

Teaching Marketing Law: A Business Law Perspective on Integrating Marketing and Law

Ross D. Petty

In today's legal environment of large financial penalties against both firms and managers, criminal liability for some types of marketing conduct, and increasing government regulation of the marketing function, the future marketing manager needs more exposure to legal topics than is available from an introductory business law course. This article examines the likely education in law currently available to marketing students and the cross-disciplinary concept of marketing law before focusing on two interrelated topics: how to teach legal topics to marketing students and how to include additional legal coverage within the marketing curriculum.

In a typical business program, marketing students take both an introductory business law or legal environment course and an introductory marketing course, as well as several marketing electives. In the business law or legal environment course, they will likely study contracts, business organizations, crimes, torts, and probably employment law including the law of agency. They may also study some of a myriad of topics such as government regulation of business, workplace safety, environmental law, securities law, antitrust, product liability, intellectual property, and consumer protection. Obviously, to the extent that more topics are added for breadth of coverage, the depth of coverage in any given topic must diminish.

It is important to remember that the introductory law course is designed to suit the needs of all business students, not just the marketing majors. Thus, some topics of clear interest to marketing managers such as antitrust, product liability, and intellectual property may be taught only in general terms rather than with a specific marketing focus. Moreover, the content of the introductory law course traditionally has been heavily influenced by the legal coverage of CPA exams rather than the needs of marketing majors. For this reason, the traditional business law course might only cover contracts and business organizations, with no discussion of important marketing law topics such as intellectual property and antitrust. Even the more recently developed legal environment course may not cover some topics of interest to marketing students such as advertising or franchise law. For these reasons,

additional coverage of legal topics as they affect the practice of marketing is needed.

There is hope. The 1997 American Marketing Association's Summer Educators Conference was preceded by a miniconference, sponsored by the Marketing and Society Special Interest Group, on teaching marketing and society topics. This miniconference resulted in a collection of syllabi on marketing and society courses divided into four areas: marketing ethics, marketing and public policy, marketing law, and marketing and society (Kelly 1997). The marketing ethics courses clearly focus on ethical analysis as the predominant paradigm and use Laczniak and Murphy (1993) or Smith and Quelch (1993) as the primary texts. Many of the issues examined overlap with legal issues such as deception in advertising and product safety, but other legal areas such as intellectual property receive little attention. The ethics courses also address important issues that may be omitted from a law course because the law has not (yet) addressed such issues. The marketing and public policy courses typically examine legal issues from the consumer behavior perspective. These courses often include significant legal coverage but focus on empirical consumer behavior studies and consumer behavior theories related to the legal issues. The marketing law courses most clearly emphasize legal issues and typically use Cohen (1995), a business law text, or a set of readings as the primary text. The marketing and society category covers a diverse group of interesting courses such as social marketing and marketing and the poor.

The variety and breadth of these courses suggest that there is no consensus on the one best way to cover marketing and society topics. The publication of this collection of syllabi appears likely to move faculty closer to consensus as people adopt ideas and materials from others. All of the courses in the first three categories contain some legal coverage, but there is still significant variance with regard to which legal topics are covered. One reason for this is the lack of a preexisting, well-defined discipline of marketing law (Petty 1999).

Ross D. Petty is a professor of marketing law at Babson College.

Journal of Marketing Education, Vol. 22 No. 2, August 2000 129-136
© 2000 Sage Publications, Inc.

Less than 2 weeks after this miniconference, the marketing law section of the Academy of Legal Studies in Business, the professional association for law faculty who teach in business schools, held its initial organizational meeting (Herron 1997). The purpose of this new section was to encourage both teaching and research in marketing law (Petty 1998). These two meetings represent the culmination of a 20-year period of slowly increasing interest in teaching in the broad area of marketing and society and the narrow subarea of marketing law on the part of faculty in both marketing and law.

This article explores several issues with regard to the integration of marketing and law to teach legal topics of interest to marketing students. It begins with a brief review of the importance of both law and a holistic approach to teaching marketing. It then attempts to define marketing law and examine alternatives for including it within the marketing curriculum. Finally, suggestions for teaching marketing law in ways that integrate the two disciplines are offered.

IMPORTANCE OF LAW FOR MARKETING STUDENTS

Although marketers and marketing faculty have long been interested in law and its impact on the practice of marketing (e.g., Engle 1936), Murphy and Lacznik (1980) appear to have started the modern period of interest in teaching legal and public policy topics with their survey of 225 marketing chairs. They found that the trend believed most likely to influence education in the 1980s was the effect of legal and regulatory trends on marketing decision making. One recommendation of their study was to explore how best to educate marketing students about these issues. Additional recommendations address other aspects of the content of marketing curricula at various levels from junior college to graduate school and the role of the American Marketing Association in gathering and disseminating marketing curriculum information.

