

THE POTENTIAL GEOGRAPHICAL INDICATION OF CENTRAL SULAWESI DURIAN FRUIT AS A PREMIUM PRODUCT CAN SUPPORT THE ADVANCEMENT OF NATIONAL CIVILIZATION

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Abstract: In the context of agricultural production, the Parigi Moutong Regency, abbreviated as Kab. Parimo, stands out as a prominent producer of durian within Central Sulawesi. The durian cultivated in this region is renowned for its exceptional qualities, characterized by a delightful flavor profile that is both fragrant and sweet. This article aims to explore the potential for establishing a Geographical Indication (GI) for durian from Central Sulawesi, positioning it as a superior product with enhanced value derived from its geographical identity. Geographical Indication serves as a formal acknowledgment that associates a product with its geographic origin, thereby imparting uniqueness and specific attributes that are not found in similar products from other regions. The distinctive characteristics of Central Sulawesi durian present a compelling case for its marketing as a unique agricultural product in both national and international markets. Further, the cultivation and promotion of this product are anticipated to bolster the sustainability of the local economy while simultaneously enhancing the competitiveness of the durian in a broader marketplace. Additionally, this endeavor supports the preservation of biodiversity and reinforces the cultural identity of the local community. The protection afforded by Geographical Indications positions Central Sulawesi durian not only as a product of substantial economic value but also as a critical instrument in fostering the advancement of national civilization—encompassing economic, cultural, and ecological dimensions. The objectives of this article include identifying and analyzing the potential Geographical Indication status of Central Sulawesi durian, evaluating the challenges inherent in the process of elevating this product to superior status, and proposing recommendations for its sustainable development.

Keywords: Central Sulawesi Durian; Potential Geographical Indications; Premium Product

INTRODUCTION

As an agricultural nation, Indonesia boasts a wealth of diverse plant species thriving throughout the archipelago. The country produces a range of superior agricultural products, including Cianjur Rice, Cilembu Sweet Potatoes, Mandoti Glutinous Rice, Toraja Coffee, Gayo Coffee, and Kintamani Coffee, all known for their exceptional quality and unique characteristics attributed to their specific geographical regions. This abundance not

only contributes to family welfare but also strengthens the local economy and supports national development.

Among Indonesia's natural riches are various fruit-bearing plants, with the Durian tree standing out. Central Sulawesi is renowned for producing some of the finest durian fruit in the country. The region's location along the equator and its sandy soil make it particularly suitable for various tropical plants,

yielding a delectable flavor profile.¹

One of the prominent durian producers in Central Sulawesi is Parigi Moutong Regency, often referred to as Kab. Parimo. The durian fruit from this area is celebrated for its delightful taste, fragrant aroma, and sweet, rich flavor. Notably, the durian from Parigi Moutong has achieved export quality standards. The first export of durians to Thailand occurred through PT. Duko Food International, sourcing durians from both Parigi Moutong and Sigi Regency (Kulawi), among other areas. This initial shipment consisted of six containers, facilitated by the Palu Agricultural Quarantine Agency.²

Central Sulawesi is renowned for its abundant production of durian fruit, celebrated for its delicious and authentic flavor, making the protection of its Indication of Origin essential. Within the framework of Intellectual Property Rights (IPR), particularly regarding Trademarks and Geographical Indications as specified in Law Number 20 of 2016, it is possible to register a product as a Potential Geographical Indication prior to securing full Geographical Indication protection. This is outlined in Government Regulation Number 56 of 2022, which addresses Communal Intellectual Property.

According to Article 1, number 6 of the aforementioned regulation, a Potential Geographical Indication refers to a product that derives its unique reputation from geographic environmental factors, including natural and human influences, or a combination

of both. Such products have the potential to be recognized as Geographical Indications and have not yet been officially registered.

The role of Intellectual Property Rights (IPR) in enhancing the productivity of durian fruit lies in providing legal protection for the authenticity of the product. This protection signifies that the quality of the fruit can only be achieved in specific, unique regions and can thus support national heritage. Geographical indication serves as a vital type of Intellectual Property Rights (IPR) aimed at safeguarding superior agricultural products. Consequently, the government can utilize Geographical Indication protection as a strategic approach to boost productivity. Even before receiving the official designation of Geographical Indication, it is feasible to propose the protection of Potential Geographical Indications.

