

The Impact of Globalization on Corporate Legal Management Practices

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Article

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Abstract: This paper explores the significant impact of globalization on corporate legal management practices. As businesses expand their operations internationally, they face complex legal frameworks, compliance requirements, and cultural differences. This study emphasizes the need for legal departments to align their strategies with overall business objectives, foster collaboration and communication both internally and with external partners and invest in continuous education and training for legal professionals. By adopting these strategies, legal teams can transition from reactive functions to proactive strategic partners, enhancing compliance, risk management, and overall business success. Ultimately, the ability to navigate the challenges of globalization will determine the effectiveness of corporate legal management in the future.

Keywords: globalization; corporate legal management; compliance; risk management; collaboration; continuous education; legal strategy; cross-functional teams; international law; legal frameworks

1. Introduction

1.1. Background of Globalization and Its Relevance to Corporate Legal Management

Globalization is a multifaceted phenomenon that has transformed economies, cultures, and legal systems across the globe. At its core, globalization refers to the increasing interconnectedness of markets and businesses, driven by advancements in technology, transportation, and communication. This process has enabled corporations to operate beyond national borders, facilitating trade, investment, and the movement of goods and services on an unprecedented scale. As businesses expand their operations internationally, they encounter a complex array of legal challenges that necessitate a strategic approach to legal management.

The relevance of globalization to corporate legal management cannot be overstated. As companies venture into new markets, they must navigate diverse legal environments characterized by varying regulations, compliance requirements, and cultural nuances. This complexity demands that corporate legal departments adopt a proactive stance in identifying and mitigating legal risks associated with globalization. For instance, organizations must understand not only the laws of the countries in which they operate but also the implications of international treaties, trade agreements, and regional regulations. Failure to comply with these legal frameworks can result in significant financial penalties, reputational damage, and operational disruptions.

Moreover, globalization has elevated the importance of ethical considerations in legal management. Corporations are increasingly held accountable for their actions in a globalized world, where stakeholders expect transparency, corporate social responsibility, and adherence to ethical standards. Legal departments play a crucial role in ensuring that organizations uphold these values while effectively managing their legal obligations.

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1.2. Purpose and Scope of the Paper

The purpose of this paper is to explore the impact of globalization on corporate legal management practices, highlighting the challenges and opportunities that arise as businesses expand their operations internationally. By examining the interplay between globalization and legal management, this paper aims to provide a comprehensive understanding of how legal departments can effectively navigate the complexities of diverse legal environments while ensuring compliance and mitigating risks.

To achieve this purpose, the paper will address several key aspects:

- 1) Overview of Globalization's Impact on Legal Frameworks: The paper will analyze how globalization has transformed legal systems worldwide, creating a more intricate legal landscape that corporate legal departments must navigate. This includes an examination of varying national regulations, international treaties, and regional compliance requirements.
- 2) Challenges Faced by Corporate Legal Departments: The paper will discuss the specific challenges that arise from operating in multiple jurisdictions, such as managing legal risks, adapting to different regulatory environments, and addressing ethical considerations in a global context.
- 3) Best Practices for Effective Legal Management: The paper will identify best practices for corporate legal departments to enhance their legal strategies in the face of globalization. This includes developing comprehensive compliance programs, fostering collaboration among legal teams, and implementing continuous education initiatives to keep pace with global legal trends.
- 4) Case Studies and Real-World Applications: To provide practical insights, the paper will include case studies that illustrate how various multinational corporations have successfully adapted their legal management practices to the challenges posed by globalization.
- 5) The scope of this paper will primarily focus on corporate legal management within multinational corporations, emphasizing the need for a strategic and adaptive approach in an increasingly interconnected world. While the paper will cover legal management practices globally, it will also draw on specific examples from various regions to illustrate the diverse challenges and opportunities that arise in different legal contexts. Ultimately, this paper seeks to contribute to the ongoing discourse on the importance of effective legal management in the global business environment, providing valuable insights for legal professionals, corporate leaders, and scholars alike.

