



Evolution of Antitrust Law Research Hotspots and Regulatory Innovation based on CiteSpace

Fengjiao Ye

University Of Yangzhou, Yangzhou, Jiangsu Province, 225000, China

fengjiaoye0421@126.com

Abstract. The Anti-Monopoly Law of the People's Republic of China (hereinafter referred to as the Anti-Monopoly Law) is an important law to protect fair competition in the market, prevent and stop monopolistic behavior, and improve the efficiency of economic operation. Therefore, this study is based on the Anti-Monopoly Law, using WOS and CiteSpace to specifically analyze the existing literature on the Anti-Monopoly Law. From the combination of keyword clustering analysis and time trend analysis, it is concluded that the core research of the Anti-Monopoly Law lies in the regulation of monopolistic behavior, and based on the analysis, the future research direction and focus are predicted. Based on the actual situation in China, this paper discusses the development trend of the Anti-Monopoly Law. In addition, this study is also aware of its own limitations, because the source of the literature is an English database, which lacks certain Chinese characteristics, and lacks first-hand cases, and the research on case analysis is not in-depth enough.

Keywords: Cite Space, Antitrust Law, Regulation of Monopoly Behavior

1 Introduction

With the development of the market economy, various forms of competition have gradually emerged in the market. In order to maintain market order and protect the interests of consumers, countries have successively introduced antitrust laws to prevent and stop monopoly behavior and protect fair competition in the market. This study takes the Anti-Monopoly Law as the target and focuses on the research on the Anti-Monopoly Law by the legal community after the introduction of the Anti-Monopoly Law.

This study consulted the existing articles of WOS and found that the current research on the Anti-Monopoly Law can be roughly divided into the following directions ^[1]. Some scholars study the application of the Anti-Monopoly Law, such as anti-monopoly in the platform economy field, regulation of monopoly agreements, etc.; some scholars study the changes before and after the revision of the Anti-Monopoly Law and the significance of the revision ^[2]; some scholars study the enforcement path and judicial path of the Anti-Monopoly Law; and some scholars focus on the combination of the Anti-Monopoly Law and intellectual property law.

This is mainly because these three aspects are the core of the law and run through the legal implementation process from legislation to law enforcement to judicial practice. From the legislative perspective, when talking about the Anti-Monopoly Law, it is

inevitable to involve its own legislative process. In addition, the Anti-Unfair Competition Law and the Anti-Monopoly Law belong to the same competition law system. The two jointly maintain fair competition in the market. In the process of studying the Anti-Monopoly Law, the application of the Anti-Unfair Competition Law cannot be ignored; from the perspective of law enforcement and judicial practice, the government departments and the courts carry out dual-track and jointly regulate anti-monopoly behavior, but the phenomenon of regulating anti-monopoly behavior by administrative law enforcement is more common^[3].

Secondly, the research on Hong Kong's monopoly regulation and corporate competition behavior is second only to the research on monopoly regulation. This is because horizontal comparative research is a very important method in legal research. As a region with a highly developed market economy, Hong Kong will inevitably engage in monopoly behavior. It is meaningful for us to learn from Hong Kong's Anti-Monopoly Law. In addition, in the process of competition, once the competition means are unfair, monopoly behavior is likely to occur (Jin, 2022). The Anti-Monopoly Law is based on preventing enterprises from obtaining or maintaining a dominant position in the market through unfair means. It is very important to identify monopoly behavior in corporate competition conflicts.

Although these research areas are not the main research directions nowadays, with the detailed research on antitrust law, more and more comparative law studies may enter the research field. In addition, as the economic situation becomes more complex, it may be more difficult to identify monopolistic behavior. Under the influence of the digital economy, the identification of monopolistic behavior will receive more and more attention.

In addition, we must note that even if scholars do not focus heavily on platform monopolies in the current sample analysis, the focus on the platform economy in the 2022 revision of the Anti-Monopoly Law, the continuous development of digital technology, and the heavy blow of the epidemic to the real economy are all promoting the development of the platform economy. Although the rapid prosperity of the platform economy has made it convenient for consumers and reduced the cost of enterprises, it has also brought about the problem of platform monopoly. With the continuous rules of law and law enforcement on platform monopoly, platform monopoly will definitely be a hot issue in the Anti-Monopoly Law in the near future.

