

The Effectiveness of Franchise Regulation in Saudi Arabia: Challenges, Compliance, and Future Reforms**Rehana Parveen**College of Law, Prince Sultan University, Saudi Arabia
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224421301@psu.edu.sa**Abstract**

The franchising sector in Saudi Arabia has experienced rapid growth in recent years, becoming an important contributor to economic diversification and private sector development in line with Saudi Vision 2030. In response to this expansion, Saudi Arabia enacted the Franchise Law in 2019 to establish a clearer legal framework governing the relationship between franchisors and franchisees. The law was introduced with the aim of enhancing fairness, improving transparency, protecting contractual rights, and creating a more organized and reliable franchising environment. This study examines the effectiveness of the Saudi Franchise Law in achieving these objectives, with particular focus on the legal obligations imposed on franchisors and franchisees, disclosure and registration requirements, and the mechanisms available for dispute resolution and compliance monitoring. The study further analyzes the practical application of the law and evaluates whether the current legal framework provides sufficient protection for both parties involved in franchise agreements. In addition, it offers a comparative overview of selected international franchising regulations to highlight the strengths of the Saudi approach as well as areas where further development may be necessary. The analysis indicates that the law has contributed positively to improving transparency and contractual accountability through mandatory disclosure obligations and registration procedures. However, the study also finds that the effectiveness of the legislation is limited by certain challenges, including the absence of detailed enforcement mechanisms, unclear procedural provisions, and limited penalties for non-compliance. These shortcomings may reduce the law's practical efficiency and create uncertainty in the implementation process. Overall, the Saudi Franchise Law represents a significant step toward regulating and modernizing the franchising sector in the Kingdom. Nevertheless, further legal and administrative reforms are needed to strengthen enforcement, clarify compliance standards, and increase awareness among investors and market participants. Enhancing these aspects would contribute to greater legal certainty, stronger protection for franchise stakeholders, and more sustainable growth of the franchising industry in Saudi Arabia.

Keywords: Commercial franchise law; disclosure requirements; franchisee protection; transparency and fairness;**Introduction**

Franchising has become a significant mechanism of business growth as it allows successful models, trademarks and operational skills to be reproduced in new markets both domestically and internationally (Alon et al., 2021). Franchising has been growing exponentially within Saudi Arabia, fueled by diversification efforts, encouragement of foreign investments, and continuous expansion of consumer demand (Alotaibi, 2025). To address this growth, Saudi Arabia created a specific franchise legislation, which transcends general contract and commercial standards favoring a particular regulation. The shift is meant to impact transparency, reduce legal uncertainty and create balanced association between franchisors and franchisees, consistent with the wider reform objectives of Vision 2030 that emphasizes development of the private-sector and investor confidence (Albaheth, 2024). Legal obligations refer to the compulsory duties that the parties to franchising agreement must fulfil. These include pre-contractual disclosure requirements, continued operation and assistance obligations, adherence to brand and quality standards and restrictive covenants such as non-compete and confidentiality obligations (Almutairi et al., 2025). However, legal protections include the statutory guarantees that mitigate abuse and unfair practices, such as rights to compensation, remedies to contract breach, and the enforceability of dispute resolution mechanisms (Aldmour et al., 2024). They are especially relevant to the relationships in franchising, which are asymmetrical in nature by default since franchisors mostly have more bargaining power by holding the intellectual property, brand recognition, and business expertise. Although the Saudi franchise law has regulatory significance, the rights, duties, and risks distribution among the contracting parties is complicated due to the Saudi laws. There is still a conflict between contractual and statutory interventions, especially in practice and enforcement (Alotaibi, 2025). Despite the enactment of the Saudi Franchise Law in 2019, there remains limited body of doctrinal legal analysis to evaluate how statutory obligations and protections are structured, interpreted, and enforced in practice within the Saudi franchising system. This research analyses the law on franchise legal provisions in Saudi Arabia on the obligations and protections of the franchisors and franchisees, and evaluates the law regarding enhancing fairness, transparency and legal certainty, and ensuring sustainable business growth within the new economic context of Saudi Arabia.

