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# NEGOTIATING EXCLUSIVITY IN INTERNATIONAL TRADE: STRATEGIC INSIGHTS FROM KOREAN AESTHETIC PRODUCTS IN BRAZIL AND THE UNITED STATES

Marcia Caldeira de Souza Castro<sup>1</sup>, Murillo de Oliveira Dias<sup>2</sup>

<sup>1,2</sup> *Fundação Getúlio Vargas, Brazil*  
*\*Corresponding author: agenda.murillo@gmail.com*

## KeyWords

Negotiation, Exclusivity, International Trade, BATNA, ZOPA, Conflict Management, Aesthetic Products, Brazil, United States, K-beauty

## ABSTRACT

This research project analyzes the negotiations of the conditions under which the supplier would grant the distributor exclusive distribution rights for the importation of Korean aesthetic and dermatological products into Brazil and the United States. The case study illustrates the complexities of negotiating conditions in cross-border trade relationships, where exclusivity is a double-edged sword. The negotiation process involved a delicate balancing act between the supplier's need for assurance—achieved through conditions such as minimum required purchase quantities, aggressive growth projections, and tight contractual stipulations—versus the distributor's requirement for financial protection and the feasibility of the products' success in target markets. The terms that emerged from the parties' compromise reflect a mutually beneficial outcome. Insights from the research project highlight the importance of preparation, emotional intelligence, and conflict resolution in establishing a solid foundation for building a successful international partnership.

## Introduction

Negotiation is a strategic capability that all managers need, regardless of the degree of complexity or globalization of the context in which they operate. In the context of international trade, however, negotiations must take into account not only cultural aspects and regulatory frameworks but also the high stakes involved in monetary commitments. Zartman (1988) contends that negotiation processes share certain elements common to all negotiation contexts. However, negotiations across national borders require greater sensitivity to issues such as risk distribution and long-term partnerships. The global market for aesthetic and dermatological products has recently emerged as a fast-growing market due to the rise of consumerism for self-care products, advances in product technology, and social media. K-beauty focuses on scientific research, technological development, and attractive product branding. (Kim, 2025). K-beauty focuses on scientific research, technological development, and attractive product branding, which has created opportunities for distributors to obtain exclusive distribution contracts in return for competitive pricing. This case study will analyze negotiations related to the awarding of a conditional, exclusive distribution contract for the importation into Brazil and the United States of Korean aesthetic products. This case study analyzed negotiations related to the awarding of a conditional, exclusive distribution contract for the importation into Brazil and the United States of Korean aesthetic products. Exclusivity will provide distributors with incentives, such as market power and the ability to differentiate their products from those offered by competing distributors. Exclusive distributors are also required to fulfill certain obligations, however. Scheuer et al. (2025), for example, emphasize collaborative negotiation in small businesses, while Smejoff et al. (2025) analyze negotiation processes in civil construction projects, and Valle et al. (2025) apply integrative strategies to optimize supply chains. In these various studies and articles, however, one common thread does appear: negotiation is not merely a transactional process, but rather one that creates a strategic position that generates systemic value. This article

contributes to the existing body of knowledge on negotiation processes by analyzing an international case study of negotiations involving aesthetic products in dermatology markets. This article applies concepts such as BATNA (Best Alternative to a Negotiated Agreement), ZOPA (Zone of Possible Agreement), and an integrative approach to demonstrate how distributive conflicts can be overcome productively. Finally, this negotiation is a Type IV negotiation (Dias, 2020), where multiple parties negotiate multiple issues, as illustrated in Figure 1:



Figure 1 The Four-Type Negotiation Matrix  
Source: Dias, 2020. Reprinted with permission

## METHODOLOGY

The methodology employed in this study is a qualitative case study, as recommended by Yin (2004), to examine the negotiation processes in the selected international trade case study. The case study selected for this purpose concerns negotiations over the conditional exclusive distribution contract for Korean aesthetic products in Brazil and the United States. Data were collected by observing the negotiation process, analyzing the contractual proposals presented, and analyzing the market studies completed prior to the negotiations. These case studies were subsequently analyzed according to established concepts related to negotiation processes (e.g., BATNA, ZOPA, distributive vs. integrative approaches) (Fisher, Ury & Patton, 1981; Shell, 2006). The variables analyzed in this case study include the various stages of the negotiation process and the resolution of conflicts in this case. In addition, Brazilian literature on negotiation (Scheuer et al., 2025; Smejoff et al., 2025; Valle et al., 2025) was also applied to contextualize these findings appropriately within managerial contexts. This type of methodology will allow for a deep exploration of negotiation processes as a strategic activity, but it also has limitations when comparing findings across different case studies.