The results of Murphy and Lacznik (1980) are consistent with a factor analysis of survey responses of 344 business academics, from all disciplines, and 257 business practitioners conducted by Taylor and Banks (1993). Of the 10 factors developed from this data, all respondents regarded employee management as the most important. Entrepreneurs and small business managers ranked government regulation as the 2nd most important, but large businesses ranked it 6th and faculty 9th. Thus, legal and regulatory issues appear to be of particular importance to small business. The authors suggest that large business managers have regulatory issues addressed by in-house legal departments, and that faculty only encounter it "on a theoretical level" (Taylor and Banks 1993, p. 223). Government regulation also appeared as the 2nd most important legal topic in a survey of CEOs of *Fortune* 500 companies. Antitrust tied with contract law for 4th place, sales took 6th place, product liability was 9th, and intellectual property was 10th (Massin 1990).

This result is consistent with earlier surveys of managers. Elliott and Wolfe (1981) surveyed a small sample from the Michigan State Chamber of Commerce. They found, consistent with an earlier, much larger survey of businesspeople, that 95% of the respondents valued their business law courses at least as highly as other business school courses, with nearly 90% finding business law training useful in making business decisions. Furthermore, many marketing law topics, such as product liability, franchising, and antitrust, were considered important ("certainly should expose") for business law courses by 30% to 50% of these general managers (Elliott and Wolfe 1981, pp. 162-65). It seems likely that marketing managers would have been even more supportive.

There are a number of reasons why law is important to managers, particularly those involved with the marketing function. First and most obvious, managers themselves may be convicted for certain legal violations such as price fixing and mail or wire fraud. Second, product design considerations, often in conjunction with promotional and warranty materials, may lead to expensive product liability exposure, leading to high insurance rates and even bankruptcy. Similarly, private antitrust lawsuits by rivals or dealers may lead to treble damage awards that may be equally staggering (Petty 1993).

This strong interest in legal topics is consistent with the numerous commentators who have emphasized the importance of teaching students to consider "all factors influencing the outcome" (Koch 1997, p. 6) (for legal issues in particular, see Kelley 1988; Welch 1984) and think outside the box (cf. Alden et al. 1991; Lamont and Friedman 1997, pp. 17, 23-24). Cross-functional teaching has become important in business programs, in part because of evolving accreditation standards (Buzzell and Sisodia 1997; Petty 1993; Pharr and Morris 1997). Perhaps Miller (1991) stated this argument most eloquently:

Marketing education today faces many new challenges. The men and women charged with marketing our nation's products . . . confront . . . a continually changing regulatory environment, and a heightened public concern with product safety, environmental issues, and the ethical and social context in which marketing decisions are made. . . . For any marketing program to succeed it must anticipate these concerns that will become even more important in the future. (p. 8)

Finally, including legal issues as part of marketing education simply improves education. Berdine (1987) argued that student research and debate about controversial marketing topics, most with legal implications, enhances student involvement with learning and improves the learning process. Furthermore, legal analysis and reasoning by analogy help marketing students improve their ability to think analytically.

Despite this interest, few schools seem to offer such courses. Murphy and Lacznik (1980) found that only 6% of the undergraduate and 16% of the master's programs in mar-

TABLE 1
MARKETING LAW ORGANIZED BY THE 4 Ps

Law	Product	Promotion	Price	Distribution
Antitrust	Tying, fighting brands, essential facilities	Advertising restrictions	Predation, discrimination, collusion	Dealing restrictions, tying, terminations, refusals to deal
Competitive torts	Passing off, trade secret theft	Disparagement	Below-cost pricing	Contract interference, franchise protection
Consumer protection	Warranties, safety	Deception, unfairness	Credit, usury	
Intellectual property	Patents	Price advertising		
International trade	Copyrights	Trademarks, design patents		
	Customs	Country of origin	Dumping	Import restrictions

keting offered marketing law courses. Since their report, two texts have been published: Stern and Eovaldi (1984) and Cohen (1995). Both are now out of print. McDaniel and Hise (1984) examined a sample of 75 college catalogs of schools offering a major or concentration in marketing. They reported that 20% of the schools surveyed in 1983 did offer a social issues in marketing course compared with fewer than 7% of the institutions surveyed a decade earlier. More recently, Turnquist, Bialaszewski, and Franklin (1991) surveyed 163 chairpersons of marketing departments and found that nearly 10% of the schools regularly offered such courses. Methodological differences between examining catalogs and surveying marketing chairs to see what courses are regularly offered may explain some of the differences between these studies. However, it does seem clear that marketing and society types of courses have never been particularly common and may be offered by a declining number of programs.

