

PRODUCT TRADEMARKS - GENERATION Z AT THE CROSSROADS OF ECONOMICS AND LAW: AN EXPLORATORY ANALYSIS THROUGH A MULTI-INDUSTRY APPROACH

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Abstract - The paper is an attempt at delineating the key concepts of trademark, brand and country of origin which fall under the scope of intellectual property. Our dominant stance is of a legal nature, however, these concepts are analyzed in functional and relational terms as well since they constitute the link between manufacturers, certifying authorities, markets and customers. In this context, the paper focuses on the phenomenon of the Hungarian Product trademark and its impact on manufacturers and customers alike. It is argued that manufacturers can obtain brand and market security by having their products certified by the country of origin qualification label. In the case of customers, our research analyzes the role of consumer perception and consumer ethnocentrism in connection with the Hungarian Product trademark. Our study gives answers to the question of how consumer purchase intention can be better understood on the basis of the analyzed factors. An additional goal of our study is to provide feasible claims concerning the nature of the complex cooperation of law, economics and psychology which is required to increase desired buying intentions of the customers.

Keywords: trademark; country of origin; Hungarian Product; customer perception; ethnocentric customer behavior; purchasing intention; inflation; price sensitivity.

INTRODUCTION

A trademark is a concept or form within the scope of intellectual property that embodies a link between a brand on the market and a manufacturer. One of the main roles of a trademark is to make the product identifiable with the manufacturer. On the other hand, the trademark encourages companies to officially register their existing brands in order to link them to the products. In intellectual property law a trademark is a unique identifier defined as a word, a letter, a symbol (or logo), a number, a color, a shape, a figure, or a combination of one or more of these elements. We should also consider the use of the concept brand. In Aaker (1996) the definition of a brand runs as follows: A brand is a multidimensional assortment of functional, emotional, relational and strategic elements that collectively generate a unique set of associations in the public mind. (Aaker, 1996, p. 68)

Former studies used brand and trademark interchangeably as synonyms: “The legal term for brand is trademark” (Florek and Insch, 2008), however, today it is obvious in trademark law that trademark is a form of intellectual property, so it is a purely legal concept while brand is a cross-over concept since brand is integrated in commercial and cultural contexts as well. (Schwarzkopf, 2010). A brand has an air of subjectivity around it, since consumers attach importance to the image associated with the brand which can enhance a competitive advantage against non-branded products.

A trademark makes the customers aware of the fact that the concerned product differs from other products. It also protects the customer since both the producer and the certifying authority assume responsibility for the controlled, highly-ranked quality of the product.

This kind of innovation which originates from the field of law has economic consequences, enabling the formation of a synergistic relationship between economics and law. Forming a brand that attracts customers to increase the willingness to buy a certain labeled product is a fine example of innovating with an interdisciplinary method. This innovation opens the door for further innovation processes,



originating from different disciplines. We claim that the field of law is capable of fueling this process as a framework depicting the economic behavior of consumers.

1. Trademark from a legal aspect

Although companies compete on different markets, their behavior on their respective markets are understood within the same framework: they are trying to create sustainable competitive edges, exploiting every opportunity they possibly can. This might result in endogenous or exogenous innovation processes. In our understanding, endogenous innovation originates from the main market the company competes in, while exogenous innovation comes from an external market. The endogenous process has two types: it is either a creative innovation or it uses a copy mechanism in which an innovation of another agent is copied. The exogenous method offers the same two types, but the copy mechanism involves a transformation process in which the outer-source innovation is transformed in a way that it can be used on the main market. The trademark is closely related to the origin of the product, which is relevant not only at the company level, but also at the country level. Namely, in the case of a Hungarian Product trademark, a country of origin phenomenon has a decisive role as a basic assumption.

Despite the fact that worldwide products are widely available to customers offered by multinational companies, the recent COVID-19 pandemic situation created an increased demand for domestic products (Mbagha et al., 2018). It is also important to mention that the impact of the pandemic on the demand levels of domestic products might have been caused by the shift of non-ethnocentric consumers becoming ethnocentric in their purchasing behavior. The pandemic of COVID-19 pushed many economies into recession as the transport of worldwide products became constrained by legal regulations in many countries (Notteboom, Pallis and Rodrigue, 2021). These regulations ended up in the increase of domestic product demands and obtaining the registered label of Hungarian Product trademark meant a low-cost and viable way of informing the customers about the products which originated from Hungary.