Background of the Study

Franchising has been identified as one of the most important commercial development systems globally due to the ability to expand the market fast through standardized brand systems and operational control. However, legal control should go further than general contractual principles to consider information asymmetry and the absence of equal bargaining power that are typical of franchise conflicts. The research by Abd Aziz et al. (2023) shows that franchising favors international distribution, although it relies on a clear legal system of governance, and not general contractual norms.

In comparison with most developed markets, especially United States, United Kingdom, France, and China, where disclosure obligations, termination rights, and franchise registration requirements are established in law and supported by judicial authority, Saudi Arabia introduced franchise specific regulation at a later stage (Elsaman, 2023). However, it is doubted that international best practice is always entirely consistent with domestic legal culture, especially in jurisdictions with roots in religious and socio-legal doctrine (Vilks et al., 2025). The research of Bird and Bird (2021) shows that Saudi franchising has been based on the general commercial and agency law until 2019, when the reform introduced regulatory gaps in franchise contracting.

A franchise is a contract between two legally independent commercial entities, in which the franchisor retains the intellectual property rights, business concept, and operational system (Santoso, 2019). Despite the commercial benefits caused by the model, it also leads to structural dependency, whereby franchisees can be more exposed to the law in case of an ambiguity or inconsistency in implementing statutory requirements. The study of Kalkoshki and Abadi (2019) states that franchise contracts are a hybrid type of commercial instrument, which must be doctrinally clear to be enforceable.

The UK has competition and transparency of contract norms as supportive of franchise relations (Oxley, 2025), and France has norms of pre-contract disclosure, and China has a norm of franchise filing and registration (Huang et al., 2024). These tendencies are indicative of an overall move to formal regulation of franchise relationships, and it is not necessarily due to contractual autonomy alone. However, even a legal transfer of foreign rules into the Saudi law raises some slight doctrinal criticism because not always is cross-compatibility with the Saudi legal principles and commercial culture ensured (Alasmari and Alotaibi, 2025). As the research of Hardy (2019) has shown, franchise networks pose regulatory difficulties related to the situation where risk is transferred on a contractual basis and no legal responsibility is provided. Mandatory disclosure of franchisors, which was introduced by the Saudi Franchise Law, under Royal Decree No. M/22 (2019), controlled termination and limited unfair non-renewal, and was accompanied by the introduction of regulations issued by the Ministry of Commerce (Aikman and Alangari, 2025). Despite this, the framework is still doctrinally immature, having minimal judicial interpretation, and giving rise to academic debate on how it can be practically applied and the clarity of its requirements on both franchisors and franchisees. Sayen et al. (2019) confirms that Saudi Arabia has adopted the franchise law to encourage business transparency and economic diversification. Franchise contracts before 2019 were regulated by the general contract law, agency principles, and Shariah standards, which focus on fairness but do not imply codified franchise-specific obligations (Alrdaan, 2021). This created unpredictable legal results, higher risk in transaction and lower predictability in dispute resolution, especially for foreign franchisors who evaluate market entry. The research of Stetsiuk et al. (2018) emphasises that codified obligations are more valuable than general contractual principles. The law of franchise in Saudi Arabia should thus be examined in its doctrinal identity of its own, and not in its presumed complete dependence on international regulatory models (Aikman and Alangari, 2025). The new legal issue is not franchising recognition, but rather the provision of a law that protects both sides in Saudi franchise contracting, regarded as enforceable, balanced, and culturally compatible. As the analysis of Ogunisola-Saliu and Alotaibi (2025) reveals, the consistency of legal requirements has a direct impact on the performance of franchisees and the trust in the contract in Saudi Arabia.

Research Objectives

- To investigate the legal roles and obligations of franchisors and franchisees in the Saudi Franchise Law and Implementing Regulations.
- To establish the effectiveness of the Saudi Franchise Law in guaranteeing legal protection to parties in franchise contracts, especially franchisees.
- To assess the efficiency of the Saudi franchise regulatory system in solving practical issues in franchise relationships, and whether international best practice is entirely applicable to Saudi legal culture.
- To examine enforcement and dispute resolution systems in the Saudi Franchise Law, and determine whether they are effective in contracting parties in practice.

