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Research 1

The Problem of Legal Recognition of Online Stores in Arab Legislations

Dr. Ebaa Kassem Hnde

Syria, Al-Rasheed International Private University for Science and Technology,
EbaaHendi@gmail.com

Abstract:

Today, we are witnessing an increasing technological development across all fields, particularly in the area of commerce. Individuals are now able to establish remote stores, known as online stores, which differ from traditional stores. Traditional stores consist of a set of tangible and intangible elements, whereas online stores fundamentally lack tangible elements.

The system of electronic commerce has emerged at a time when global commercial patterns are undergoing significant transformation toward electronic transactions. In particular, E-commerce represents a continuously open market that operates around the clock, saving customers time and effort by enabling access to a wide range of goods and services with diverse options in an environment characterized by transparency and high competitiveness aimed at gaining consumer trust.

Despite the importance of online stores, they continue to face the problem of legal recognition and uncertainty regarding the legal rules governing them, especially in light of the absence of clear provisions in most Arab legislations defining the legal nature of online stores.

Keywords: Online store, customers, commerce, legal nature.

Introduction

The world is moving rapidly toward electronic commerce. Reports indicate that by the year 2040, online commerce is expected to account for approximately 95% of global buying and selling activities.

E-commerce has witnessed widespread expansion in recent years and has become one of the most important activities of the digital economy. However, this expansion has varied between developed and developing countries. While e-commerce has spread extensively in many countries, some states still lack widespread online shopping. This is due, on the one hand, to the absence of encouragement and support for e-commerce at the national level, and on the other hand, to the lack of legal provisions regulating such activities.

The Organisation for Economic Co-operation and Development (OECD) defines electronic commerce as the process of buying and selling goods and services carried out through digital communication means, via platforms specifically designed to send and receive purchase and sale orders electronically, supported by digital payment mechanisms.

Accordingly, this study seeks to define the concept of the online store and distinguish it from other electronic platforms, with the aim of determining the legal nature of the online store.

Problem Statement:

Despite the expansion of commercial activity conducted via the internet, legal systems in some Arab countries, including the Sultanate of Oman and Syria, continue to suffer from shortcomings in fully recognizing the online store as a legal entity.

Research Question:

To what extent are Omani and Syrian legislations adequate in regulating the legal nature of the online store ?

Research Methodology:

A comparative legal analysis, with reference to the Syrian model as a legislative example for comparison.

Significance of the Study:

Highlighting the need to develop the legislative framework in a manner that corresponds to the realities of the digital economy in the Sultanate of Oman and Syria.

Section One: The Concept of the Online Store

The technological development witnessed in the contemporary era has made it possible to establish online stores through the internet. This enables customers to browse easily online without being bound by a specific place or time, by using designated websites through which goods are displayed via the online store. An online store may thus be defined as a virtual space on the internet in which customers use specific software applications to view the services and products offered by the store.[1]

According to a study conducted in 2009, the United States of America held a significant share of global e-commerce activity, accounting for approximately 80% of worldwide e-commerce volume at that time. However, this percentage has since changed, with U.S. e-commerce now representing around 29% of global e-commerce sales.[2]

Nevertheless, the Sultanate of Oman occupies an important position with regard to e-commerce. Several initiatives in this field have been launched under the supervision of the Ministry of Commerce and Industry. The number of e-commerce licenses has reached nearly six thousand, with approximately one hundred online stores registered through the “Maroof Oman” platform. Although these figures remain insufficient for the Sultanate’s ambitions, Oman continues to pursue the development of legislation regulating e-commerce, which places it among the leading countries that show strong interest in electronic commerce.[3]

The Executive Regulation of Electronic Commerce in the Sultanate of Oman, issued by Decision No. 499 of 2023, defines electronic commerce in Article (1) as:

“An economic activity conducted between the licensed party and the consumer through an electronic means or an online store, for the purpose of selling, offering, marketing, or promoting goods or services, or exchanging data r.”[4]

In light of the importance of this subject, the United Nations Economic and Social Commission for Western Asia (ESCWA), as part of its work program, prepared a study on trade facilitation and electronic commerce in the ESCWA region, aiming to enhance effective participation in e-commerce and online marketing.[5]

[1]Inas Hashem Rasheed, “The Legal Nature of the Digital Store,” Al-Kufa Journal of Legal and Political Sciences, Vol. 15, Issue 52, 2022, p. 229.