It also is not clear whether these surveys simply examined marketing courses being offered or would have included courses offered by law faculty that addressed issues in marketing law. To the extent that marketing departments lack faculty resources to offer marketing and society courses, business law departments may be able to assist by offering marketing law courses or guest appearances in marketing courses. Anecdotal evidence suggests that interest in marketing law courses by business law faculty is increasing. Given the possibility of marketing law being taught by either marketing or law faculty, it is important to develop a definition of the field that both groups can adopt.

TOWARD THE DEFINITION OF MARKETING LAW

As noted above, marketing faculty have long been interested in legal and public policy issues, with particular impetus developing from the consumer movement in the 1960s. In contrast, business law faculty traditionally have treated the various legal disciplines that are encompassed by marketing law as distinct areas of study. Marketers tend to define mar-

keting as the task of creating and facilitating mutually advantageous exchanges between companies and consumers. This task is accomplished by a number of processes often categorized as the 4 Ps of marketing: product, pricing, promotion, and distribution (place). The two marketing texts on marketing law (Cohen 1995; Stern and Eovaldi 1984) adopt the 4 Ps of marketing as a framework to examine legal issues. This approach helps students understand how the law applies to the marketing function by tracking the way marketing is often introduced. Furthermore, specialized electives may focus on a single P such as promotion or distribution, and this organization scheme well identifies the relevant legal concerns for such electives. This approach is summarized in Table 1.

This approach, however, has limitations. Some areas of law such as antitrust can be classified as shown in Table 1, but the classification incorrectly suggests that antitrust can be adequately covered by addressing it only in this context. Because antitrust law relies on fundamental concepts such as market definition, market power, per se and rule of reason analysis, it requires that these concepts be developed before they can be applied to specific marketing areas. For example, Cohen (1995) has been criticized for not mentioning monopolization and attempted monopolization under section 2 of the Sherman Act (Petty 1995). Yet, students need to understand these related concepts before they can apply them to specific conduct within the 4 Ps, such as predatory pricing.

Another limitation of the 4 Ps approach is that some important topics tend to be forgotten such as consumer credit regulation and consumer unfairness. These topics could be included, along with some discussion of the Uniform Commercial Code and the Convention for the International Sales of Goods, in a discussion of contract law. Sales and lease contracts are fundamental to the marketing exchange, yet are often overlooked as a crucial part of the marketing function. As noted in Table 1, unfairness with regard to sales techniques also may be covered under promotion. Similarly, marketing managers often are heavily involved in strategic alliances, a topic with important legal issues that must be examined outside of the 4 Ps framework. Some areas of regulation fit within

