumers' unique psychological phenomena and their development and change laws (Harman et al. 2020). According to the combination of consumer participation and commodity differences, consumer purchase mainly has four types: (1) complex purchase. It occurs when consumers first buy goods with high participation and great brand differences. Most consumers know little about these goods, but because they are expensive and durable consumer goods, they are very cautious in their choice before buying. It takes time to collect a lot of information, select and compare from multiple directions. This purchase decision is the most complex (Sett et al. 2020). (2) Harmonious

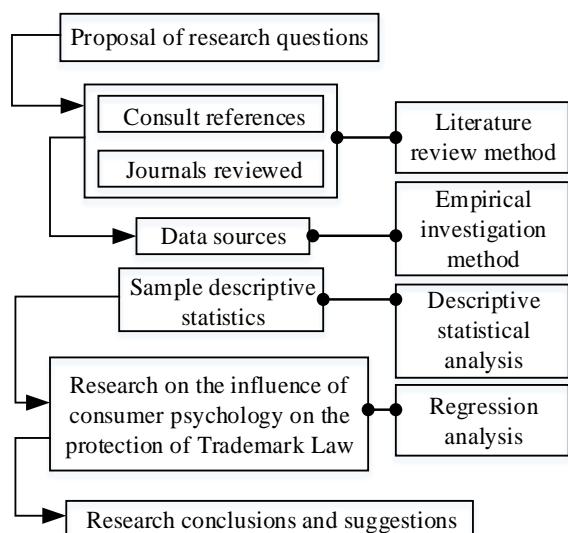
purchase. This happens when consumers buy goods with high participation but small brand differences. As long as the commodity prices of different brands are within the same level, there is little difference in quality and function, so there is no need to collect a lot of information or evaluate. The high degree of involvement is mainly due to high commodity prices or infrequent purchases. The focus of decision-making is whether to buy, what grade to buy, rather than what brand to buy, more concerned about whether to obtain price concessions, whether the purchase time and place are convenient, etc. (Dubé & Wen 2022). (3) Multi variety purchase. It occurs in commodities with large brand differences and low participation. Consumers often change the brand of the goods they buy, mainly because they try new things to avoid

monotonous randomness. Before purchasing such goods, consumers generally do not actively collect relevant information, but passively receive information through advertising and other publicity media. The evaluation of goods also occurs after purchase. Even if they feel good about the goods they buy, they may still change the brand at the next purchase (Saxena et al. 2021). (4) Habitual purchase. When consumers buy goods with low involvement and small brand differences, it is a habitual reaction behavior formed after multiple purchases. Consumers often buy fixed brands, not out of loyalty, but out of habit. When there is no such product on the shelf, consumers will not hesitate to buy another product that looks very similar (Mishra et al. 2020). Factors affecting consumers' purchase decision: (1) environmental factors such as cultural environment, social environment and economic environment; (2) price, quality, performance, style, service, advertising, purchase convenience and other stimulating factors; (3) personal and psychological factors of consumers. Personal factors include age, gender, occupation, economic status and personality. Among them, the psychological factors of consumers are also called black boxes, because they cannot be seen directly. Incentives start with enterprises and then enter into the black box of consumers. Through the psychological activity process of consumers, they become the decision-making output of purchase (Paulino et al. 2022). Psychological factors include: (1) motivation and willingness. Any purchase activity is dominated by a certain motivation, which comes from the internal motivation of consumers and reflects the physiological, psychological and emotional needs of consumers. (2) Feeling and perception. Two consumers with the same motivation will make different purchase decisions because of their different feelings and perceptions. (3) Learning and growth. Learning is a psychological process, a relatively lasting change in personal behavior caused by experience. It is a process in which consumers gradually gain and accumulate experience through use, practice or observation, and adjust their purchase behavior according to experience. Enterprises should create conditions to help consumers complete the learning process. (4) Beliefs and attitudes. Consumers form beliefs and attitudes in the process of purchasing and using goods, which will affect their future purchase behavior. It is better for enterprises to change their products to meet the existing attitude of consumers, rather than trying to change the attitude of consumers (Shen et al. 2021).