[2]Mhana bin Rashid bin Hamad Al-Saadi, E-Commerce Contracts via the Internet: A Jurisprudential and Comparative Legal Study, 2019, p. 76.

[3]E-Commerce in the Sultanate of Oman, www.omandaily.om

[4]Regulatory Framework for E-Commerce in the Sultanate of Oman, issued under Decision No. 499 of 2023, Article 1: “Consumer is defined as a person who obtains a product or receives a service for consideration or without consideration.”

[5] United Nations Economic and Social Commission for Western Asia (ESCWA), Study Prepared to Facilitate Trade and E-Commerce in the ESCWA Region, 2001, p. 9.

Various definitions of electronic commerce have been proposed. The International Journal of Electronic Commerce defines it as the processes of selling, purchasing, delivering, and ordering goods from their producer or seller not through traditional means, but electronically, with such operations usually conducted via the internet.[6]

It is therefore essential to clarify the concept of the electronic store, distinguish it from the traditional store and the electronic platform, and examine its advantages, disadvantages, and key characteristics within this section.

[6] The International Journal Specialized in E-Commerce and Online Shopping, Middle East Edition, Year 2, Issue 1, 1999, p. 22.

Section One: The Concept of the Electronic Store

Article 43(1) of the Syrian Commercial Law No. 33 of 2007 defines a store as:

“A combination of tangible and intangible elements intended for the exercise of a commercial activity.”

Article 43(2) further states that a store generally includes the trade name, commercial address, trademark, customer base, lease rights regulated by special commercial laws and their amendments, as well as equipment, industrial tools, furniture, patents, licenses, drawings, and models, unless certain elements are expressly excluded in the store register or in the contracts related thereto.

According to these legal provisions, Syrian law considers the store to be an independent legal entity rather than a mere aggregation of separate elements. Its legal status arises from the integration of both material and immaterial components.[7]

In contrast, the Omani Electronic Transactions Law No. 39 of 2025 does not provide an explicit definition of the electronic store.

However, the Omani Regulation on Electronic Commerce No. 499/2023, issued by the Minister of Commerce and Industry, defines the electronic store as “an electronic platform through which a licensed person may conduct electronic commerce.”

Under this definition, the electronic store can be understood as a digital environment that enables the licensed entity to carry out economic activities with consumers, including the sale, display, marketing, or promotion of goods or services, as well as related data.

It is evident that the legislator equated the electronic store with the electronic platform by defining one in terms of the other, without establishing a clear conceptual distinction. This approach implies that the two concepts are identical or, at the very least, functionally interchangeable.

Moreover, the regulation does not offer a separate definition of the electronic platform as an independent legal concept, despite the clear distinction between the two in commercial practice.

[7]DR. Jamal Al-Din Abdullah Maknas, “The Issue of Registering the Store and Its Enforcement in Syrian Law,” *Studies in Sharia and Law Sciences*, Vol. 41, Issue 2, 2014, p. 1407.

This lack of conceptual clarity may give rise to practical and legal challenges, particularly in identifying and allocating legal liability. For instance, an electronic store may be operated by a single trader offering their own products, whereas an electronic platform typically serves as an intermediary that allows multiple traders to interact with consumers.

Ignoring this distinction may result in legislative gaps, particularly in disputes relating to liability for products or services, warranty obligations, and consumer protection.