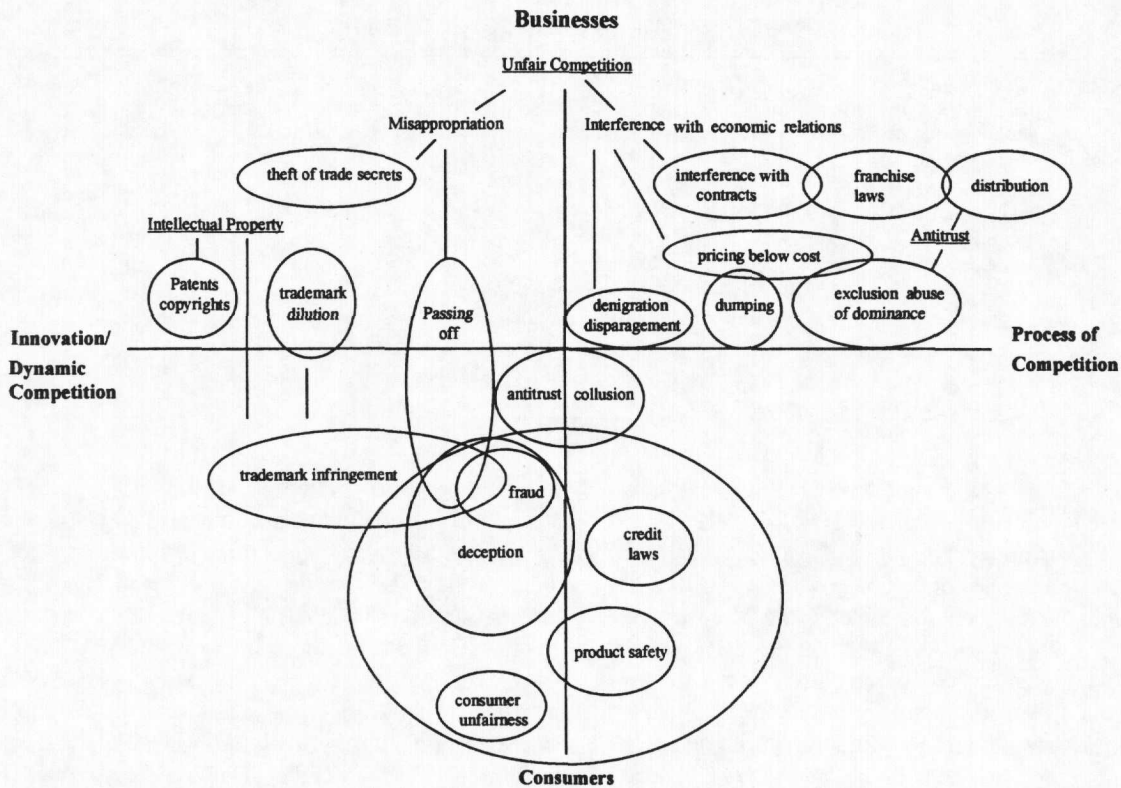


FIGURE 1: Marketing Law Defined by Protected Interests

the 4 Ps legal categories but are not typically included in a marketing law course. For example, Moreton (1992), a Harvard Business School case, discusses fuel economy regulations for automobiles. These regulations clearly affect product strategy but do not involve consumer safety, the usual subject of product regulation of interest to marketers. Similarly, privately developed standards can raise antitrust issues of interest to marketers, but such issues also are not typically discussed in marketing law texts or courses. These topics are specialized to particular industries and, thus, not included in Table 1, but they may be examined to draw generalized lessons such as how managers should deal with proposed regulations.

A second approach for defining marketing law is illustrated in Figure 1 (Petty 1999). This approach is less categorical and more conceptual than the 4 Ps legal framework discussed above but still illustrates the primary legal areas covered by the marketing law concept. As such, it is probably more useful as an overview of the concept of marketing law rather than as a means of organizing the legal topics within a single course or across various marketing courses. By placing the nominally distinct areas of marketing law along two axes describing the interests protected by the law, this diagram shows the relationship between what are often considered distinct legal disciplines. The left-hand side of the horizontal axis represents the protection of dynamic competition over time or innovation as opposed to the protection of the process

of competition at a particular point in time represented by the right-hand side of that axis. The vertical axis similarly contrasts protecting businesses (top) with protecting consumers (bottom). Once the various types of laws are mapped into this space, it is clear that they may protect more than one interest and sometimes overlap with other areas of marketing law (e.g., patents and trade secrets both protect product innovations).

The mapping approach illustrated in Figure 1 demonstrates that different specialties within broad areas of law, such as intellectual property, serve different purposes. Patents and copyrights protect businesses and enhance innovation, but trademark infringement primarily protects consumers (and indirectly protects businesses). Similarly, much of antitrust and competitive torts protect businesses and the process of competition, but antitrust prohibitions against horizontal collusion and the competitive tort of passing off protect innovation and consumers even more than they protect businesses and the process of competition.

Figure 1 is intimidating to students at the beginning of their study of marketing. It shows a myriad of laws with a diverse mixture of goals. By the end of a marketing law course or marketing study that includes law in relevant marketing courses, those same students should be able to examine Figure 1 and feel reassured that they actually understand the illustrated concepts and have in fact covered a panoply of laws that affect the marketing function. Figure 1 can also

TABLE 2
MARKETING LAW TOPICS DISTRIBUTED BY COURSE

<i>Marketing Law Topics in a Single Elective</i>	<i>Topics Distributed over Other Courses</i>
Overview of legal issues and managing law (regulatory law for marketers)	Fundamentals of law or marketing
Alliances and competition (antitrust law)	Same or marketing strategy
Contract law for marketers (fairness, etc.)	Fundamentals of law or sales force management
Product protection (patents and trade secrets)	Fundamentals of law or product strategy
Product safety (including safety regulation)	Same
Products and antitrust (tying, standards, etc.)	Product strategy
Product expression protection (trademarks, copyrights, design patents)	Fundamentals of law or brand management
Promotion—regulation of deception	Marketing communications
Selling/direct marketing (privacy, First Amendment, professional restrictions)	Direct marketing or sales management
Promotions (sweepstakes, coupons, price advertising)	Promotion management
Pricing—single firm (gouging, below cost, dumping, predatory pricing, discrimination)	Pricing strategy
Pricing—collusion (price fixing, signaling)	Same
Distribution—integration (franchising, vertical price fixing, territorial restraints)	Channel or distribution strategy
Distribution—exclusion (boycotts, tying, exclusive dealing, price discrimination)	Same
Law as an adjunct to marketing strategy (raising rivals' costs, suing rivals, etc.)	Marketing strategy

serve as an introduction to marketing law by illustrating the goals of the various marketing laws. Figure 1 is less useful if legal topics are split between marketing courses and no cogent overview is presented. The next section examines the trade-offs between offering a single marketing law elective and offering some legal coverage in several marketing courses.