Consumer ethnocentrism was found to be the most important factor when favoring domestic products over foreign ones (Sharma, 2015). The concept of consumer ethnocentrism has three main pillars: sense of identity with the group, belonging to the group and the choices of products and services that are assumed to be chosen in the group (Mbagha et al., 2018). The main interest of an ethnocentric consumer to support buying domestic product is to enhance the local country's economic welfare growth, national budget growth, decreasing unemployment (Čvirik, 2021). Consumer perception and Country of Origin are considered as having the highest influence on consumer purchase intention (Wang et al., 2012). The Hungarian Product trademark deals with both: it is only usable when the product is produced in Hungary entirely, and having the trademark on a product gives the firm a right to print the logo of the trademark on to the packaging of the product. The Hungarian Product trademark, therefore, is a help for consumers in their decision making processes, since it inherently marks the origin of the product. In this phenomenon, the originating country might appear as an assured quality measure of the product or service itself, and affect the customer towards buying through the shared belonging to the given country. Therefore, using a country-of-origin sign when selling a product or a service aims at the market segment which experiences certain positive emotions related to the originating country. Although this effect seems simple, the complex cooperation of law, economics and psychology is required to increase the buying intentions of the customers.

In Hungary, the demand for food produced from Hungarian raw materials has increased significantly recently among consumers who are able to buy. Collaborations have emerged that encourage the population to buy Hungarian products, making them aware that they are helping Hungarian producers and the Hungarian economy by purchasing these products. So it is a guarantee for consumers to choose products labeled with Hungarian product trademark logo, since the national origin and reliability of trademarked products is verified by an independent organization, and certifies the proper origin of the raw material. In addition to the origin of the product, compliance with legal requirements is also checked, so when the consumers buy trademarked goods. Buyers are ensured this way about a reliable product, which doesn't deceive consumers, doesn't use an unauthorized competitive advantage and reassures product safety as an additional aspect, as the protection of the



consumers' rights in the 21st century in the European Union in general, and in Hungary in particular is given a prominent role (Falus, 2023, p. 85).

According to trademark law the owner of the trademark has the exclusive right to use the trademark in the defined territory (country where the application was submitted) to use it for any goods or services for which the trademark is registered. Nevertheless Hungarian product trademark is a certification marks.

The Act XI of 1997 (Hungarian trademark Act) defines certification marks as follows: "A certification mark is a mark which is described as such when the mark is applied for and indicates that the goods or services in connection with which it is used are certified by the proprietor of the mark in respect of origin, material, mode of manufacture of goods or performance of services, quality, accuracy or other characteristics."

The certification mark is a special type of trademarks which nominates such kind of trademarks in the trademark application. The certification mark has to be capable to distinguish goods or services - certified by the proprietor of trade marks - in terms of material composition, the method of manufacture of goods or the way in which services are provided. This includes quality, accuracy or other characteristics differences, from other goods or services which do not have such certification. An undertaking which is not independent of potential users of the certification mark, or which produces or distributes the goods in the register of the certification mark or provides the services included in the list of goods, shall not be entitled to obtain a certification mark.

The proprietor of the trade mark may not use the certification mark for its own purposes for certification, but shall authorize its use free of charge or for a specified consideration in connection with goods or services complying with the requirements of the related regulations to other operators independent of him.

The certification mark shall have a regulation which must include at least:

- a) the name and registered office of the proprietor of the trade mark;
- b) quality requirements for goods and services;
- c) the rules for certification of quality; the conditions for the use of the trade mark;
- d) the provisions for the control of the use of trademarks;
- e) the order of action against the use of an unauthorized trade mark

[Act XI of 1997 on the protection of trademarks and geographical indications].

This is the reason that an independent organization, namely the Hungarian Product Nonprofit Ltd. is the proprietor of the certification mark. The organization itself is not entitled to use the certification mark, but has the right to certificate and authorize the usage of the trademark for those businesses whose goods and/or services meet the quality and other characteristic requirement of the regulations.

The Hungarian product trademark serves the aim of distinguishing Hungarian products from other foreign products. The role of Hungarian product trademark is to inform and protect the customers. The trademark makes the customers aware of the fact that the concerned product differs from other products, and it also protects the customer, since both the producer and the certifying authority assume the responsibility for the controlled quality of the product. In order to obtain the Hungarian product trademark, the raw materials, ingredients, the manufacturing process and the final product shall exceed the criteria stipulated in the regulations of Hungarian Product Association. The basic requirement for awarding the right to use the trademark is regulated in Hungarian Product Association' regulation.