Legal scholarship has defined the electronic store as:

“An electronic service accessed via the Internet, open to all users, which allows traders to display their goods or services to customers.”[8]

For our part, we define the electronic store as:

“A digital commercial establishment used by a trader to offer goods and services through the Internet.”

From the foregoing, it can be observed that the Syrian legislator explicitly stated that a store consists of both tangible and intangible elements, beginning its enumeration with the trade name, commercial address, and trademark, in recognition of their practical significance. However, the Syrian legislator did not expressly define the electronic store, unlike the Omani legislator, who defined the electronic store as an electronic platform that enables a licensed person to conduct electronic commerce through it. Nevertheless, this definition does not clearly indicate whether the elements of the electronic store correspond to those of the traditional store or differ from them.

[8] Ibrahim Al-Shambali, “The Electronic Store and Consumer Protection Requirements in the Saudi System,” Qada Journal, 2023, p. 268.

Subsection One: Distinguishing Between the Traditional Store, the Electronic Store, and the Electronic Platform

Following the Industrial Revolution of the eighteenth and nineteenth centuries, commercial activity evolved significantly, particularly with the emergence of large physical stores in urban centres.

In today's world, with the rapid advancement of information technology and the widespread use of the Internet, it became necessary for commerce to adapt to these technological developments. This transformation led to the emergence of the electronic store, which operates through the Internet.[9]

Despite certain similarities between electronic stores and traditional stores, there are fundamental differences between the two.

First: The Traditional Store

The traditional store is a physical commercial establishment that requires a tangible presence and a specific location for the display and sale of products. Under Omani law, one of the most important elements of the traditional store is the trade name[10].

Despite technological progress, some consumers still prefer shopping through traditional stores.

Traditional stores require skilled and experienced labor to operate effectively. They are also characterized by conventional payment methods, such as cash payments, checks, or bank transfers. Moreover, the cost of establishing traditional stores is generally very high.

It also requires substantial capital and the payment of workers' wages. As for the ordering of products, this is carried out through direct communication between the trader and the customer. Following the placement of the order, a printed invoice is issued as proof of the transaction.[11]

[9]Sharqi Abu Odeh, The Legal Regulation of Moral Rights: The Electronic Store in Jordanian Legislation, Master's Thesis in Private Law, Middle East University, 2024, p. 20.

[10] Omani Commercial Law, Royal Decree No. 55 of 1990, amended by Royal Decree No. 53 of 2019, Article 39.

[11]Munther Qassem Al-Battoush, The Legal System of the Electronic Store, Master's Thesis in Law, Mutah University, 2016, p. 22.

Second: The Electronic Store

The electronic store is a website that enables shopping through the Internet. Unlike the traditional store, it does not require a physical presence or a specific location. The essential components of an electronic store include a homepage for users, a product page, a shopping cart page, a checkout page, and an email address.

Some consumers prefer shopping through electronic stores due to the advantages they offer, which will be discussed later. Electronic stores generally require a limited workforce, resulting in significantly lower operating expenses for traders, particularly in terms of labor costs. Moreover, the cost of establishing an electronic store is considerably lower than that of a traditional store.

In electronic stores, products and goods are ordered online, and payment is made through electronic payment methods.[12]

Third: Distinguishing Between the Electronic Store and the Electronic Platform

A variety of concepts are used in the contemporary digital environment, most notably the terms “electronic store” and “electronic platform.” Although these terms are often used interchangeably in everyday discourse, closer examination reveals fundamental differences between them in terms of legal nature, economic function, operational requirements, and the responsibilities of the parties involved.

An electronic store may be understood as a privately owned digital site established by a trader, whether a natural or legal person, for the purpose of marketing and selling their own products or services directly to consumers. This model is characterized by full ownership of the website and its content, which entails complete control over the commercial process in all its stages, from product display and pricing to delivery and after-sales services. By contrast, an electronic platform is a shared digital space operated by an intermediary entity, typically a technology company, which enables sellers, whether individuals or institutions, to offer their products through it, as is the case with platforms such as Amazon and Noon. The platform acts as an intermediary between the seller and the consumer and benefits from the high volume of traffic generated by its centralization and reputation, thereby providing sellers with broader marketing opportunities without the need to establish independent websites.