1.3. Thesis Statement

This paper posits that globalization significantly influences corporate legal management practices by creating a complex legal landscape that requires organizations to adapt their strategies for compliance, risk management, and ethical governance. As multinational corporations navigate diverse regulatory environments and cultural differences, effective legal management becomes essential for mitigating risks and leveraging opportunities in the global market. Through a comprehensive analysis of the challenges posed by globalization and the best practices adopted by successful organizations, this study aims to demonstrate that proactive and strategic legal management is critical to sustaining competitive advantage and fostering ethical business practices in an interconnected world.

2. Globalization and Its Influence on Legal Environments

2.1. Definition and Characteristics of Globalization

Globalization is a complex and multifaceted process that encompasses the increasing interdependence and interconnectedness of economies, societies, and cultures across the globe. At its core, globalization involves the movement of goods, services,

capital, information, and people beyond national borders, resulting in a more integrated global economy. This phenomenon has been facilitated by advancements in technology, particularly in communication and transportation, which have significantly reduced barriers to trade and interaction [1].

Characteristics of Globalization:

- 1) Economic Integration: One of the most prominent features of globalization is the integration of national economies into a single global economy. This is evidenced by the rise of multinational corporations (MNCs), which operate in multiple countries and contribute to a significant portion of global trade. Economic integration also involves the reduction of tariffs and trade barriers, promoting free trade agreements that enable easier access to international markets.
- 2) Cultural Exchange: Globalization fosters the exchange of ideas, values, and cultural practices among different societies. This cultural convergence leads to the sharing of knowledge, traditions, and lifestyles, often resulting in the blending of cultures. While this exchange can enrich societies, it can also lead to concerns about cultural homogenization and the loss of local identities.
- 3) Technological Advancements: The rapid development of technology plays a critical role in globalization. Innovations in communication technologies, such as the internet and mobile devices, have made it easier for individuals and businesses to connect across borders. This connectivity has facilitated global commerce, collaboration, and the dissemination of information, shaping the way businesses operate and interact with consumers.
- 4) Increased Mobility: Globalization has led to greater mobility of people, including labor migration and travel for business or education. As individuals move across borders for employment opportunities or to pursue studies, they contribute to the global workforce and the exchange of skills and knowledge. This movement also raises legal and regulatory challenges related to immigration and labor laws.
- 5) Environmental Interconnectedness: Globalization has heightened awareness of environmental issues that transcend national borders, such as climate change, pollution, and resource depletion. This interconnectedness has prompted international cooperation and agreements aimed at addressing global environmental challenges, emphasizing the need for sustainable practices in business operations.
- 6) Legal Complexity: As businesses operate in multiple jurisdictions, globalization introduces legal complexities related to compliance, dispute resolution, and regulatory frameworks. Organizations must navigate different legal systems, which may have conflicting laws and regulations. This necessitates a deeper understanding of international law and the ability to adapt legal strategies accordingly [2-4].

2.2. Increased Complexity of Legal Frameworks in a Global Context

As globalization continues to reshape the landscape of international commerce, the legal frameworks governing business operations have become increasingly complex. This complexity arises from several factors, including the diversity of legal systems, the proliferation of international regulations, and the challenges of compliance across multiple jurisdictions. Understanding these factors is essential for corporate legal departments to navigate the intricacies of global legal environments effectively [5].

2.2.1. Diversity of Legal System

One of the primary sources of complexity in global legal frameworks is the diversity of legal systems that exist across countries [6]. Legal systems can be

categorized into several types, including common law, civil law, religious law, and customary law. Each system has its own principles, procedures, and interpretations, which can lead to significant variations in legal obligations and protections.

Common Law: Predominant in countries like the United States and the United Kingdom, common law systems rely heavily on case law and judicial precedents. This can lead to unpredictability in legal outcomes, as interpretations can vary based on judicial decisions

Civil Law: Found in countries such as France and Germany, civil law systems are based on codified statutes and comprehensive legal codes. While these systems tend to provide more clarity in legal obligations, they can also present challenges in terms of adapting to local legal nuances when entering new markets.

Religious and Customary Law: In some regions, legal systems are influenced by religious or customary laws, which may not align with international standards. Corporations operating in these jurisdictions must navigate a unique set of legal principles that can differ significantly from those in more familiar legal environments [7-9].