Companies in their economic activities use trademarks, namely Hungarian Product Trademark, as a marketing tool to have an interaction between products and customers. By this effect companies trigger positive emotions to the branded trademark, which has the effect of increasing the quantity and quality of the interactions.

Relevant to this subject is trademark infringement. Trademark infringement is defined as the unauthorized use of a trademark in connection with goods and services in a manner that is likely to cause confusion, deception, or a mistake about the source of the mark. Trademarks exist to protect marks on goods and services; it finds difficulty in being brought before a tribunal if the mark is



unregistered. Trademark law specifically has gone through rapid changes due to the metaverse. Now that fashion brands and industries are getting involved in the metaverse, the importance of registration of marks has increased. Trademark law still exists to protect both consumers and brands. Trademark protection is necessary for our consumer public and for brands.

2. Trademark as a brand: an economic aspect

Since trademark functions in a legal realm, there will be no feedback mechanism. However, if a brand is built up on a trademark, it can be more useful for the marketing effort to present the brand to the customers according to the new brand theory developed by Desai (2012). Trademarks have additional information factors in brands which are strictly connected with information asymmetries, derived from market failure. Information asymmetry means that sellers and buyers do not have the same knowledge. According to Ramello trademark is a sign introduced to remedy a market failure (Ramello, 2006). He argued that a trademark has a positive effect on decisions since it indicates the origin of the goods so that consumers can identify specific quality attributes deriving from their own or others' past experience. (Ramello 2006).

Based on the above, we argue that a brand which is built up on a trademark can strengthen trademarks to relieve information asymmetry. In Hungary, the firms have the opportunity to apply for the Hungarian Product trademark for the products that originate entirely from Hungary. This procedure is a low-cost solution for both informing the market about the origin of the product, and protecting the customers from a quality perspective. Every country has a unique name and images in the minds of people both inside and outside the country, and therefore nations may and do have brands.

Brand values permeate every element of a brand's interaction with customers, while the primary function of trademarks is to enable buyers to perceive the commercial origin of a product or service. There is a new trend in trademark: brands with purpose. Purpose branding is a concept that curves upwards in recent years. However it is a marketing innovation in academic research it is still rare. According to purpose branding trademark with a message about why a consumer might want to purchase above and beyond the quality, functionality and price. This supposes a carefully crafted trademark strategy. People fall in love with brands, trust them and believe in their superiority. Companies are increasingly adopting brands tied to specific values or aims but they should tread carefully when it comes to trademarks. Trademark is a method of economizing on consumer search costs by providing a compact identifier of a particular producer's brand (Posner, 2005). Their consumer behavior and financial decisions can be influenced by the application of the appropriate communication strategy (Garai-Fodor and Csiszárík-Kocsir, 2018).

3. Trademarks and Consumer habits of Gen Z

Luxury fashion is not a new mania. The world has used luxury brands as a status symbol for ages. The International Trademark Association's 2019 research shows that purchases of counterfeits and replicas by Gen Z are largely due to the desire of having the look of luxury brands but at a fraction of the original prices. (International Trademark Association 2019) In addition, the rise of social media influencers promoting the purchase of fakes has led to a surge in demand for fakes.

Since fashion brands are now expanding to the metaverse, trademark protection and law needs to change rapidly. Instagram has been found to be the social media that most influences impulse buying within the fashion industry, mainly due to the importance of the visual aspect in promoting fashion (Aragoncillo and Orus, 2018). Instagram was highly influential in encouraging impulse purchases among women, but not among male participants. This platform has the ability to deeply influence the impulse purchases of female participants. The change in consumer behavior within the fashion industry was highlighted as participants claimed that Instagram is a platform for fashion inspiration and current trends. (Djafarova and Bowes, 2021)

Former studies argued that brand credibility has a positive effect on the relationships between informational support and purchase intentions and between emotional support and purchase intentions (Gou and Lou 2023). As an effective market signal, brand credibility plays a key role in



consumers' purchase behavior. Highly credible brands reduce consumers' decision risk and increase the perceived quality of products or services (Molinillo et al., 2022). Opposite to the above there were no proofs for brand credibility in case of Generation Z in Molinillo's paper. As a common feature of the younger age cohorts (Generation Y and Generation Z), they consume honey mainly during the winter season and they have no knowledge about national trademark labels and they are not aware of foreign honey and honey products (Šedík, P. et al 2018).