3.2 Time Trend Analysis

The Anti-monopoly Law time trend analysis is details as Figure 2. From 2015 to 2025, the research hotspot has emerged from the process of monopoly behavior regulation to the identification of specific corporate monopoly behavior.

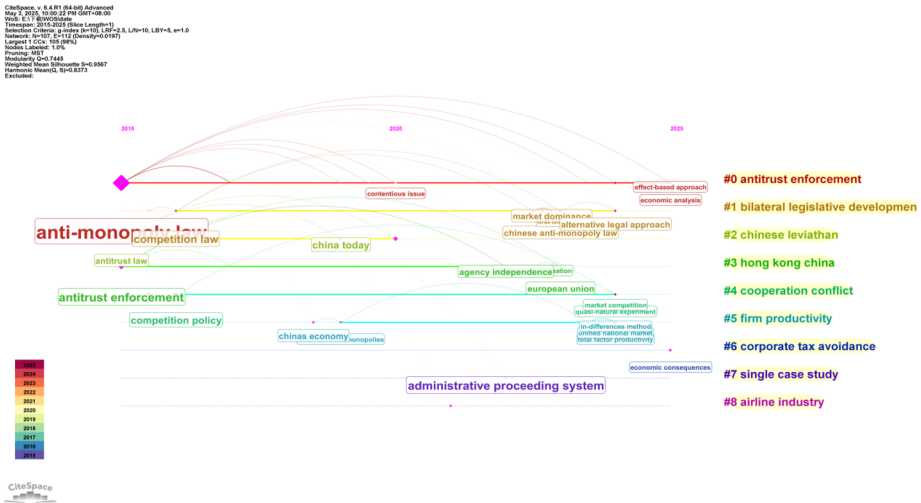


Fig. 2. Anti-monopoly Law time trend analysis

For the research from 2015 to 2018, the focus was initially on monopoly behavior regulation, and administrative law enforcement is the most common regulatory means in monopoly behavior regulation^[4], so the research on the two is almost parallel. In addition, in order to be based on China's national conditions, when conducting research on China's administrative law enforcement regulation of anti-monopoly behavior, it will also study whether the structure of China's administrative law enforcement agencies is consistent with the law. What we need to pay attention to is that because the fundamental purpose of the Anti-Monopoly Law is to prevent market competition entities from obtaining or maintaining market positions through improper means, the research on the Anti-Monopoly Law has always been inseparable from the regulation of anti-monopoly behavior, which is also the reason why monopoly behavior regulation has been carried out for nearly eleven years.

During 2018-2020, with the detailed research on anti-monopoly behavior, we began to not only stick to the overall structure, but also enter the largest market competition entity-the internal of the enterprise to analyze the causes and behavior identification of anti-monopoly behavior.

During 2020-2022, due to the impact of the epidemic, the economic field has been hit hard, and the Anti-Monopoly Law is closely related to the economy and will inevitably be affected. Therefore, no new research points appeared on monopoly behavior as a whole, and the research showed a downward trend.

During 2022-2025, due to the revision of the Anti-Monopoly Law, there were specific regulatory measures for new monopoly behaviors, and the improvement of covid-19, research has exploded, and more research on typical anti-monopoly cases and monopoly behaviors in specific industries has emerged ^[5], making the overall research comprehensive and specific.

4 Case Study

From the above keyword clustering and timeline trend analysis, we can see that although the field of platform monopoly has not yet appeared as a research branch in the study of the Anti-Monopoly Law, legislation and practice have shown an attitude of attention to platform monopoly. This can also be seen from the typical case of the State Administration for Market Regulation of China imposing a fine of 18.228 billion yuan on Alibaba Group for abusing its market dominance and implementing the "choose one of two" monopoly behavior on the online retail platform.

In 2021, the regulatory authorities believed that Alibaba Group had a market share of more than 50% in the online retail platform service market in China, and through algorithm technology, traffic restrictions and punitive measures, it forced merchants on the platform to only carry out business activities on the Alibaba Group platform, and not to open stores or sell on other competing platforms such as JD.com, Pinduoduo, and Douyin, which seriously violated the fourth item of the first paragraph of Article 17 of the Anti-Monopoly Law: "Without justifiable reasons, the counterparty of the transaction is limited to trading with it or with the operator designated by it." The highest fine issued by the State Administration for Market Regulation to Alibaba Group is of great exemplary significance for the anti-monopoly of large-scale Internet platform economy.