2.2.2. Proliferation of International Regulations

Globalization has also led to an increase in international regulations and agreements that govern cross-border business activities. Organizations must be aware of a multitude of treaties, conventions, and regulations that can impact their operations, including:

Trade Agreements: Bilateral and multilateral trade agreements, such as the North American Free Trade Agreement (NAFTA) and the European Union (EU) regulations, can impose specific legal requirements that corporations must adhere to when conducting business internationally.

International Standards: Organizations like the International Organization for Standardization (ISO) and the World Trade Organization (WTO) establish guidelines and standards that can influence legal compliance in various industries, such as manufacturing, finance, and environmental practices [10].

Human Rights and Labor Laws: Global initiatives, such as the United Nations Guiding Principles on Business and Human Rights, impose obligations on corporations to respect human rights and labor standards in their operations and supply chains, adding another layer of legal complexity.

2.2.3. Challenges of Compliance Across Jurisdictions

The need to comply with multiple legal frameworks presents significant challenges for corporate legal departments. Companies operating in various countries must navigate different regulatory requirements, which can lead to:

Inconsistent Regulations: Different jurisdictions may have conflicting regulations, requiring organizations to adopt tailored compliance strategies for each market [11]. This inconsistency can complicate legal management efforts and increase the risk of inadvertent violations.

Increased Costs and Resources: The complexity of navigating multiple legal systems can lead to higher compliance costs, as organizations may need to invest in legal expertise, resources, and training to ensure adherence to diverse legal obligations.

Reputational Risks: Non-compliance with local laws or international regulations can result in severe reputational damage, regulatory penalties, and legal disputes. Companies must be vigilant in monitoring legal changes and ensuring compliance to protect their reputation and operational integrity.

Type of Legal System	Key Characteristics	Compliance Challenges	Representative Countries
Common Law	Based on case law and judicial decisions	Flexibility in legal interpretation, leading to unpredictability; requires tracking court rulings	USA, UK
Civil Law	Based on codified laws and statutes	Requires in-depth knowledge of legal codes; more rigid legal obligations	France, Germany
Religious Law	Based on religious doctrines May conflict with international legal standards; balancing religious and secular laws is challenging		Saudi Arabia, Iran
Customary Law	Based on traditions and customs	Lack of unified legal texts; compliance can be difficult in remote areas	Some regions in Africa, Asia

Table 1. Compliance Challenges in Different Legal Systems.

2.2.4. Need for Strategic Legal Management

Given the increased complexity of legal frameworks in a global context, corporate legal departments must adopt strategic approaches to legal management. This includes:

Conducting Comprehensive Legal Assessments: Organizations should conduct thorough assessments of the legal environments in which they operate, identifying key regulations and compliance requirements.

Implementing Robust Compliance Programs: Developing and maintaining comprehensive compliance programs that address local and international regulations is essential for mitigating legal risks.

Fostering Cross-Border Collaboration: Legal departments should foster collaboration with local legal experts and compliance teams to ensure a thorough understanding of the legal landscape in each jurisdiction [12].

2.3. Ethical Considerations and Cultural Differences in Legal Management

As globalization intensifies, multinational corporations must navigate not only legal complexities but also the ethical and cultural landscapes of the countries in which they operate. Ethical considerations and cultural differences play a critical role in corporate legal management, influencing how companies design their compliance programs, engage with local stakeholders, and manage legal risks.

Ethical concerns can vary greatly between regions, with differing expectations on corporate responsibility, labor practices, and environmental protection. For example, Western countries like the United States and members of the European Union often place heavy emphasis on corporate transparency, anti-corruption measures, and human rights compliance. Laws such as the Foreign Corrupt Practices Act (FCPA) in the U.S. and the UK Bribery Act mandate stringent anti-bribery and anti-corruption measures, making it imperative for multinational firms to adhere to high ethical standards in business operations across the globe. Failing to meet these standards can result in substantial legal and financial penalties, as well as reputational damage.