Median's 2009 research has shown that Hungarian consumers make food choices based on the following order of importance: price, quality, health, and Hungarian origin. A study (Szakály et al, 2010) revealed that 97 per cent of the respondents do not buy the domestic Hungarian products due to the high price, thus reaffirming the high price sensitivity that is present in Hungary. In the research of Garai-Fodor and Popovics (2021), they revealed the content values are more important than the geographical origin from Hungarian ingredients. Moreover according to their research the criterion of "cheapness" is pushed into the background when buying Hungarian food compared to general food. The respondents of Generation Z (16-25 years old) rated Hungarian food just as any other product of the same quality and reliability, or they could not typically make a judgment. (Garai-Fodor and Popovics, 2021)

In Totth et al's 2019 research the 48 per cent of respondents monitor the product's origin from which 22per cent always consider, and 26per cent before buying the product for the first time. When realising the price of the products the same rate was 87per cent, which is the case of domestic consumers shows its price sensitivity, since ignoring the origin of the product the reason was the price. (Totth et al. 2019)

According to Szűcs and Polya 2014 the different the assessment of trademarks is extremely heterogeneous, that is price has a very serious influencing power in the actual manifestation of ethnocentrism (Szűcs and Polya 2014)

These sub-industry questions are further complicated by the actual purchasing decisions of the researched generation, as they show signs of price sensitivity when making purchasing decisions. This is visible for example in the fashion industry, when buying counterfeit products, (Soucie, 2022) that have the same or similar brand value as originals but at a much lower cost. This can be combined with growing number of multinational corporations and the proliferous e-commerce businesses (Zekos, 2003), thus classical product trademarks can potentially become less important. In some cases classical corporate brands, especially in the luxury fashion industry are highly valued by GenZ consumers (Ghosh and Bhattacharya, 2022). Research suggests that GenZ is influenced by sustainability content on social media, that influence their purchasing habits (Confetto et al, 2023). Further findings indicate that corporate environmental behavior or opposing irresponsibility has an effect on a linear (positive) correlation with GenZ and Millennial worker behavior (Abbasi, Amran and Sahar, 2022). Thus the conducted primary questionnaire study aims at looking at the practical application and decision making importance of factors (price, quality, brand, trademark etc.) when purchasing goods, to see what kind of pattern do Hungarian GenZ consumers show in contrast to international examples.

4. Research Methodology

A primary questionnaire study was prepared using a convenience sampling method (n=104). Respondents were students of the Budapest Business School (BGE) in Budapest, Hungary and the University of Dunaújváros (DUE) in Dunaújváros, Hungary. The questionnaire study consisted of simple and multiple choice question, including Likert-Scales that measure attitude. The decision has been made to use even number (1-6) scale. Although this eliminates the possibility of a neutral choice, it also provides a better understanding of the respondents' general preferences, thus indicating positive or negative attitudes. The answers were digitalized using Microsoft Excel. Then, a deep analysis was performed using IBM SPSS 25. General and descriptive statistical analysis, Pearson Correlation and Cluster analysis was performed using the ward method. The questionnaire consisted of four types of questions: (i) general demographic data, (ii) perceived inflation and price changes, (iii) attitudes toward multiple factors when buying and shopping, and (iv) preferences when buying under the

influence of advertising. The questionnaire is not representative, so when drawing conclusions, it must be taken into account that the results are only indicative. During a repeated research, it is possible that somewhat different results may be obtained. If financial resources allow it, it may be worthwhile to conduct a repeated, large-scale, representative research in the future. Due to the specificity of the topic, the research is thematic-foundational in nature. A repeated study would also provide longitudinal data, to see if preferences change. At the moment, only a cross-sectional analysis can be performed, that provides a snapshot of the current trends and preferences.