## LITERATURE REVIEW

Negotiation has been established as a strategic capability across various organizational contexts. Zartman (1988) emphasizes that negotiation processes share universal elements, such as the distribution of risks and benefits, but that their application varies according to cultural, institutional, and sectoral factors. In international trade, however, exclusivity agreements intensify these factors by concentrating market power in a single distributor, thereby increasing the potential returns and risks of negotiation outcomes.

Fisher et al. (1981) introduced concepts that have since become the foundation of negotiation theory: BATNA (Best Alternative to a Negotiated Agreement) and ZOPA (Zone of Possible Agreement). These concepts are still referenced in contemporary discussions on negotiation. BATNA provides negotiators with a sense of security by specifying the alternatives available should no agreement be reached. ZOPA identifies the limits within which an agreement is possible. Shell (2006) further emphasizes the importance of preparation and objective clarity as the decisive factors in establishing a bargaining position.

Brazilian scholarship has enriched this body of literature by examining negotiation in various sectors. Scheuer et al. (2025), for example, explore the benefits of a collaborative approach in small businesses and demonstrate that it promotes mutual gains and strengthens relationships, revealing that negotiation is more than a mere exchange of goods and services; it can also produce systemic benefits when trust and cooperation are prioritized. Similarly, Smejoff et al. (2025) study negotiation in civil construction projects and find that integrative approaches are more likely to satisfy both financial and operational requirements than distributive approaches. Finally, Valle et al. (2025) show that even negotiations that initially appear distributive can be transformed into opportunities for mutual benefit by expanding the negotiation agenda. In this study, the authors examine the transition from a distributive to an integrative approach in supply chain optimization. The distributor, however, was reluctant to assume excessive financial risks and wanted clarity

on how to promote the product in the market. By shifting from a distributive to an integrative approach, however, the parties succeeded in negotiating an exclusivity agreement that balanced the potential for growth with cautionary prudence. This literature review positions the case study within a global negotiation framework (Fisher et al., 1981; Shell, 2006; Zartman, 1988) while also anchoring it within Brazilian empirical research (Scheuer et al., 2025; Smejoff et al., 2025; Valle et al., 2025; Soliva et al., 2025; Tanabe et al., 2025; Valente & Dias, 2023), demonstrating that negotiation theory provides valuable insights into managing complex international agreements. The integration of these perspectives enriches our understanding of negotiation as a managerial competence that can help negotiators establish sustainable partnerships in the emerging global healthcare and cosmetic markets.

## CASE DESCRIPTION

The initiative manifested itself in response to the growing interest of aesthetic professionals in Korean products. Clinics and technicians are looking for innovative, novel, active ingredients, and up-to-date protocols to enhance their services. The initiative thus identified an opportunity for a structured project that would link a Korean supplier to promising international markets without intermediaries. Before any initial contact was made, a preliminary analysis of the market was carried out, which included assessing potential demand, potential sales, and competition, as well as estimating the logistical and regulatory costs of penetrating these new markets. Based on this analysis, a commercial expansion strategy was implemented. Later, contact was made with a Korean supplier, and an initial proposal for exclusive distribution was made for Brazil and the USA. The proposal demonstrated vision, expertise in the matter, and desire to invest in developing the brand. All the parties expressed interest in expanding beyond their domestic market but hedged their bets by requesting non-exclusivity for their distribution arrangements. The supplier did not want to associate too much of their early efforts with a single distribution partner.

## OPTIONS

Among the supplier's demands were the following: (a) High minimum purchase volume; (b) Aggressive annual growth targets; (c) Mandatory investment in marketing; (d) Full responsibility for the regulatory process, and (e) Strict contractual performance clauses. These options indicated that, at this point, the central point of contention was the distribution of risk, as the supplier required consequences for the supplier, while the expectations for initial orders and marketing investments needed to be realistic for a pioneering initiative with new products that would require time to break into the market. The negotiation required a standpoint and emotional maturity, as although the opportunity was attractive, there were no indications that the conditions imposed were realistic or would allow for the project's long-term viability.