China's trademark law protects the exclusive right of trademark. The exclusive right to use a registered trademark is limited to the trademarks approved for registration and the goods approved for use. This is an important boundary to distinguish and judge whether infringement. "Approved registered trademark" refers to the visual signs registered by the trademark office. "Goods approved for use" refers to specific goods

approved and filed by the Trademark Office (Huang et al. 2021). The owner of a registered trademark has no right to change the constituent elements of the trademark or expand the scope of use of the trademark without authorization. Any use that does not involve the scope of trademark protection shall not be investigated as an infringement. Trademark infringement mainly includes two types: first, trademarks that are the same or similar to registered trademarks. Among them, similar trademarks refer to trademarks that are easy for consumers to mistakenly identify the source of goods or services in the font, pronunciation, meaning, composition and color of words or graphics, or the overall structure of words and graphics. Second, goods that are the same as or similar to those approved for use as registered trademarks. Similar goods refer to goods that are related or specifically related in terms of function, purpose, consumption object, sales channel, etc. If there is a specific connection between goods and services, the use of the same or similar trademarks may lead consumers to mistakenly recognize that they are goods or services provided by the same trademark registrant, and goods and services shall be regarded as similar. The types of trademarks protected by the trademark law are: first, commodity trademarks and service trademarks. This is divided according to different objects of trademarks. A commodity trademark is a sign indicating the source of a commodity, while a service trademark is a sign indicating the service of a service provider and distinguishing it from other services (Saxena et al. 2021). In China's trademark law, the provision of service trademark began in 1993, which means that the division of trademark use objects is more in line with reality, which confirms the necessity of using trademark in the field of service. Of course, this also shows that the expansion of the scope of trademark protection meets the needs of modern economy. Therefore, the trademark law stipulates: "if a natural person, legal person or other organization needs to obtain the exclusive right to use a trademark for the goods it produces, manufactures, processes, selects or distributes, it shall apply to the Trademark Office for the registration of a commodity trademark; if a natural person, legal person or other organization needs to obtain the exclusive right to use a trademark, it shall apply to the Trademark Office for the exclusive right to use a trademark. According to its provisions, it shall apply to the Trademark Office for the registration of a service trademark. These two legal provisions show that the biggest difference between commodity trademarks and service trademarks lies in the different objects of use. Second, collective trademarks and certification trademarks. This is divided according to the different purposes of trademark use. It is only incorporated into the legal provisions when the trademark law is revised for the second time: the term "collective trademark" as used in this Law refers to a

mark registered in the name of a group, association or other organization for use by members of the organization in commercial activities, indicating that the user is a member of the organization. The term “certification trademark” as used in this Law refers to an organization that can supervise a certain commodity or service and is used by units or individuals other than the organization to prove the origin, raw materials, manufacturing methods, quality or other marks of specific quality of the commodity or service. The purpose of using the two trademarks, that is, their respective characteristics, is determined by law and cannot be confused. Obviously, collective trademarks are only used by collective members, and non-collective members are not allowed to use them. However, the certified trademark cannot be used by the registrant himself, but only by others who meet certain conditions (Saxena R et al. 2021). In view of this, this paper launches the research and design of commodity protection law based on consumer psychology. Figure 1 shows the technical route of the research on the impact of consumer psychology on trademark law protection.



**Figure 1.** Technical route of research on the impact of consumer psychology on trademark law protection

## SUBJECTS AND METHODS

### Study setting

Nowadays, enterprises are facing unprecedented fierce competition. The market is evolving from seller monopoly to buyer monopoly. The era of consumer led marketing has come. In the buyer’s market, consumers will face more complex commodity and brand choices. This change makes contemporary consumer psychology present new characteristics and trends compared with the past. The psychological demand of consumers is endless, and the demand closely follows the previous demand; People’s different growth

experiences lead to the diversity of needs. The development of productive forces and changes in life will change the psychology of consumers and give them the characteristics of the times. In other words, the psychological activity of consumers is a complex thinking phenomenon, and various psychological factors affect and restrict each other. It should be pointed out that these tendencies are intertwined, and their manifestations are prominent in one aspect, weakened in the other, and change at any time. As the country pays more and more attention to intellectual property rights, as special trademark law, what are the provisions of China’s trademark law on the protection of trademarks? Article 13 of the Trademark Law of the people’s Republic of China stipulates that if a trademark applied for registration for the same or similar goods is a copy, imitation or translation of a well-known trademark not registered in China, which is easy to cause confusion, it shall not be registered and its use shall be prohibited. A trademark applied for registration on similar goods is a copy, imitation or translation of a well-known trademark registered in China, which misleads the public. If it damages the interests of the well-known trademark registrant, it will not be registered and its use is prohibited (Ainiwaer 2021). In view of this, this paper studies the impact of consumer psychological factors and trademark law protection.