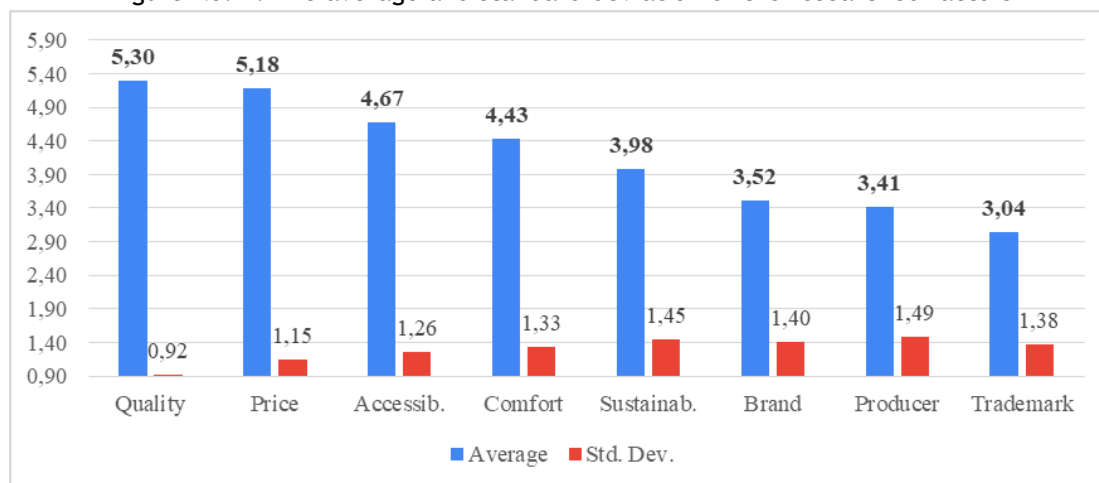
5. Findings and Results

The majority of the respondents were women (66,7 per cent), in-between the ages of 18-25, mainly coming from cities with a population of over one million (36,2 per cent). Thus, the conclusions we draw are influenced by the composition of the sample. More than half of the respondents have a medium-high or higher net income per capita per month in their households (at least 800 Euros or more). 30,5 per cent of them live in two, 25,7 per cent in three and 21,9 per cent in four person households, less than 9per cent live alone and the rest with more than four people.

Looking at purchasing trends, it should be mentioned that Hungary was hit the most from all EU countries by inflation, peaking at over 25 per cent in 2022 (KSH, 2023). It is presumed that thus the population in general and Gen Z will have a high price sensitivity. The severity of effects of inflation were measured using a 6 point Likert-scale, using the following question: How negatively are you affected by inflation and price increases? (1 not at all, 6 severely). The average is 4,6 and 77,2 per cent indicated 4 or above, thus price changes are highly negatively evaluated by the respondents.

A line of factors was analyzed when shopping (price, quality, brand, producer, trademark, sustainability, comfort and accessibility) in five industries (in general, clothing, fashion-accessories, food and medicines). In this case an identical six scale Likert scale was used to indicate, how important a factor is when making purchasing decisions. In first case averages and standard deviation was calculated.

Figure No. 1. The average and standard deviation of the researched factors



Source: Own editing according to the primary questionnaire study

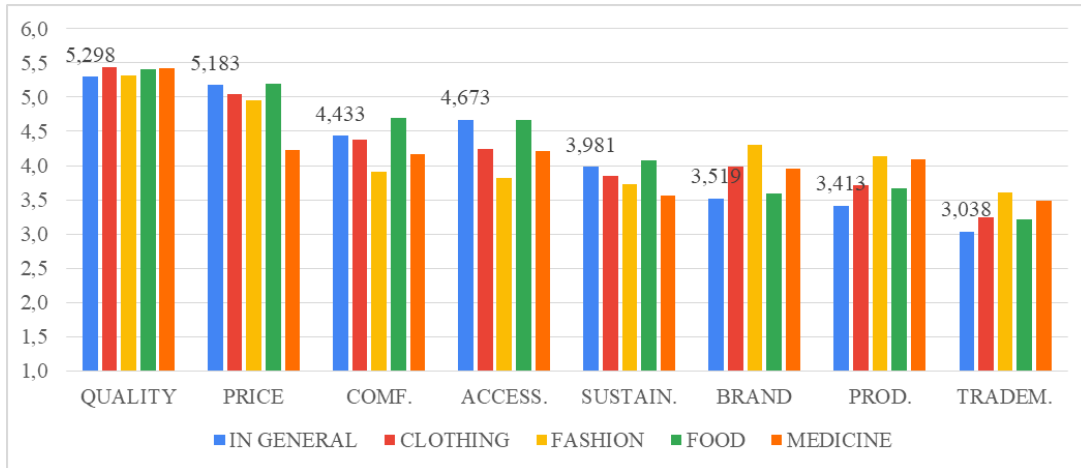
From the general data, it is visible, that consumers in this group think that quality and price is the most influential factor, followed by Price, Accessibility and Comfort. Accessibility in this case means that the shot itself is in a place that can be easily reached and comfort means that everything can be easily bought in one place without the need to travel to multiple locations. In case of standard deviation an inverse trend is visible in comparison with the averages, the higher the importance, the lower std. dev. is, meaning that in the things that are more important, the respondents also agree more.