[12]Syrian Electronic Transactions Law, Law No. 3 of 2014, Article 17.

An electronic platform may also be defined as an interactive digital environment that employs various web-related technologies to facilitate communication, transactions, and the exchange of goods and services.[13]

For the sake of simplification, the electronic store may be likened to a “shop located on a public street,” which requires prior knowledge of its location or deliberate access, whereas the electronic platform resembles a shopping mall that brings together multiple stores under one roof and attracts a large number of visitors due to its visibility and public prominence.

From an operational perspective, establishing an electronic store requires a relatively higher financial investment, particularly in website design, hosting services, technical support, and individual marketing campaigns. In addition, technical resources are needed to ensure fast browsing speeds and server security, especially as traffic increases. By contrast, electronic platforms allow sellers to offer their products within a ready-made digital environment in exchange for an annual subscription or a commission deducted from sales, thereby reducing the seller’s operational costs.

With regard to logistics, delivery responsibilities in electronic stores fall on the store owner, whereas delivery models in electronic platforms vary. The platform may provide delivery services itself or leave this responsibility to the seller, depending on the agreement between the parties.

In terms of financial returns, electronic platforms offer access to a broader audience, which enhances product marketing and visibility. However, this advantage comes at the cost of a commission charged on each sale, potentially reducing net profits. Conversely, the owner of an electronic store enjoys greater financial independence and retains full profits, but must independently bear all operational expenses. From a legal qualification perspective, some platforms cannot be considered electronic stores in the strict sense, as they neither own nor market the products displayed. Their role is limited to connecting users and enabling transactions between them, as seen in platforms such as Facebook Marketplace or Instagram Shop.

In such cases, the platform functions more as a commercial communication environment and does not assume the responsibilities of a seller or supplier. Accordingly, the distinction between the electronic store and the electronic platform is not merely terminological but rather involves regulatory and legal considerations related to the rights and obligations of the parties, supervisory mechanisms, the scope of liability for product quality, transaction transparency, and the implications for consumer protection.

[13]Mona Al-Haddad, Digital Platforms, see: <https://portal.arid.mylar-Ly>.

Subsection Two: Advantages and Disadvantages of the Electronic Store

Electronic stores offer numerous advantages that encourage consumers to use them. At the same time, they also involve certain disadvantages, the most significant of which are outlined below.

First: Advantages of the Electronic Store

1. Time Efficiency

Electronic stores are characterized by their ability to save time, as they eliminate the need for goods and buyers to be present in the same physical location. The owner of an electronic store is not required to be constantly present, nor is the customer required to visit the store in person, as is the case with traditional stores.[14]

2. Ease of Displaying Goods and Products

Electronic stores are distinguished by the ease with which goods and products can be displayed. Sellers are able to promote their products efficiently through digital means, which encourages consumers to make purchasing decisions.

3. Continuous Availability

Electronic stores are characterized by continuous availability, as the seller can offer and sell products at all times, even while operating from home. This stands in contrast to traditional stores, where the seller must be physically present and is unable to conduct sales during rest periods or outside working hours.

Second: Disadvantages of the Electronic Store

Just as electronic stores offer advantages that encourage both traders and consumers to use them, they also present a number of disadvantages and challenges, the most significant of which are as follows:

1. High Operating Costs for Large Electronic Stores

Studies have shown that one of the major challenges of online shopping lies in the high operational costs associated with large-scale electronic stores, rather than newly established ones. When comparing the volume of electronic commerce spending in Arab countries with the amounts spent on advertising on global platforms, the disparity becomes evident, as online shopping expenditure remains relatively low. For this reason, some Arab countries have adopted a cautious approach toward the widespread use of electronic stores.