INCLUDING LAW WITHIN THE MARKETING CURRICULUM

Table 2 illustrates the legal topics that are relevant to the performance of the marketing function. These topics are organized into a single course, roughly organized by the 4 Ps in the left-hand column and distributed among typical marketing courses in the right-hand column. Each approach has benefits and drawbacks.

The single course can be taught by a faculty member with legal expertise, if one is available with sufficient expertise to cover all of the appropriate topics. Some business law and marketing faculty may have strong interests in some areas of marketing law such as intellectual property or antitrust but not much interest or expertise in other areas such as consumer protection or government regulation. Law faculty tend to be paid somewhat less than marketing faculty and are likely to be located in a separate division, so that offering such a course using law faculty does not drain marketing division resources. On the other hand, law faculty tend to focus their teaching on legal concepts and analysis and may not provide the practical information or marketing context desired by marketing students.

In contrast, marketing faculty can provide both context and practical advice but may lack the depth of legal knowledge of a faculty member trained in law. They are more likely to be able to integrate marketing theory with the law. Ideally, faculty with degrees and experience in both law and marketing should be hired, but such people are rare. Marketing faculty, even though lacking broad-based legal training or knowledge, may develop sufficient legal expertise to teach legal topics related to their areas of interests and electives that they teach. Moreover, texts for such specialized electives tend to address legal issues at least to some degree. Furthermore, specialized marketing faculty could invite in as guest lecturers specialized lawyers, either faculty or practitioners. Over a broad range of electives, such specialists may offer more depth and practical relevance than a single faculty or course could offer.

The trade-off with law taught in bits and pieces throughout various marketing courses is that students will miss an integrative framework and consistency in approach, and may repeatedly be exposed to some fundamental concepts. For example, antitrust basics could be included in both pricing and distribution electives. This suggests that at a minimum some fundamental exposure to law should occur in either the introduction to marketing or the basic business law/legal environment course. While this could be arranged, marketing departments need to carefully plan what is needed at both the fundamental and advanced levels. Organization of a single course by a single faculty member, with appropriate consultation, might be a more efficient way of including law in the marketing curriculum without engendering divisive debates.



Clearly, these trade-offs suggest that there is no one single best way to include law in the marketing curriculum. While team teaching would be ideal, with ever-tightening budgets it may not be realistic at most schools. Fortunately, as noted earlier, the American Marketing Association and the Academy of Legal Studies in Business have members who are interested in teaching and writing across both disciplines. As much as anything, the decision on how to cover law may depend on the people available who may be interested. A college or university may have a single person in either law or marketing with sufficient expertise and interest to offer a course such as that described in the left-hand column of Table 2. Alternatively, a program may have several people with specialized expertise in topics covered in marketing electives, but that expertise may include some knowledge of the law as well. Such a school might split legal coverage between electives as suggested by the right-hand column of Table 2. This article asserts that the organization of legal coverage is less important than having it taught in an integrated manner to make it relevant to marketing students.

TEACHING MARKETING LAW IN AN INTEGRATED FASHION

Unfortunately, inclusion of legal topics such as antitrust, consumer protection, product safety, or intellectual property in an introductory business law course does not necessarily mean that the relationships between these topics and the marketing function are emphasized. In fact, in the 1950s, business law was taught as black letter rules to be memorized (Wolfe 1987) without relating law to other disciplines of business. Since that time, the teaching of business law has evolved to become much more analytical and include regulatory and social policy and, more recently, ethical issues. Most recently, at least business law faculty have recognized the importance of relating law to business and teaching future managers how to manage the legal factor (Petty and Mandel 1992; Sacas and Cava 1991). Business and marketing students are taught to recognize legal risks, assess those risks, and apply ambiguous legal language from past cases or statutes to the situation at hand. Indeed, some law faculty even use business cases in their courses (Dobray and Steinman 1993) or design their course to match other business disciplines. For example, Langvardt (1991) has designed and teaches a marketing law course that is credited toward the marketing major. However, this course appears to rely exclusively on legal materials, so it is difficult to judge the extent of the marketing content, if any.