## FINDINGS AND ANALYSIS

In the early rounds, the supplier adopted a distributive strategy, requiring high-volume commitments, aggressive annual growth goals, significant marketing investment, and responsibility for all regulatory affairs. However, the distributor's expectations endangered its viability. By calculating a clear BATNA that sought alternative suppliers or an agreement without exclusivity, the anxiety dropped, and the power to bargain increased. Moreover, an analysis of the supplier's BATNA showed that distributing through multiple channels was an option, although it would never deliver the benefits of an exclusive partner. Calculating ZOPA was an essential step in this negotiation—the upper limit set by the distributor aligned with progressive purchase-volume targets and mechanisms for renegotiating contractual requirements. This negotiation evolved from a distributive strategy to an integrative approach. The condition-based purchasing volume requirements that focused on specified markets (Brazil and Florida) and were regularly reassessed transformed the negotiation climate. The parties focused on establishing a solid partnership. The parties finally agreed upon corresponded with a fair compromise. The parties were ultimately able to correspond and arrive at a fair compromise. The compromise of conditional exclusivity for Brazil and Florida, progressive purchasing-volume goals that match the momentum of the markets, and the conditions for periodic renegotiations exceeded the negotiations of a simple commercial agreement; this was an agreement that would build trust and pave the way for future agreements. These outcomes align with the effective negotiation frameworks presented in the literature.

## DISCUSSION

This case study aligns with the concepts presented in various negotiation theories and with supporting empirical studies across several sectors. Fisher et al. (1981) and Shell (2006) discuss BATNA, ZOPA, and preparation, all concepts that were relevant to this case. Zartman (1988) focuses on the universal nature of negotiation elements, as this case also confirmed. However, it also addressed international negotiations concerning cultural and regulatory aspects. This also applies to contributions from Brazilian authors on the topic. Scheuer et al. (2025) focus on collaborative negotiations in small businesses, aligning with the notion that trust is essential to successful negotiations. However, this also applies to negotiations concerning exclusivity in international markets. Smejoff et al. (2025) show how integrative negotiations can be resolved in civil construction projects by balancing multiple objectives. However, this case also confirms that distributive conflicts can be transformed into an integrative approach. In all these contexts, it is evident that the effective use of negotiation as a managerial competence can create a "value

chain" for stakeholders rather than see it as a process for "winning" against the other party. Negotiations should be more about securing a contract than locking down a distribution deal; they pave the way for developing sustainable partnerships.

## IMPLICATIONS

The effective negotiation of conditional exclusivity for importing Korean aesthetic products into Brazil and the USA indicates that this concept extends far beyond international trade negotiations. With his co-authors, Dias has repeatedly argued that negotiation is a management tool that promotes organizational sustainability and professional respect across diverse contexts. Scheuer et al. (2025) specifically demonstrate that a collaborative approach to negotiations can enhance trust between stakeholders in small businesses. This is specifically relevant to negotiations over exclusivity in international markets, where distributors and suppliers need to invest time in building trust before focusing on meeting rigid expectations. Smejoff et al. (2025) discuss integrative negotiation in civil construction, balancing financial and operational considerations. The exclusivity case similarly balances supplier security with distributor viability by integrating approaches such as progressive purchase targets and review conditions. The implication for other industries is that integrative negotiations expand the negotiation agenda, turning distributive contests into collaborative contests. Valle et al. (2025) demonstrate how a negotiation shifts from a distributive to an integrative process in supply chain optimization.

Soliva et al. (2025) emphasize the need to remain adaptable when negotiation rules change in the middle of the process. The exclusivity case study required persistence and flexibility in an environment of shifting demands for contractual expectations. The implication for other fields, including health management and project development, is that managers need to remain adaptable to changing regulatory or market conditions while maintaining a sense of coherence. Tanabe et al. (2025) show how managers should use BATNA and ZOPA to strengthen consumer rights in real estate negotiations. In the exclusivity case study, identifying BATNA and ZOPA helped maintain a balance between prudence and opportunity. The implication for other industries and fields is that managers should systematically identify all alternatives and constraints to avoid impulsive decisions. Valente and Dias (2023) confirm the role of thorough preparation and strategic presence in retail pharmacy negotiations. The exclusivity case study also relied on thorough preparation, including market analysis and financial modeling, to build credibility for the distributor. The implication for other fields or industries is that thorough preparation is a universal requirement for successful negotiations. Overall, the implications of this case study confirm the universality of negotiation as a managerial competency. Lessons learned from this case study, such as preparation, understanding one's own emotions, remaining adaptable, and using integrative approaches, apply to all industries, from health management and civil construction to supply chains, retail, and real estate. Negotiation is not only about obtaining agreements and concessions but also about building sustainable partnerships while balancing risks and creating value over time.