In contrast, ethical norms and legal expectations in developing countries may focus more on economic development and employment generation, sometimes resulting in less stringent enforcement of environmental or labor laws. Multinational corporations operating in these regions must strike a balance between meeting local expectations and complying with international ethical norms [13]. For instance, while a certain level of flexibility may be required to respect local customs or business practices, companies must remain vigilant to avoid practices such as exploitation of labor or environmental Cultural differences also play a significant role in legal management. For example, in some cultures, business transactions may rely heavily on personal relationships and trust, which can conflict with the more formal, contract-driven approaches common in Western legal systems. In many Asian countries, for instance, concepts like "guanxi" (\notin $\[mathbb{R}\]$), which emphasizes relationships and networks, are integral to business dealings. Legal managers must therefore be aware of these cultural nuances to ensure that their strategies not only comply with local laws but also respect and integrate into local business customs.

Another critical consideration is the variation in corporate governance practices across different regions. While Western countries generally adopt more rigid and standardized governance structures, other countries may have more fluid or hierarchical models. Legal managers need to adapt their compliance and risk management strategies to these different governance structures, ensuring that they account for variations in decision-making processes and power dynamics within organizations.

3. Challenges and Opportunities for Corporate Legal Departments

3.1. Managing Legal Risks in Different Jurisdictions

As corporations expand their operations across borders, the management of legal risks in different jurisdictions becomes a critical concern for corporate legal departments. Navigating this landscape involves understanding the distinct legal environments, compliance requirements, and cultural nuances that can impact business operations. Here, we explore the challenges and opportunities that arise when managing legal risks in diverse legal jurisdictions.

Jurisdiction	Key Legal Features	Compliance Challenges
United	Common law system; strong focus on	Variability in state laws; complex
States	contracts and torts	litigation landscape
European	Civil law system; GDPR for data	Compliance with strict data privacy
Union	protection	laws
China	Socialist legal system; significant	Navigating regulatory changes; local
	government oversight	enforcement variances
Brazil	Civil law system; extensive consumer	Understanding local regulations and
	protection laws	compliance costs
India	Common law system; evolving	Adapting to rapid legal changes and
	corporate governance standards	enforcement practices

 Table 2. Key Legal Differences Across Jurisdictions.

3.1.1. Complexity of Legal Environments

One of the foremost challenges in managing legal risks is the complexity of varying legal systems. Each jurisdiction has its own set of laws, regulations, and compliance requirements that can differ significantly from one country to another. For instance, labor laws in Europe tend to offer greater protections for employees compared to those in some regions of Asia or Africa, which may have more lenient regulations. Legal departments must invest time and resources to ensure they fully understand these differences and can effectively navigate the legal frameworks in each jurisdiction.

Example: A company operating in both the EU and the U.S. must comply with the General Data Protection Regulation (GDPR) in Europe, which imposes strict data privacy standards, while adhering to the more flexible regulations in the U.S. This

requires legal teams to develop tailored compliance strategies that respect the laws of both jurisdictions.

3.1.2. Risk of Non-Compliance

The risk of non-compliance is heightened in a global context, where companies may inadvertently violate local laws due to unfamiliarity or oversight. This can result in significant legal repercussions, including fines, sanctions, and damage to reputation. Companies must establish robust compliance programs that incorporate regular training for employees on local legal requirements, as well as monitoring systems to identify and mitigate potential compliance risks.

Mitigation Strategies: Implementing comprehensive compliance training programs, conducting regular audits, and establishing communication channels for reporting legal concerns can help mitigate the risks associated with non-compliance.

3.1.3. Cultural and Ethical Considerations

Cultural differences can complicate legal risk management further. Practices that are considered acceptable in one jurisdiction may be viewed as unethical or even illegal in another. For instance, the acceptance of gift-giving in some cultures may conflict with anti-corruption laws in Western jurisdictions. Legal departments must navigate these cultural nuances while maintaining ethical standards and compliance with international regulations.

Balancing Act: Companies need to create a framework that respects local customs while adhering to global ethical norms, fostering a culture of compliance that is sensitive to both legal and cultural contexts.

3.1.4. Opportunities for Risk Assessment and Management

Despite the challenges, managing legal risks across jurisdictions also presents opportunities for corporate legal departments. By developing a comprehensive risk management framework that encompasses multiple jurisdictions, organizations can identify potential vulnerabilities and create strategies to address them proactively.