Nonetheless, it is probably true that law faculty tend to overemphasize legal analysis and give less attention to integrating that analysis with marketing management. It also is probably true that marketing faculty tend to focus on marketing management issues more intensively and treat legal issues as something "outside the box" (Leibman 1992). Legal issues are raised for awareness purposes but should be "handled by

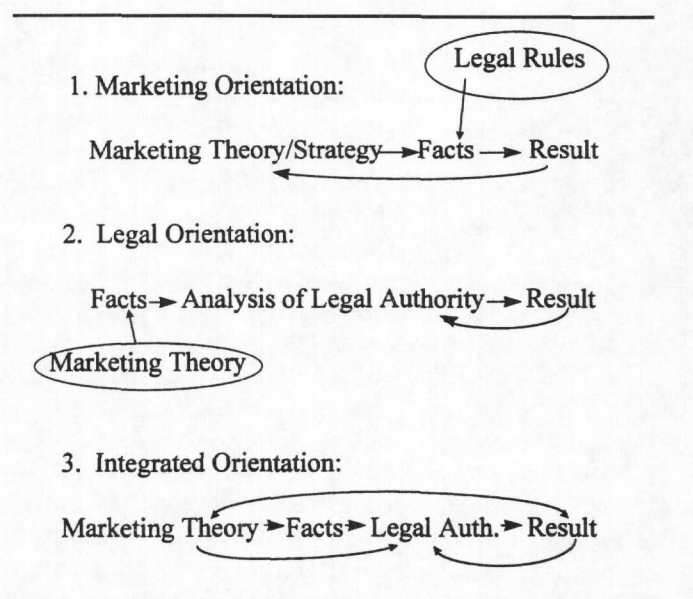


FIGURE 2: Integrating Marketing and Law

the lawyers." While marketing students need not develop legal analysis skills to the extent that lawyers do, as future managers, they need to be aware of this legal process and appreciate the ambiguity of the law. They should be taught how to manage the marketing function despite the legal ambiguity. For this reason, some legal analysis should be taught to marketing students. Students must understand that the law evolves and why it evolves so that they can become involved in changing the law, if desired. They must be able to understand the rationale of specific court and regulatory agency decisions and be able to determine whether that rationale or one from some other legal authority applies to a particular situation (Leibman 1994). Finally, they must be taught to consider defensive arguments.

Not all marketing managers will have access to lawyers when needed. Nor are all marketing law issues so complex that a lawyer should be appointed to handle them. Marketing managers who give up their responsibility to manage legal issues related to their program might just as well relegate pricing strategy to specialized consultants. Specialists can always be hired, but the task of marketing education should be to train general managers to manage all of the relevant issues, including legal ones, in an integrative fashion. To do this, educators must step beyond the boundaries of their traditional disciplines, whether marketing or law, and teach in an integrative fashion. Thus, marketing faculty should attempt to offer sophisticated legal analysis rather than simple black letter rules whereas law faculty should attempt to integrate legal cases with marketing theory and practice as Figure 2 illustrates.

Fortunately, materials are beginning to appear that make it easier to teach marketing law in an integrative fashion. Ideally, such materials should be usable by faculty from either discipline with an interest in the other. Care must be exercised

because some existing materials have serious deficiencies. Books written for the marketing manager tend to cover rules of law without analysis of how those rules are derived or might be changed (e.g., Hjelmfelt 1990; Steuer 1989; Werner 1989). They also tend to have limited or no discussion of the important cases from which they derive the so-called rules. The two marketing law texts—Stern and Eovaldi (1984) and Cohen (1995)—are out of print, and neither was strong on legal analysis (Petty 1993, 1995).

Fortunately, there are supplemental teaching materials from both disciplines that can be used to teach marketing law. Using supplemental materials is particularly appropriate for adding legal topics to existing marketing courses but becomes burdensome for teaching an entire marketing law course. Of course, excerpts from leading court decisions should be used (Leibman 1994). Journal articles often make excellent teaching materials. For example, Rothchild (1987) has an excellent *Harvard Business Review* article on managing the use of patents that can be used to supplement legal materials on patent law. Similarly, legal journals offer useful readings. For example, Waller (1992) provides a nice legal overview of EC competition law to supplement marketing readings on the EC or U.S.-based antitrust readings. The journal *Antitrust*, published by the American Bar Association, offers brief articles for legal practitioners that also can be educational for marketing students. Finally, articles by Ferrill and Spivey (1996) and Steptoe and Wilson (1996) are useful when teaching marketing law.