Research Questions

In accordance with the research aim and objectives, the following research questions will be answered:

- What are the legal requirements and responsibilities of the franchisors and franchisees in relationships in the franchisee and franchisor under the Saudi Franchise Law?
- How enforceable and effective are the regulatory standards, obligations, and protections of the Saudi Franchise Law in comparison to the selected international franchise culture?
- To what extent do the enforcement and dispute resolution mechanisms in the Saudi Franchise Law help minimize legal uncertainty and the solution of franchise disputes?

Research Hypothesis

H1: The legal framework governing franchise relationships in Saudi Arabia establishes a balanced allocation of rights and obligations between franchisors and franchisees, enhancing contractual fairness.

H2: The protections provided under Saudi franchise law significantly reduce legal risks and disputes between franchising parties.

H3: The Saudi franchise legal framework aligns with international best practices in franchise regulation, particularly in terms of disclosure requirements, contractual obligations, and dispute resolution mechanisms.

Research Methodology : In this study, the adopted legal methodology will be a doctrinal approach, which is a type of analysis of rules of laws, principles, and judicial interpretations applicable to the Saudi Franchise Law. The paper critically analyzes statutory sources, including the Royal Decree No. M/22 of 1441H (2019) and its Implementing Regulations, along with the commentary of these laws and comparative law of other countries, including the United States, the United Kingdom, and Australia. A qualitative method is used, and secondary data is mainly used in the form of academic articles, law databases, official publications of the government, and reports within the industry. The doctrinal approach would be appropriate in this research since it would enable one to critically assess the legal requirements, safeguards, and enforcement systems which inform franchise relations in Saudi Arabia. It helps define the gaps, ambiguities, discrepancies in the legal system through interpretation of statutes and legal text on context. Comparative legal analysis is also incorporated into the research comparing the system of regulations in Saudi Arabia to the best practices in the international community to determine the possibility of compatibility and reforms. Content analysis and thematic interpretation are applied to analyze the data to come up with patterns, underlying principles, and policy implications. The approach will provide a full grasp of the usefulness of the law in a matter of contractual autonomy and statutory protection in the Saudi franchise market.

Strategic Reforms to Address Regulatory Gaps for effective Regulation : Saudi Commercial Franchise Law is an important regulation, it has not fulfilled its purpose due to the lack of doctrinal clarity, complexity in procedural aspects, and also uncertainty in enforcement. To address those issues and ensure clarity, predictability, and functional equilibrium between franchisors and franchisees, these issues should be addressed through a systematic form of legal and policy-oriented actions. The steps ahead aim at improving the intra-systemic logic of the legal system and fitting it into the international best practices without disregarding the domestic legal principles and the fact that the law functions in reality rather than in theory. These provisions are not intended to excessively regulate franchising but give adequate legal assurance that is likely to facilitate sustainable growth in the market and investor confidence in accordance with the Vision 2030 goals.

Unification of Terms and Definitions. Among the topical issues recognized in the framework of the Saudi franchise, the absence of consistency in terms of the usage and interpretation of the key legal terms can be noted. The law has a conceptual meaning of a franchise, but there is no harmonization of the terms used throughout the law, and the regulations applied to it bring about a sense of uncertainty to the franchisor and the franchisee. The problem of inconsistent use of words like fees, consideration, control and technical assistance makes it challenging to exercise compliance, as well as gives way to interpretative controversy, especially where there is no established judicial precedent (Alotaibi, 2025a).

An initial move would be to standardize terminology by having a consolidated interpretive structure that is released by the Ministry of Commerce. This may be in the form of attaching binding interpretation factors or a supplement to the implementing regulations that standardizes the meaning of commonly used words. This type of unification would lessen the interdependence on contractual text to fill statutory gaps and limit the danger of parties executing relationships to guess out of the regulatory monotony, already present in the association between distributorship and agency (Dentons, 2022).

The global experience shows that terminology is crucial in the regulation of franchising, especially in emerging markets where franchise players might not be well versed in the law. Unified actions would also enhance administrative control because regulators would use similar criteria in the examination of disclosure records and franchise registration. Implementing consistency, enforcement will be both random and regulatory framework validity will be harmed, and compliance incentives will be compromised.