[14]Advantages of the Online Store, www.qeematech.net

This cautious stance, however, contrasts with the rapid progress made by countries such as China in expanding the use of electronic commerce.[15]

2. Inadequate Protection of Electronic Store Customers

Due to the differing mechanisms of the electronic marketplace, consumers may be exposed to practices that compromise their interests, such as inaccurate or misleading product descriptions. Traders or producers may present exaggerated or false advantages of products, thereby deceiving consumers. The risks faced by consumers when using electronic stores may therefore exceed those encountered in traditional stores, particularly with respect to the inability to physically inspect products prior to purchase.[16]

3. Poor Product Imaging

One of the disadvantages of electronic stores is the lack of clarity or accuracy in product images displayed online. This may lead to consumer uncertainty and reluctance to complete purchases. Accordingly, sellers must ensure that product presentations are realistic and accurately reflect the actual goods in order to build consumer trust and encourage purchasing.

The electronic store is characterized by several key features, most notably ease of use, quality of content, and the provision of shipping and delivery services.

Subsection One: Ease of Use

Both traders who operate electronic stores and consumers benefit from ease of use, particularly in the modern era, where commercial development has coincided with rapid advancements in information technology. The use of electronic stores does not require complex procedures; rather, transactions are carried out through simple and user-friendly processes, whether for traders or consumers.

Subsection Two: Quality of Content

Traders consistently seek to attract customers by offering high-quality products. The quality of goods and products, as well as the manner in which they are presented through the electronic store, play a decisive role in encouraging consumers to make purchases. High-quality products motivate consumers to buy, and traders often enhance this appeal by offering discounted prices on well-known goods and products, which in itself is sufficient to attract customers through the provision of quality merchandise.

[15]Ahmed Abdullah Al-Awadi, "Factors Affecting E-Commerce and Marketing," *Economy and Society Journal*, Issue 6, 2010, p. 171.

[16]Ibid., p. 173.

Subsection Three: Provision of Shipping and Delivery Services

Electronic stores are distinguished by their ability to provide shipping and delivery services. Consumers place orders through the electronic store's website, and in order to encourage purchases, traders may offer shipping and delivery services either for a fee or free of charge, thereby incentivizing consumers to complete transactions.

Subsection Four: Availability of Electronic Payment Services

Electronic stores are characterized by the availability of electronic payment methods, such as payment by electronic or bank cards. Consumers are not required to carry physical cash; instead, they can complete purchases by paying electronically after selecting the desired product. In this manner, consumers can choose goods or products, purchase them, and pay their value through electronic payment systems.[17]

Chapter Two: Obligations of the Trader in the Electronic Store and the Legal Regulation of the Electronic Store

Section One: Obligations of the Trader in the Electronic Store

The Omani Executive Regulation on Electronic Commerce No. 499 of 2023 defines the legal relationship between the electronic trader and the consumer through a set of legal obligations imposed on the trader. These obligations may be summarized as follows:

First: The Requirement to Maintain a Clearly Defined Place of Business

Article (8) of the aforementioned Regulation obliges the trader to maintain a clearly defined place of business for the conduct of electronic commercial activities. The determination of this place varies according to the legal nature of the trader:

- 1.If the trader is a natural person, the place of business is the location specified in the license.
- 2.If the trader is a commercial company, the place of business is the address registered in the commercial register.

The purpose of this requirement is to enhance trust in electronic transactions and to ensure that the trader can be held legally accountable in the event of any breach of their obligations.

Second: The Obligation of Transparency and Electronic Disclosure

Article (9) of the Regulation imposes on the electronic trader the obligation to disclose, through a clearly visible electronic link, a set of essential information, including:

[17]Syrian Electronic Transactions Law, Law No. 3 of 2014, Article 1.