Furthermore, a number of marketing articles integrate the law with marketing theory in ways that may be of interest to marketing students. For example, Guiltinan and Gundlach (1996) examine pricing strategy from the marketing perspective and contrast it with legal analysis in predatory pricing cases. Similarly, Heil and Langvardt (1994) examine the strategy of market signaling and the antitrust legal risks. Petty and Kopp (1995) develop a conceptual framework for analyzing challenges that advertising is deceptive that may be more useful to students than a pure legal analysis. Zanot (1985) describes an internal advertising review process that seeks to minimize legal risks. Finally, a number of articles examine how empirical research can produce evidence relevant to the resolution of a legal challenge of a marketing practice (e.g., Simonson 1994).

Harvard University and other case services offer cases involving product safety, import competition, antitrust, and other marketing law topics. These cases and their teaching guides tend to focus on marketing issues rather than legal issues but can be used effectively to encourage examination and discussion of both sets of issues. While some of them contain superficial or outdated legal discussions, others present timeless fact situations for students to analyze applying current legal analysis.

It should be noted that when marketing law is taught well, it should develop students' appreciation for developing legal

concerns (Allison 1991). Certain practices may currently be legal but are nonetheless controversial and widely considered unethical. If companies ignore the ethical concerns and engage in the controversial conduct, they may cause additional laws or regulations to be enacted that condemn or restrict the conduct (Welch 1984). Clearly ethical analysis is one way of anticipating evolving legal issues and can be covered productively in a marketing law course. Ethics texts and other materials often raise interesting legal and ethical issues.

CONCLUSION

Now, 20 years after Murphy and Laczniak (1980), marketing and business law faculty appear interested in examining how marketing law should be taught. The exchange of marketing law syllabi has begun at least within each of the two disciplines and hopefully can be expanded across the two disciplines. In the spirit of cross-disciplinary communication, this article offers the views of one business law faculty member committed to the integration of marketing and legal issues in the teaching of law to marketing students. It is hoped that the thoughts expressed here will encourage others from both disciplines to continue this discussion to the benefit of all teachers interested in legal aspects of marketing.

REFERENCES

- Alden, Scott D., Rita Laxton, Gordon L. Patzer, and Leslie Howard. 1991. Establishing cross-disciplinary marketing education. *Journal of Marketing Education* 13 (Summer): 25-30.
- Allison, John R. 1991. The role of law in the business curriculum. *Journal of Legal Studies Education* 9 (2): 239-64.
- Berdine, Rudy. 1987. Increasing student involvement in the learning process through debate on controversial topics. *Journal of Marketing Education* 9 (Fall): 6-8.
- Buzzell, Robert D., and Rajendra Sisodia. 1997. Future prospects for marketing education. In *Reflections on the futures of marketing: Practice and education*, edited by Donald R. Lehman and Katherine E. Jocz, 97-120. Cambridge: Marketing Science Institute.
- Cohen, Dorothy. 1995. *Legal issues in marketing decision making*. Cincinnati, OH: Southwestern.
- Dobray, Debra, and David Steinman. 1993. The application of case method teaching to graduate business law courses. *Journal of Legal Studies Education* 11 (1): 81-102.
- Elliott, William G., and Arthur Wolfe. 1981. The need for legal education by persons in business. *American Business Law Journal* 19:153-75.
- Engle, N. H. 1936. The importance of the Robinson-Patman Act for marketing. *Journal of Marketing* 1 (2): 75-81.
- Ferrill, Michael A., and James K. Spivey. 1996. Clearing the Sylvania hurdle: Developments in business torts and dealer termination. *Antitrust* 11 (1): 5-11.
- Guiltinan, Joseph P., and Gregory T. Gundlach. 1996. Aggressive and predatory pricing: A framework for analysis. *Journal of Marketing* 60 (July): 87-102.
- Heil, Oliver, and Arlen Langvardt. 1994. The interface between competitive market signaling and antitrust law. *Journal of Marketing* 58 (July): 81-96.
- Herron, Dan. 1997. ALSB sections: Marketing. *ALSB Newsletter*, Fall, 10-11.