### Design

Starting from reality, this study adopts an interview questionnaire survey for consumers, through effective face-to-face interview, deeply understands consumers’ cognition of trademark law protection, and carries out correlation analysis and multiple regression analysis between consumers’ psychological factors and trademark law protection, so as to evaluate the impact of consumers’ psychology on trademark law protection. This survey questionnaire is divided into the basic situation of consumers, the cognition of trademark law protection, the attitude towards trademark law protection, and the normative awareness of trademark law protection, etc. based on this, the impact of consumer psychological factors and trademark law protection is studied and analyzed. The respondents mainly collected the basic information and individual characteristics of consumers, such as gender, income, education, occupation, etc., and conducted sample analysis from the perspective of demography. Specifically, 235 questionnaires were distributed, 230 were recovered and 223 were effective, reaching an effective rate of 94.89%. Table 1 shows the basic situation of the survey sample.

Table 2 shows the correlation analysis results between consumer psychological factors and trademark law protection.

Table 3 shows the regression analysis results of consumer psychological factors and trademark law

protection.

**Table 1.** Shows the basic information of the survey sample ( $n=223$ )

Sample characteristics	Index	Number of samples ( $n$ )	Proportion (%)
Gender	male	109	48.88
	female	114	52.12
Age	18-30	58	26.02
	31-40	64	28.69
	41-50	46	20.63
	Over 50	55	24.66
	1000-3000	82	36.77
Average monthly household income	3000-5000	76	34.08
	5000-8000	55	24.66
	Over 8000	10	4.49
Educational level	primary school and below	6	2.69
	junior high school	41	18.39
	high school	43	19.28
	diploma or undergraduate	102	45.73
	graduate or above	31	14.03
	enterprise staff	68	30.49
	scientific educational personnel	35	15.83
Occupation	individual merchant	19	8.52
	farmer	22	9.87
	student	47	21.08
	unemployed	25	11.21
	other	7	3.13
Total	-	223	100

**Table 2.** Correlation analysis results between consumer psychological factors and trademark law protection

Sample characteristics	Index	Pearson correlation coefficient	Sig.
Cognitive level	Objective cognition	0.688**	0.000
	Subjective cognition	0.734**	0.000
Attitude	Use attitude	0.717**	0.000
	Degree of trust	0.678**	0.000
Standard	Subjective norms	0.762**	0.000
	Moral norms	0.645**	0.000
Consumption behavior tendency	Conspicuous consumption	0.652**	0.000
	Economical consumption	0.527**	0.000
	Purchase intention	0.817**	0.000
Purchase psychology	Purchasing behavior	0.809**	0.000

Note: \*\* indicates a significant level above 0.01.

**Table 3.** Regression analysis of consumer psychological factors and trademark law protection

Model	Nonstandard regression coefficient		Standard regression coefficient	$t$	Sig.
	B	Standard deviation	Beta		

(Constant)	0.843	0.295	-	2.790	0.000
Cognitive level	0.789	0.054	0.759	2.147	0.000
Attitude	0.779	0.068	0.786	2.456	0.000
Standard	0.796	0.097	0.759	2.245	0.000
Consumption behavior tendency	0.778	0.077	0.786	2.146	0.000
Purchase psychology	0.796	0.065	0.759	2.347	0.000
Gender	0.546	0.074	0.459	2.789	0.000
Age	0.483	0.075	0.546	2.654	0.000
Average monthly household income	0.559	0.064	0.446	2.321	0.000
Educational level	0.486	0.073	0.487	2.479	0.000
Occupation	0.546	0.078	0.561	2.224	0.000

## RESULTS

### Basic information samples

As shown in Table 1, at the basic level of the survey sample, the proportion of men and women is basically the same, the age distribution is relatively uniform, the average monthly income is relatively balanced, the level of education is universal, and it is more reasonable to be included in the professional field. According to the basic characteristics of the survey sample, it is more in line with the main body of consumer research and representative, so as to ensure that the research results are as realistic as possible.

### Correlation analysis results

As shown in Table 2, the correlation coefficients of consumers' cognition, attitude, norms, consumption behavior tendency and purchase psychology are greater than 0.700. Consumers' cognition, attitude, norms, consumption behavior tendency and purchase psychology are positively correlated with trademark law protection.

### Regression analysis results

As shown in Table 3, the regression analysis coefficients of consumers' age, gender, monthly income, occupation and educational background are greater than 0.400, which has a corresponding relationship with the protection of trademark law. At the same time, the regression analysis coefficients of consumers' cognition, attitude, norms, consumption behavior tendency and purchase psychology are greater than 0.700.