1. Accurate information relating to the goods or services offered, in accordance with applicable legislation.
2. Measures adopted to protect the consumer's personal data, reflecting an explicit commitment to privacy protection.
3. Procedures for receiving and handling consumer complaints.
4. The tax number, if applicable.
5. The license number and trademark.
6. Contact information and customer service details.
7. The policy governing replacement and returns, in accordance with Omani laws.

This obligation not only ensures transparency but also serves as an effective mechanism for enhancing consumer trust and protecting consumers from fraud or misleading practices.

Third: Affiliation with a Licensed Electronic Payment System

Pursuant to Article (10) of the Regulation, the electronic trader must be affiliated with a bank or a licensed payment service provider in the Sultanate of Oman in order to offer secure electronic payment tools. This requirement constitutes one of the fundamental safeguards for the protection of consumers' financial rights.

Fourth: Correction of Errors in Orders Prior to Delivery

Article (11) of the Regulation requires the trader to provide a clear mechanism for correcting errors in orders, whether such errors originate from the trader or the consumer, provided that the goods or services have not yet been delivered or shipped. This provision grants consumers a degree of security and flexibility in the event of mistakes occurring during the electronic ordering process.

Fifth: Respecting the Consumer's Choice to Opt Out of Electronic Notifications

Under Article (12) of the Regulation, the trader is required to provide consumers with a means to discontinue electronic notifications. This obligation falls within the broader framework of privacy protection and the prevention of digital nuisance.

Sixth: Immediate Notification of Competent Authorities in the Event of Security Breaches

Pursuant to Article (13) of the aforementioned Regulation, if the electronic medium or the electronic store is subjected to a security breach, the trader must immediately notify the competent authority and inform the Ministry upon becoming aware of the incident. This obligation constitutes a fundamental requirement for the protection of consumer data and

the safeguarding of cybersecurity in electronic transactions, and is enforced under the threat of legal accountability.

Section Two: The Legal Regulation of the Electronic Store

The electronic store represents a direct outcome of the digital transformation experienced by global commercial activity. It is characterized by technical and organizational features that fundamentally distinguish it from the traditional store in terms of nature, location, constituent elements, and mode of operation.

Although the electronic store shares the same objective as the traditional store, namely, the conduct of commercial activity, it differs in terms of the means employed and the legal and technical environment in which it operates. This divergence necessitates an independent legal characterization that takes into account the specific nature of electronic commerce.

First: Absence of the Physical Element and the Predominance of Intangible Elements

The electronic store is primarily composed of purely intangible elements, including:

1. The domain name.
2. Customer databases.
3. User interface design and website architecture.
4. Software and application rights.
5. Digital reputation and electronic reviews.
6. Social media accounts associated with the store.

These elements constitute non-material digital rights that fall within the scope of intellectual property or moral rights. In most cases, a tangible physical element, such as a geographical location, equipment, or fixed inventory, is absent, which clearly distinguishes the electronic store from the traditional commercial establishment.

In the absence of a clear legislative determination of the elements of the electronic store under Syrian law, reference may be made to Syrian Commercial Law No. 33 of 2007. Article 43 thereof provides that a store consists of both tangible and intangible elements.[18]

Second: Rejection of the Classification of the Electronic Store as an Independent Patrimony

[18] Syrian Electronic Transactions Law, Law No. 3 of 2014, Article 24: "In all matters not explicitly addressed by this law, reference shall be made to the Commercial Law, the Electronic Signature and Network Services Law, the Law Regulating Online Communication and Combating Cybercrime, the Consumer Protection Law, the laws regulating the work of the Central Bank of Syria, the relevant rules of international commercial custom related to the transaction or electronic commercial activity, and all other applicable laws and regulations."

In light of the theory of independent patrimony[19], its application to the electronic store appears inaccurate, as the latter does not constitute a financial entity existing independently from the trader or the owning entity.

Notably, the law does not grant the electronic store an independent legal personality, nor does it provide a legal framework that allows for the creation of a legally protected digital patrimony separate from the owner's original patrimony.