- Hjelmfelt, David C. 1990. *Executive's guide to marketing, sales, and advertising law*. Englewood Cliffs, NJ: Prentice Hall.
- Kelley, Craig A. 1988. Introducing antitrust in the basic marketing course. *Journal of Marketing Education* 10 (Fall): 29-35.
- Kelly, Kathleen, ed. 1997. *Teaching marketing and society topics: Pedagogy and curriculum priorities*. Fort Collins: Colorado State University Press.
- Koch, Adam J. 1997. Marketing curriculum: Designing its new logic and structure. *Journal of Marketing Education* 19 (Fall): 2-16.
- Laczniak, Gene R., and Patrick E. Murphy. 1993. *Ethical marketing decisions: The higher road*. Boston: Allyn & Bacon.
- Lamont, Lawrence M., and Ken Friedman. 1997. Meeting the challenges to undergraduate marketing education. *Journal of Marketing Education* 19 (Fall): 17-30.
- Langvardt, Arlen W. 1991. Designing a legal aspects of marketing course. *Journal of Legal Studies Education* 9 (3): 379-94.
- Leibman, Jordan H. 1992. Legal studies in business should be taught by academicians trained in law. *Journal of Legal Studies Education* 10 (2): 137-39.
- . 1994. In defense of the legal case method and the use of integrative multi-issue cases in graduate business law courses. *Journal of Legal Studies Education* 12 (2): 171-96.
- Massin, S. Scott. 1990. Corporate perspectives on business law curricula: An empirical study. *Journal of Legal Studies Education* 8 (1-2): 71-97.
- McDaniel, Stephen W., and Richard T. Hise. 1984. The marketing curriculum: A decade of change. *Journal of Marketing Education* 6 (Fall): 2-8.
- Miller, Keith T. 1991. The transformation of the marketing curricula. *Marketing Review*, October, 8-10.
- Moreton, Patrick. 1992. *General Motors and the problem of fuel economy*. Case no. 9-792-063. Cambridge, MA: Harvard Business School.
- Murphy, Patrick E., and Eugene R. Laczniak. 1980. *Marketing education: Current status and a view for the 1980s*. Chicago: American Marketing Association.
- Petty, Ross D. 1993. The role of law in the marketing curriculum. *AMA Educators' Proceeding* 4:48-52.
- . 1995. Book review: *Legal issues in marketing decision making* by Dorothy Cohen. *Journal of Public Policy & Marketing* 14:334-38.
- . 1998. The marketing law section: Its purposes and practices. *ALSB Newsletter*, Fall, 15.
- . 1999. Editor's introduction: The what and why of marketing law. *American Business Law Journal* 36:239-54.
- Petty, Ross D., and Robert J. Kopp. 1995. Advertising challenges: A conceptual framework and current review. *Journal of Advertising Research* 35 (2): 41-55.
- Petty, Ross D., and Richard P. Mandel. 1992. Putting business into business law: The integration of law and business strategy. *Journal of Legal Studies Education* 10:205-18.
- Pharr, Steven, and Linda J. Morris. 1997. The fourth-generation marketing curriculum: Meeting AACSB's guidelines. *Journal of Marketing Education* 19 (Fall): 31-43.
- Rothchild, Ronald D. 1987. Growing concerns: Making patents work for small companies. *Harvard Business Review*, July-August, 24-30.
- Sacasas, Rene, and Anita Cava. 1991. A legal studies major: The Miami model. *Journal of Legal Studies Education* 9 (2): 339-48.
- Simonson, Itamar. 1994. Trademark infringement from the buyer perspective: Conceptual analysis and measurement implications. *Journal of Public Policy & Marketing* 13:181-99.
- Smith, N. Craig, and John A. Quelch. 1993. *Ethics in marketing*. Homewood, IL: Irwin.
- Stephens, Mary Lou, and Donna L. Wilson. 1996. Developments in exclusive dealing. *Antitrust* 10 (3): 25-29.
- Stern, Louis W., and Thomas L. Eovaldi. 1984. *Legal aspects of marketing strategy: Antitrust and consumer protection issues*. Englewood Cliffs, NJ: Prentice Hall.
- Steuer, Richard M. 1989. *A guide to marketing law: What every seller should know*. New York: Harcourt Brace Jovanovich.
- Taylor, G. Stephen, and McRae C. Banks. 1993. Critical issues: The academic-practitioner schism. *Journal of Managerial Issues* 5:213-31.
- Turnquist, Philip H., Dennis W. Bialaszewski, and LeRoy Franklin. 1991. The undergraduate marketing curriculum: A descriptive overview. *Journal of Marketing Education* 13 (Spring): 40-46.
- Waller, Spencer Weber. 1992. Understanding and appreciating EC competition law. *Antitrust*. 61 (1): 55-77.
- Welch, Joel L. 1984. Marketing law should be important part of the curriculum. *Marketing Educator* 3 (3): 1, 6.
- Werner, Ray O. 1989. *Legal and economic regulation in marketing: A practitioner's guide*. New York: Quorum Books.
- Wolfe, Art. 1987. Teaching business law in the 1980s: From law as rules to law as a way of seeing. *Focus on Law Studies* 2 (2): 4-5.
- Zanot, Eric J. 1985. Unseen but effective advertising regulation: The clearance process. *Journal of Advertising* 14 (4): 44-55, 59, 68.