Global Risk Assessment: Conducting a thorough risk assessment that evaluates legal, regulatory, and cultural factors across jurisdictions enables legal teams to prioritize risks and allocate resources effectively.

Leveraging Technology: Advanced technologies, such as legal analytics and compliance management software, can help legal departments streamline their processes, enhance risk assessment capabilities, and improve overall efficiency in managing legal risks.

3.1.5. Building Cross-Jurisdictional Teams

To effectively manage legal risks in different jurisdictions, corporate legal departments can benefit from building cross-jurisdictional teams composed of local legal experts and compliance professionals. These teams can provide valuable insights into local laws and practices, enabling the organization to respond more effectively to legal challenges.

Collaborative Approach: Fostering collaboration between in-house legal teams and external local counsel can enhance the organization's ability to navigate complex legal landscapes and ensure compliance across multiple jurisdictions [14,15].

3.2. Enhancing Compliance and Regulatory Adaptability

In today's dynamic global environment, corporate legal departments face the dual challenge of ensuring compliance with a multitude of regulations while remaining adaptable to changes in the regulatory landscape. As businesses expand their operations internationally, the need for robust compliance mechanisms that can swiftly respond to evolving legal requirements becomes increasingly critical. This section explores strategies for enhancing compliance and regulatory adaptability within corporate legal frameworks.

Component	Description	Importance	
Code of Conduct	Outlines expected behaviors and ethical standards	Guides employee behavior and decision-making	
Risk Assessments	Identifies potential vulnerabilities in compliance	Proactive risk management	
Training and Education	Provides ongoing legal education to employees	Ensures understanding of compliance obligations	
Compliance Monitoring	Implements systems to track adherence to regulations	Detects issues early and ensures accountability	

Table 3. Key Components of a Comprehensive Compliance Program.

3.2.1. Developing a Comprehensive Compliance Program

A foundational step in enhancing compliance is the development of a comprehensive compliance program tailored to the specific needs of the organization. Such a program should encompass policies and procedures that align with both local and international regulations. Key elements include:

Code of Conduct: A clear code of conduct that outlines expected behaviors and ethical standards helps to foster a culture of compliance within the organization.

Risk Assessments: Regular risk assessments identify potential compliance vulnerabilities across various jurisdictions, enabling proactive management of legal risks.

Training and Education: Ongoing training for employees at all levels ensures that staff are aware of relevant regulations and understand their responsibilities in maintaining compliance.

3.2.2. Leveraging Technology for Compliance Monitoring

Technology plays a pivotal role in enhancing compliance efforts. By leveraging compliance management software and data analytics tools, organizations can streamline their compliance processes and improve monitoring capabilities. Benefits include:

Automated Compliance Tracking: Automation of compliance tasks reduces the risk of human error and ensures timely adherence to regulatory requirements.

Data Analytics: Advanced analytics can provide insights into compliance trends and potential areas of risk, allowing organizations to adapt their strategies accordingly.

Document Management Systems: Efficient management of compliance documentation ensures that all records are easily accessible for audits and regulatory reviews.

3.2.3. Establishing a Regulatory Intelligence Framework

To stay ahead of regulatory changes, corporations should establish a regulatory intelligence framework that continuously monitors the legal landscape. This involves:

Monitoring Regulatory Developments: Keeping abreast of changes in laws and regulations through dedicated legal research teams or external legal counsel helps organizations anticipate and respond to new compliance requirements.

Stakeholder Engagement: Engaging with industry associations and regulatory bodies provides valuable insights into upcoming regulatory changes and best practices for compliance.

3.2.4. Fostering a Culture of Compliance

Creating a culture of compliance within the organization is crucial for ensuring adherence to legal standards. This can be achieved by:

Leadership Commitment: Strong commitment from top management to compliance initiatives reinforces the importance of regulatory adherence across the organization.

Open Communication: Establishing open lines of communication encourages employees to report compliance concerns without fear of retaliation, fostering a proactive approach to risk management.