Introducing Terms and Definitions. Further to the harmonization of the current terminology, the Saudi Franchise Law would also be enhanced with some key definitions that are yet to be introduced. There is no clear definition of concepts like the part of the master franchising, the part of the area development agreements and the part of the multi-unit franchising, and the surface is considerable in which the contemporary franchise practice falls into a regulatory grey area. That exclusion is what enables structurally comparable arrangements to be exempt under the law to frustrate its protective purposes (Moyer, 2024).

The presentation of such definitions would also seal the interpretative loopholes, and the contemporary models of franchising should be regulated properly. With the master franchise practice being common with the international franchising into Saudi Arabia, the lack of legal status results in an uncertainty in the case of disclosure issues, the principles of liability, and the enforcement of the responsibility. Explaining these types would help promote more transparency and provide franchisees who run the business according to complex frameworks with equal protection as those operating on a single-unit agreement. Additionally, the establishment of clear notions of good faith, material disclosure and substantial breach would help to enormously enhance normative clarity of the law. Although the duty of good faith is mentioned, there are no clear instructions on what it entails for the courts and the parties. Writing down a contextual definition based on Saudi legal principles would minimize judicial discretion and increase uniform interpretation, which serves as a concern about unpredictability. (AHYSP, 2024).

Defining the Scope of Application. The second important step is to further explain the area of application of the franchise law, especially regarding the existing deals and outside franchisors. The existing omission of agreements that were entered into before the effective date of the law has resulted in a dual legal regime, which subjects essentially different regulatory rules when it comes to similar franchise relationships. Such disintegration makes the law less effective in achieving similarity, let alone compromising confidence between franchisees operating in older agreements (Global Franchise, 2021).

The gradual incorporation of inclusion may be employed, and current relationships with franchisees may mandate that existing relationships must respond to fundamental disclosure and good-faith requirements at the time of renewal or significant modification. This would not infringe vested contractual rights without expanding protection by the regulator slowly all over the market. In its absence, there would be the danger of the law being more symbolic than functional in its change. The area of application also needs to be refined for inter-country franchising. Although the law provides that documents be registered and translated into Arabic, it does not provide how Saudi mandatory provisions compare with foreign governing law clauses. A clear explanation that obligatory Saudi franchise rights take priority regardless of contractual choice of law would also increase the predictability of the law and minimize enforcement cases, which have been pointed out by practitioners many times before (Dentons, 2022).

Ensuring Enforceability. The quality of any regulatory system is, in the long run, based on its enforcement. Even though the Saudi Franchise Law places the Ministry of Commerce at the directorial level of control, the lack of clear enforcement provisions and standards restricts the activity. There are administrative sanctions, but the standards regarding their implementation are not clearly included, which makes their implementation results unpredictable (Legal 500, 2025).

To have a certain degree of enforceability, it is important to come up with clear enforcement principles setting the cases in which a penalty solution, suspension, or cancellation can occur. These types of guidelines would make procedures fairer, and the impression of discretionary enforcement would be less. Moreover, to enhance uniformity and expertise in adjudication, a specialized mechanism of resolving franchise disputes or special commercial court circuits may go a long way in concerns of judicial unpredictability. (AHYSP, 2024). There should also be a more systematic inclusion of alternative dispute resolution. Although arbitration should be allowed, the statutory recognition of mediation as a preliminary measure should be strengthened to save commercial ties and save on litigation expenses. The experience of other countries has shown that mandatory compliance through provisions of a systematic structure of dispute resolution is enhanced by providing remedies predictable and proportionate instead of punishment-based enforcement.

Defining the Stakeholders and Their Roles. The other significant move forward is to specify the roles and responsibilities of the stakeholders in the franchise ecosystem. The existing system puts wide responsibilities on franchisors and provides minimal information about the responsibilities of franchisees, regulators, and the supporting system. This asymmetry adds to the uncertainty and inefficiency of operations, especially with regard to compliance oversight and the training duties (Alotaibi, 2025). The role of the stakeholders would be clarified to promote accountability and coordination. A clear distinction should be established between the roles of franchisors and franchisees; the former must disclose accurately, supply training and support brand integrity, whereas the latter must have specified tasks in keeping the operation and good-faith interaction. Regulators on their part should not only enforce, but give guidance, education and compliance assistance, especially to SMEs and foreign entrants with whom they do not have the local knowledge.