It is a milestone and weather vane for the anti-monopoly law enforcement of my country's platform economy, and it also provides a comfortable implementation soil for the prohibition of using data, algorithms, technology, capital advantages and platform rules to engage in monopolistic behavior as indicated in Articles 9 and 22 of the Anti-Monopoly Law in 2022.

With the renewal and iteration of the digital economy, platform monopoly is not only a monopoly area that cannot be ignored in the Anti-Monopoly Law, but also poses a considerable test to the judiciary. It is very convenient for platform companies to expand, and there are new monopoly behaviors hidden under algorithm technology, such as collusion based on algorithms and big data price discrimination, which challenge the traditional antitrust analysis framework. Even if it does not occupy the main position in the research field of the Antitrust Law, as time goes by, the research gap in the field of platform monopoly will be continuously filled.

5 Conclusion

In summary, this study is based on the two dimensions of keyword clustering analysis and time trend analysis, and found that the core of the research on the Anti-Monopoly Law is the regulation of monopolistic behavior. It not only occupies the most important section in keyword clustering, but also spans the entire research time period. All other research directions are closely related to the regulation of monopolistic behavior.

From the keyword clustering analysis, we can see that the study of law is inseparable from exploring the process of legislation, law enforcement and justice; from the time

trend analysis, we can see that the study of law will gradually focus on more specific directions, making the research gradually become comprehensive and specific.

Although the current research hotspots have almost involved all directions of the Anti-Monopoly Law, with the changes in the international situation and the development of digital technology^[6], the platform continues to develop. The digital platform that provides a variety of services has made the traditional market definition method invalid. The definition and regulation of new monopoly behaviors are still the focus of our research^[7]. With the rapid development of the platform economy, some of these companies have a high user coverage rate and market share, and monopolistic behaviors such as enterprises abusing their market position and entering into monopoly agreements have occurred. Therefore, platforms, the regulation of monopolistic behaviors of multinational corporations, and the constraints of platform agreements are all directions that we can study in the future^[8]. In addition, there is a lack of research on the analysis of specific cases, which is also a direction that the Anti-Monopoly Law research can focus on.

Although this study used databases and CiteSpace, it also has certain limitations. The database selected is an English database, most of which are based on international journal papers, and may lack some research with Chinese characteristics. In addition, there are no first-hand data resources, which come from online literature on the Internet, and there are few specific case analyses, and insufficient attention to practicality.

References

1. Kong Xiangjun.:On the Macro Positioning Regarding Anti-Monopoly Considerations Relating to Internet Platform-An Analysis Based on Politics, Policies and Laws.Frontiers Of Law In China17(3),352-388(2022).
2. Kim,,Joon-ho.:Main Contents and Significance of the 2022 Amendment to China's Antitrust Law. Legal Studies 34(1),223-250(2023).
3. Seo,,Seok Heung.:A study on the monopoly regulation of the platform economy in China's revised <Anti-monopoly Law>.Comparative Studies of Greater China5(1),151-179(2024).
4. Lai Sinchit., Zhang Jing.:The tension between public interest litigations and private actions under China's anti-monopoly Law.Tsinghua China Law review16(1),19-50(2023).
5. Yong Huang,,Xin Zhang.:The 3Q case and the abuse of dominance analysis under China's Anti-Monopoly Law.Competition policy international 11(1),58-61(2015)
6. Long Ke-yu.:The Study of the Anti - monopoly Implementation Mechanism on the Abuse of the Dominant Market Position of Intellectual Property Rights in China.Chinese Law Review26,235-264(2016).
7. Haiyan Li., Zhenkun Yang., TingXin Li.:Research on Anti-monopoly Regulation of China's Platform Economy in Digital Economy Era From the Perspective of China's Anti-monopoly Guide on Platform Economy. Northeast Asian Law Research 15(3),91-109(2022).
8. Jin Sun.:Anti-Monopoly Regulation of Digital Platforms.Social Sciences in China43(1),70-87(2022).

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