## LESSONS LEARNED

The conditional exclusivity negotiation for the importation of Korean Aesthetic Products into Brazil and the USA generated important lessons. Preparation was the most significant lesson. As Shell (2006) emphasizes, coherence in objectives and evidence-based proposals creates a solid foundation for negotiation. The preparation of simulations, market data, and regulations provided an objective basis for negotiation and reduced impulsive concessions. According to Fisher et al. (1981), BATNA provides security, while ZOPA provides a realistic range of negotiation outcomes. According to Zartman (1988), negotiations are not conflict-free but rather skillfully managed risks and interests. By using active listening, empathy, and assertive communication, the distributor transformed potential tensions into collaborative dialogue, thus creating space for mutual value generation. This outcome is consistent with the insights of Scheuer et al. (2025), who emphasize the importance of trust and long-term relationships in small-business negotiations. Finally, adaptability was essential to achieving a successful outcome.

## LIMITATIONS

The findings are limited to a single negotiation in the dermocosmetic sector and cannot be generalized to other sectors without additional research. Another limitation is that the reliability of information depends on self-reported information and internal records. Although the performance indicators used in the negotiation and available in the records enhance reliability, subjectivity may still influence interpretations. Another limitation is that only internal records were consulted. An analysis of additional information sources, such as customer feedback or comments from industry participants involved in negotiations for similar products, may have provided additional insights into the negotiation's outcomes. However, this study did not analyze other dimensions of the negotiation's outcomes, such as consumer reactions or delays related to regulatory processes.

## CONCLUSION

In conclusion, this article demonstrated that negotiation is a process rather than a one-time event. The negotiation for conditional exclusivity for the importation of Korean Aesthetic Products into Brazil and the USA has shown that seemingly conflicting interests can be transformed into collaborative agreements using preparation, BATNA, ZOPA, and an integrative approach. The lessons from this case study confirm that preparation maintains credibility, BATNA ensures security, and ZOPA sets reasonable boundaries. Emotional intelligence and adaptability

enable negotiators to manage conflicts skillfully. The final agreement would be conditional exclusivity in Brazil and Florida with progressive targets and review clauses, balancing opportunity with prudence through compromise and strategic alignment. Dias et al. confirm these lessons in their studies across multiple sectors. Scheuer et al. (2025) emphasize trust in small businesses, Smejoff et al. (2025) find integrative approaches in civil construction, Valle et al. (2025) highlight transitions in supply chains, Soliva et al. (2025) emphasize the role of adaptability, Tanabe et al. (2025) confirm BATNA and ZOPA in real estate, and Valente & Dias (2023) reinforce preparation in retail pharmacy negotiations. These studies confirm that negotiation is a universal managerial competence. Thus, the conclusion is that negotiations can transform threats into opportunities for systemic improvements. International trade negotiations for exclusivity agreements require not only properly constructed contracts that address potential issues but also a relational approach, preparation, and adaptability. The appropriate management of these processes will establish sustainable partnerships across sectors.

## FUTURE RESEARCH

Future research should extend the negotiations in international trade and in healthcare-related markets in several directions: Comparative case studies in different regions, markets, or sectors can identify sector-wise dynamics and rules. For instance, exclusivity negotiations in the pharmaceutical, medical device, or technology sectors can be conducted. Longitudinal research can examine changes over time, for example, the growth of an organization or changes in regulations. Soliva et al. (2025) observe that adaptability is crucial when rules change during negotiations; longitudinal research can assess how researchers maintain their positions over time. Quantitative research that examines the correlation between specific negotiation practices and performance outcomes can broaden the field of study. For example, the correlation between an integrative approach and improved profitability, stronger partnerships, or reduced conflicts can be measured.

Cross-sector research that examines negotiations beyond a single sector can be valuable. Smejoff et al. (2025), for example, discuss civil construction; Valle et al. (2025) refer to supply chains; and Tanabe et al. (2025) reference the real estate sector. Other sectors worth exploring for this research include healthcare and international trade. Finally, cultural aspects should not be overlooked. International trade negotiations involve a variety of cultural expectations around trustworthiness, communication styles, and the binding nature of contracts. Future research can explore how a better understanding of these cultural aspects can improve the outcomes of cross-border exclusionary agreements. In other words, future research should be broadened (in terms of depth and width) and extended to cover various sectors and regions, as well as incorporate considerations around culture for a more inclusive understanding of negotiation competence that can be applied to a variety of complex scenarios and facilitate relationships between parties that are mutually beneficial.

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