Accordingly, it cannot be asserted that the electronic store enjoys an independent patrimony, and a "digital legal personality" cannot be conferred upon it, except in the event that it is transformed into a digital company or a separate legal entity.

Third: Rejection of Its Classification as a Real-Asset Ensemble

Applying the theory of a real-asset ensemble to the electronic store also appears unsuitable. This theory presupposes the existence of interconnected elements "in reality" within a physical unit (such as a warehouse, location, tools, or employees), which are characteristics that do not apply to the electronic store. The electronic store is managed remotely, and its components may be distributed across multiple servers in different countries.

Furthermore, the components of the electronic store are not physically interconnected; rather, their connection is functional and technical. Consequently, it is difficult to separate a digital element from its operating environment or to assign it a physical location. The theory of the real-asset ensemble has not gained broad acceptance, particularly because it does not clarify whether the trader maintains an independent patrimony from the commercial establishment or operates under a single patrimony. [20]

Fourth: Adoption of the Digital Intangible Property Concept

The most appropriate legal characterization of the electronic store is to consider it an intangible movable asset, referred to in modern doctrine as "digital intangible property," which falls within the category of intangible assets similar to trademarks, copyrights, and patents.

[19] Mohammad Farouk Abu Al-Shamat & Jamal Al-Din Maknas, *Commercial Rights (Commercial Activities, Merchants, and the Store)*, Damascus University Publications, Faculty of Law, 2022, p. 244.

[20] Munther Qassem Al-Battoush, *The Legal System of the Electronic Store*, Master's Thesis, Department of Law, Mutah University, Jordan, 2016, p. 29.

Under this characterization:

1. The electronic store is considered an intangible asset that may be transferred, leased, or licensed.
2. It falls within the scope of legal protection for intellectual and intangible property rights.
3. It enjoys protection against unfair competition and digital piracy under electronic commerce and data protection laws.
4. In case of disputes, it is subject to the same rules governing intangible assets, and possession principles do not apply.

Conclusion

The electronic store represents an advanced form of the traditional store. Both share several aspects, particularly the presence of tangible and intangible elements. Accordingly, the electronic store can be defined as the commercial entity through which a trader conducts business via the Internet by owning and operating a website.

The obligations outlined in the Omani Executive Regulation on Electronic Commerce are not limited to organizing the relationship between the trader and the consumer; they also aim to establish a safe and reliable digital commercial environment. Compliance with these obligations constitutes a fundamental requirement for engaging in electronic commerce in the Sultanate of Oman, forming part of the broader framework that the state seeks to establish within the contemporary digital economy.

Characterizing the electronic store as a transferable digital intangible asset represents the most appropriate legal treatment, as it accounts for its technological and economic particularities. The electronic store is neither a real-asset ensemble nor does it possess an independent patrimony; rather, it is an intangible unit of digital rights protected under intellectual property law and contemporary digital regulations, especially in the absence of explicit legislative provisions in most Arab legal systems.

on the above analysis, the following findings and recommendations can be drawn:

Findings

1. The electronic store is an advanced form of the traditional store, operating through a website on the Internet.
2. The electronic store acquires commercial status by engaging in business activity, similar to the traditional store.
3. The electronic store consists of a combination of tangible and intangible assets, with intangible elements predominating.
4. The prevailing approach regarding the legal nature of the electronic store is that it constitutes a bundle of intangible property rights (a transferable digital intangible asset).

Recommendations

1. Work on developing and updating electronic systems to facilitate rapid and convenient ordering for customers.
2. Expand electronic payment methods while ensuring legal protection for consumers in cases where payment is made but the product is not delivered.
3. Develop specific legal frameworks for electronic stores to provide comprehensive legal protection for both traders and consumers.
4. Promote the development of technological infrastructure and encourage e-commerce initiatives supported by the state.

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