When making a comparison between the factors in multiple industries, the presumption was, that in case of fashion and clothing the Brand will be more important, in the case of food, quality will be



more important and in the case of medicine, the brand and the producer will be the most important. When considering sustainability and trademarks, assumption was that the first should be more important in the case of clothing, while the second in the case of foodstuff. The data does not verify any of the assumptions completely.

Figure No. 2. The averages of the researched factors in multiple industries



Source: Own editing according to the primary questionnaire study

Although some slight variation can be seen when looking the averages, the general trend is the same at all industries. Quality and price being the most important factor, product trademarks the least important. The respondents indicated a higher importance of quality at medicine and lower of price, in the case of fashion, the brand and producer is a bit more important, the general order of the factors didn't change substantially. It can be concluded that GenZ is quality and price sensitive, they also value convenience highly - to be able to do their shopping in a comfortable and accessible fashion - and other factors have a smaller effect on their purchasing decision.

Pearson Correlation analysis has been performed in the data. It measures on a scale to “-1” to “1”, minus one meaning a complete inverse, while plus one a complete linear relationship. It also indicates significance levels. Stars are used by IBM SPSS, in this case one star “*” meaning a 0,05 (95 per cent) while two stars “**” a 0,01 (99 per cent) significance level.

Gender has an effect on the importance of price, in general (-0,291**), clothing (-0,269**), fashion (-0,421**) and food (-0,253**), meaning that women are more price sensitive than men. No correlation, thus no difference in-between the genders is visible in the case of medicines. Gender also effects the inflation (-0,308**) and accessibility (-0,227**), thus women feel the effects of inflation more and for them, convenience is also more important. As expected, income has an inverse relationship with the importance of price, thus the higher income someone has, the less important price is, although this could mean a linear relationship with quality or other factors, which is not detectable from the data. The number of people living together in a household has a linear (positive) relationship with price, the more people live together, the more important price as a factor is.

The effected severity of inflation has a strengthening effect on price sensitivity, the more someone feels effected by inflation, the more important price is for them, regardless of the industry (correlation of the data at the different industries is between 0,358** and 0,497**).

A cluster analysis was performed using the ward method (during hierarchical cluster analysis the ward method uses the minimum variance of the sample when classifying the individuals).

five dependent variables were used: 1) How much do they feel inflation, 2) how conscious the buyer is, how effected the respondent is by: 3) ads, 4) campaigns with prizes and finally 5) impulses. Respondents were asked to indicate their preference when shopping on a scale, on multiple questions including: How conscious you are when shopping? What is the possibility of buying a product because they saw and ad? What is the possibility of buying a product by impulse, because they saw it? What is the possibility of buying a product if an ad campaign is accompanied by prizes?