## DISCUSSION

At the level of strengthening trademark management. A trademark is a sign that distinguishes the source of goods or services. It is an intellectual achievement and belongs to the category of intellectual property rights. It needs to be protected by the state to

promote its healthy development. At the same time, there are a large number of trademarks in social and economic life. In order to ensure the normal function of trademarks and give full play to the positive role of trademarks in the modern economy, they need to be managed by the state. At the level of urging producers and operators to ensure the quality of goods and services. Providing qualified products to society is a social obligation undertaken by commodity producers, operators and service providers according to law. Trademark is an important symbol for people to distinguish the sources of different goods and services. It is not only an important factor for people to recognize and recognize a certain commodity or service, but also an important condition for consumers to buy a certain commodity or service. The trademark of goods or services is directly related to their quality. In order to protect the legitimate rights and interests of consumers and ensure the quality of goods and services, this paper will urge producers and operators to take ensuring the quality of goods and services as one of the legislative purposes of Trademark Law (Mieres et al. 2020). Therefore, the administrative departments for industry and commerce at all levels should stop cheating consumers through trademark administration. At the level of protecting the interests of consumers, producers and operators. Whether it is to strengthen trademark management, protect the exclusive right to use trademarks, or urge producers and operators to ensure the quality of goods and services and maintain the reputation of trademarks, one of its purposes is to safeguard the interests of consumers and producers and operators, so that their interests can be equally protected according to the law (Chen & Liu 2020). At the level of promoting the development of the socialist market economy. With the development of China's social economy, trademarks are playing a more and more important role in economic life. Giving full play to the role of the trademark system can better promote the development of the socialist market economy. Therefore, the fundamental purpose of formulating the trademark law is to promote the development of a socialist market

economy (Lee 2020).

Nowadays, enterprises are facing unprecedented fierce competition. The market is evolving from seller monopoly to buyer monopoly. The era of consumer-led marketing has come. This change makes contemporary consumer psychology present new characteristics and trends compared with the past. (1) Personalized consumption: with the development of the consumer goods market today, most products are abundant in quantity and variety, and initially have practical conditions. Consumers can choose and buy goods or services according to their psychological needs (Zhang 2020). In addition, they are not only able to make choices but also eager to make choices. They have more needs and changes. Gradually, consumers began to set their own standards. (2) Active consumption: under the trend of the increasingly detailed and specialized social division of labor, even when purchasing many daily necessities, most consumers lack sufficient professional knowledge to identify and evaluate products, but their psychological needs to obtain commodity-related information and knowledge have not disappeared, but are increasing day by day (Murbiantoro & Safa'at 2020). With the changes in consumption characteristics and consumer psychology in the new era, this paper studies the impact of consumer psychology on the protection of trademark law. The results show that the correlation coefficients of consumers' cognition, attitude, norm, consumption behavior tendency and purchase psychology are greater than 0.700, indicating that consumers' cognition, attitude, norm, consumption behavior tendency and purchase psychology are positively correlated with trademark law protection. At the same time, the regression analysis coefficients of consumers' cognition, attitude, norms, consumption behavior tendency and purchase psychology are greater than 0.700, indicating that the higher consumers' cognition, attitude, norms, consumption behavior tendency, and consumption intention, the better the protection of trademark law. Therefore, in the legislative protection of trademark law, we should fully consider the psychological factors of consumers, so as to strengthen trademark management, protect the exclusive right to use trademarks, urge producers and operators to ensure the quality of goods and services, protect the interests of consumers and producers and operators, and promote the development of the socialist market economy.

## CONCLUSIONS

On the basis of previous studies, this study has made improvements and innovations, adopted more careful experimental design and more accurate statistical methods, and carried out research on the impact of consumer psychology on trademark law protection, so as to evaluate the value and significance of consumer psychology in trademark law legislative protection. The conclusions include: Consumer

cognition, attitude, norms, consumer behavior tendency and purchase psychology are positively correlated with trademark law protection. The higher the degree of positive attitude and consumption intention of consumers, the better. Therefore, in the legislative protection of trademark law, we should fully consider the psychological factors of consumers, so as to strengthen trademark management, protect the exclusive right to use trademarks, urge producers and operators to ensure the quality of goods and services, protect the interests of consumers and producers and operators, and promote the development of the socialist market economy.

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