The fact that it does not have a national franchise association further increases coordination issues. Self-regulation, where an industry body is encouraged to be formed under the support of the state but not under its control, can help in such regulation and training as well as dispute resolution. Experience causes these associations to increase the effectiveness of regulation by raising formal enforcement with the standards of ethics and compliance of the industry with self-regulation (Putra et al., 2022).

Codification of the Uncovered Aspects: Last, to resolve the exposed areas of the existing framework, specific codification over areas of practice that have proved to be unregulated is necessary. They are digital franchising, e-commerce revenue sharing, territorial intrusion using online platforms, and how data protection activities are handled in franchise systems. The lack of any statutory guidelines in those areas compels parties to use complicated contractual arrangements, which aggravate transaction costs and the level of legal risk (Kuhne et al., 2022).

Formulating standard operating procedures in digital activities would help to create more transparency and minimize the controversies, especially in matters regarding royalty payment and brand management, in the online space. Equally, better statutory treatment of territorial rights and encroachment would secure the purpose of investment on the part of the franchisee and non-flexibility on the part of the franchisor. These steps do not have to be very prescriptive, but must set minimum levels on which parties can contractually improve on them. Also, the interrelation between the franchise law and the competition law must be clarified. Clear instructions on what vertical restraints can be approved by franchise systems would ease unintentional violations and adjust franchising behaviors to the goals of a wider economic policy (Adamus, 2025). In this region, codification would aid legal harmonization and eliminate the issue of regulatory overlap as a hindrance to market entry. **Conclusion**

This research aimed to Analyse the Saudi Commercial Franchise Law in terms of its doctrinal, comparative and practical context, to determine how well it has managed to regulate the relations between franchisors and franchisees and contribute to the sustainability of economic growth. The discussion shows that the introduction of the franchise law is a substantial change with regard to regulation, which covers the historical gaps related to the application of the principles of the general contract and agency. The law has increased transparency and offered a conceptual standing on which franchise relations are governed in Saudi Arabia through the compulsory disclosure, registration and formalized franchise relations. Nevertheless, as the results of this study also indicate, the ability of the law to fulfil its goals is limited by a number of complex issues, which are interconnected. Uncertainty on the scope of application, ambiguities in definitions, complexity in procedures and lack of guidance in enforcement diminish predictability in the law and have higher transaction costs. These problems are magnified by the macroeconomic and cultural conditions, such as Saudization regulations, paperwork, go-slows and overwhelming foreign franchisors. There is a comparative analysis of how the Saudi framework, although adhering to the international norms in theory, is not as developed and detailed as the set of more developed franchise regimes. The course of action as suggested in this chapter underscores improvement as opposed to change. The Saudi franchise system can become a more consistent and powerful system of regulations by harmonizing and broadening definitions, enhancing enforceability, defining the roles of stakeholders, and formalizing the uncovered issues into codification. These would improve compliance, involve fewer personal grievances, and have a more managed relationship between franchisors and franchisees and maintain the fluidity needed to achieve innovation and growth. Finally, the efficiency of the regulation of franchise is not only based on the legislative design, but also on the implementation, interpretation and adaptation. The principles of the responsive regulatory framework, which can be backed by institutional guidance and based on empirical evidence, are the key to making sure that franchising can make a positive contribution to the targets of the Saudi Arabia Vision 2030. Saudi Arabia can stabilize the situation by closing the current gaps and adopting specific reforms to become an appealing franchise market that encourages entrepreneurship, investment, and environmental economic growth.

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Data Availability Statement: All data supporting the results and analyses in this study are derived from publicly available legal, regulatory, and policy documents related to franchising in Saudi Arabia, including the Commercial Franchise Law, government regulations, and official guidelines. These documents are cited throughout the manuscript and can be accessed through the original sources, including official government websites and regulatory portals.

For direct access to the documents, readers can consult the official Saudi Ministry of Commerce portal: <https://mc.gov.sa>

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