3.2.5. Continuous Improvement and Adaptation

Compliance is not a static process; it requires ongoing evaluation and adaptation. Regularly reviewing and updating compliance programs ensures they remain effective and relevant. Organizations should:

Conduct Regular Audits: Routine compliance audits help identify gaps and areas for improvement, allowing for timely adjustments to compliance strategies.

Feedback Mechanisms: Implementing feedback mechanisms for employees to share insights on compliance practices promotes continuous improvement and adaptability [16].

4. Best Practices in Global Corporate Legal Management

4.1. Developing a Comprehensive Legal Strategy Aligned with Business Objectives

A well-structured legal strategy is essential for global businesses, ensuring that legal considerations support and align with the company's overall goals. This section outlines the key components of developing such a strategy.

4.1.1. Aligning Legal and Business Goals

Legal departments must work closely with executive teams to integrate legal considerations into the company's business strategy. Understanding business objectives, whether related to market expansion or innovation, allows legal teams to identify relevant risks and opportunities early on.

4.1.2. Risk Management and Compliance

A strong legal strategy includes proactive risk management and compliance. By conducting risk assessments and establishing compliance frameworks, companies can ensure adherence to local and international regulations. Regular monitoring of legal environments helps address potential pitfalls in different jurisdictions.

4.1.3. Flexibility and Adaptability

In an ever-changing global landscape, legal strategies must remain adaptable. Companies should implement systems to monitor legal developments and engage in scenario planning to prepare for regulatory changes or legal challenges.

4.1.4. Cross-Department Collaboration

Effective legal management requires collaboration with other departments, such as finance and HR. Cross-functional teams ensure legal risks are considered across the business, and internal communication keeps all stakeholders informed about legal developments.

4.2. Fostering Collaboration and Communication Within Legal Teams and with External Partners

Effective collaboration and communication are critical for corporate legal departments in a global setting. This involves both internal team dynamics and relationships with external legal partners.

4.2.1. Internal Team Communication

Regular team meetings and the use of collaboration tools help ensure that all legal team members are aligned and working toward common objectives. These practices promote clear communication and efficient workflow.

4.2.2. Cross-Functional Collaboration

Legal teams must work closely with other departments like finance and HR to integrate legal considerations into broader business decisions, helping address risks and ensure compliance across the company.

4.2.3. Partnering with External Experts

Maintaining strong relationships with external legal counsel allows for specialized expertise and ensures that external guidance complements internal strategies, especially in navigating complex international regulations [17].

4.3. Continuous education and training for legal professionals to adapt to global trends

As global legal environments evolve, ongoing education and training are essential for legal professionals to stay updated on international laws, regulations, and industry trends. This section outlines the importance of continuous learning in ensuring effective legal management.

4.3.1. Keeping Up with Global Legal Changes

Regular training allows legal professionals to stay informed about changes in international regulations, compliance requirements, and emerging legal challenges. This is crucial for maintaining the company's legal compliance across different jurisdictions.

4.3.2. Specialized Training Programs

Legal teams should participate in specialized training programs focused on areas such as cross-border transactions, intellectual property, or data privacy, ensuring they are equipped to handle global legal issues.

4.3.3. Promoting Lifelong Learning Culture

Creating a culture of continuous learning within the legal department encourages professionals to develop new skills, adapt to trends, and stay competitive in the global market [18-20].

5. Conclusion

In conclusion, the impact of globalization on corporate legal management is profound and multifaceted. As businesses expand their operations across borders, they encounter a complex array of legal frameworks, compliance requirements, and cultural differences. To effectively navigate these challenges, legal departments must adopt a comprehensive approach that encompasses several key strategies.

First, aligning legal strategies with overall business objectives ensures that legal considerations support corporate goals and mitigate risks. Second, fostering collaboration and communication within legal teams and with external partners enhances the ability to address legal issues proactively and efficiently. Third, continuous

education and training are crucial for legal professionals to stay informed about evolving global trends and regulatory changes.

By embracing these practices, legal departments can transform from traditional reactive functions into proactive strategic partners within their organizations. This shift not only strengthens compliance and risk management but also positions legal teams as integral contributors to business growth and success in a competitive global landscape. Ultimately, the ability to adapt and thrive in the face of globalization will determine the effectiveness of corporate legal management in the years to come.

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