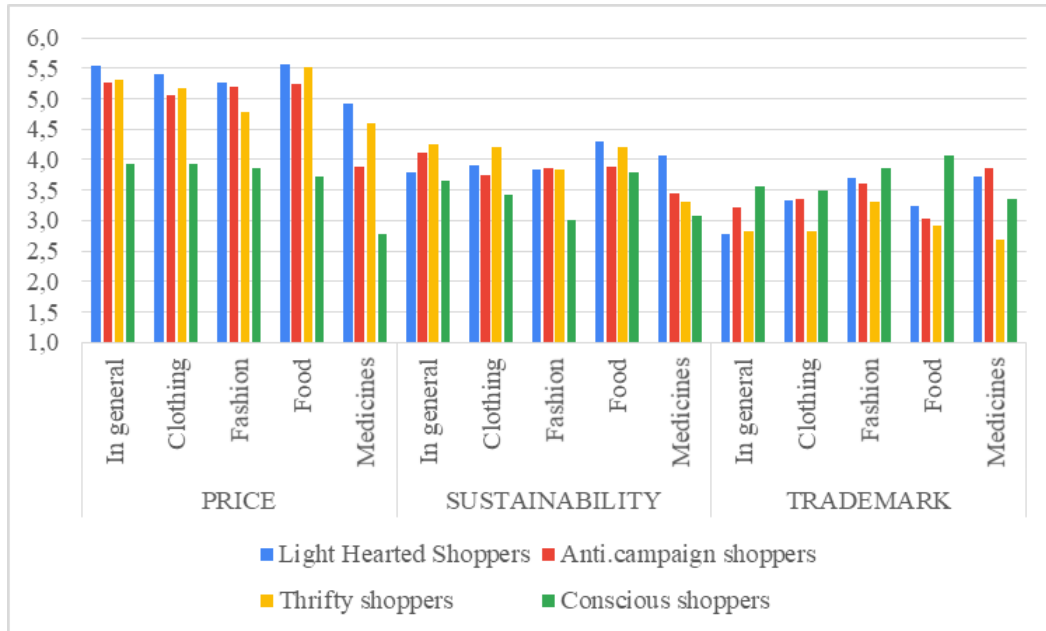


In all cases, the eta square (explanatory power) of consciousness was the lowest, and the three responsiveness preferences to ads, campaigns with prizes and impulse buying had the highest, finally inflation with a slightly lower value. Four clusters can be identified:

- 1) Light-hearted shoppers: Although they think of themselves as relatively conscious and they feel the effects of inflation, they still decide to indulge themselves in the joy of shopping, they like to try out new things.
- 2) Anti-campaign shoppers: Similar to the first group, with slightly lower inflation awareness, but high negative tendencies towards campaigns that are paired with prizes. They like to try out new things and buy impulsively, but not under the pressure of prizes.
- 3) Thrifty shoppers: Conscious shoppers with high inflation awareness, thus price sensitive and they refuse buying under the influence of ads, campaigns and impulses.
- 4) Conscious shoppers: Similar to the previous group, but with low inflation awareness, thus the refusal to shop under influence comes from their high consciousness.

If we look at the demographic contents of these groups, the first two has a higher ratio of women, the percentage of people living in bigger cities is also higher; and usually the number of people living under one roof is also higher. Thrifty shoppers have the lowest and conscious shoppers the highest average income, thus the effects of price sensitivity and consciousness levels can also be confirmed.

Figure No. 3. Averages of the four clusters, according to industries and factors



Source: Own editing according to the primary questionnaire study

With the compare means function, the averages of the four clusters were analysed in the case of all eight factors through five industries. In all cases the Conscious shoppers were the least price sensitive, given the higher average income, they also put a higher emphasis on product trademarks. Thrifty shoppers in general put a higher emphasise on sustainability.

When examining the available product trademarks, the respondents show awareness in identifying the different brands. Domestic Product (Hazai Termék) was known by 93per cent, Hungarian Product Trademark (Magyar Termék Védjegy) by 59 per cent, Superbrands by 54,3 per cent and Green product (Zöld Termék) by 52,4 per cent of them. This is in contrast with conscious identifying ability. Although the participants are generally familiar with the different product trademarks, thus they have brand awareness, when asked: “Without looking for it or looking at the packaging, do you know the trademark of the products you buy?”, 72,4 per cent indicated that they don’t know. Thus although awareness in there, it’s not conscious.



CONCLUSION

The primary study examined the purchasing habits of GenZ university students and found limited effect of demographics on the researched factors. From the data, it is visible that the researched sample is highly price and quality sensitive, when looking at the correlation analysis, income and inflation awareness has the strongest effect. Higher income reduces, while higher inflation awareness strengthens price sensitivity.

The sample shows high product trademark awareness, but this has limited effects on consumption and purchasing decisions. Looking at the different industries, no evident change is visible in the importance of factors, price and quality being the most important, followed by comfort and accessibility, while sustainability, brand, producer and trademarks are the least important. The only exception is medicines where a slightly different trend is visible.


With the help of clustering, four groups were identified, 1) Light-hearted shoppers, 2) Anti-campaign shoppers, 3) Thrifty shoppers and 4) Conscious shoppers. Shoppers in different groups show different trends from the others in terms of the importance of the factors. Conscious shoppers are less price sensitive, indicating higher importance of trademarks, while thrifty shoppers put the highest importance on sustainability between the groups, at the same time the lowest for trademarks. Light-hearted and anti-campaign shoppers are the most price sensitive.

Hungarian product trademark can be simultaneously a trademark as intellectual property and a brand an economic concept, moreover can serve as a country of origin.

In general, although product trademarks provide legal protection, help differentiate and segment the brands and products, because of the high price sensitivity of the researched GenZ sample, it has low impact on purchasing decisions.

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