This article draws on the findings of the author's comprehensive research.³ and aims to demonstrate the potential of the durian fruit as a candidate for Geographical Indication registration, thereby enhancing productivity and supporting national food security.

It is crucial to protect the Central Sulawesi durian fruit promptly, particularly in light of its prominent promotion during the Durian Festival in Parimo Regency. Additionally, successful exports have already taken place, with the initial shipment being sent to Thailand. Consequently, safeguarding the durian fruit is essential to prevent deceptive labeling that misrepresents its geographical origin.

¹ H de Foresta et al., *Ketika Kebun Berupa Hutan Agroforest Khas Indonesia Sumbangan Masyarakat Bagi Pembangunan Berkelanjutan.*, International Centre for Research in Agroforestry, 2000.

² <https://www.parigimoutongkab.go.id/11-Berita/1474-Parigi-Moutong-Ekspor-Perdana-Buah-Duren-Ke-Thailand-2.html>. Diakses Tgl 3 Oktober 2024.,” n.d.

³ Sitti Fatimah Maddusila et al., “Prospek Potensi Indikasi Geografis Buah Durian Sebagai Produk Unggulan Yang Bereputasi Sebagai Khas Daerah Dalam Perlindungan Hak Merek Dan Hak Indikasi Geografis Di Kabupaten Parigi Moutong” (Palu, 2024).

A Geographical Indication is a form of Intellectual Property Rights (IPR) that provides legal protection for the authenticity of a product, typically marked by its area of origin.⁴ This label signifies that the product's quality derives from its unique characteristics, environmental resources, or a combination of both. Geographical indications can serve as valuable assets, enhancing the welfare of local communities.

METHOD

This study employs empirical legal research, specifically a type known as juridical-empirical research, which is often referred to as field research or sociological legal research. This approach emphasizes the collection of primary data obtained directly from the community through fieldwork. The data collection methods involve meticulous reviews and interviews.

Observations focus on community activities, particularly those associated with the prospects of Durian fruit and product labeling for items that have not yet been registered for brand protection and Geographical Indication (GI). Additionally, the study examines the potential for obtaining Geographical Indication certification, which can enhance the reputation and quality value of superior products, making them competitive for export alongside other Durian varieties found in the archipelago. In-depth interviews were conducted with relevant stakeholders, along with focus group discussions.

The research was carried out in

Parigi Moutong Regency (Parimo). The research sample consists of respondents specifically chosen by the researcher for inclusion in the study. This involved a Non-Random Sampling method, known as Purposive Sampling, wherein samples are deliberately selected based on predetermined traits and characteristics that align with the required data criteria.

The respondents in this matter include the following groups and officials:

1. Community leaders, traditional leaders, religious leaders, women's leaders, youth representatives, coffee farmers, and village officials;
2. The Head of the Plantation and Livestock Service for Parigi Moutong Regency;
3. The Head of the Industry and Trade Service for both Parigi Moutong Regency and Central Sulawesi Province;
4. The Central Sulawesi Regional Office of Law and Human Rights.

ANALYSIS AND DISCUSSION

Exploring the Potential and Established Geographical Indications for Parimo Durian.

Geographical Indications (GIs) play a pivotal role in safeguarding the Communal Intellectual Property of various products while simultaneously enhancing export opportunities. By emphasizing the unique quality and characteristics inherent to specific locales, GIs significantly elevate the competitiveness of products in the global market, thereby fostering differentiation and bolstering their reputational standing. It is crucial to acknowledge the value of Intellectual Property as a vital societal asset, particularly in terms of sustaining economic and industrial endeavors.

In the context of Indonesia, GIs can

⁴ Kal Raustiala and Stephen R. Munzer, "The Global Struggle over Geographic Indications," *European Journal of International Law* 18, no. 2 (2007): 337–65, <https://doi.org/10.1093/ejil/chm016>.

serve as a strategic instrument for the promotion and protection of the Intellectual Property associated with superior industrial products originating from diverse regions. This approach has the potential to enhance the economic standing of local producers, broaden market share for their products, and ensure the ongoing sustainability of the local environment and cultural heritage.⁵

Despite their potential, many Geographical Indications remain unenrolled; thus, they have not yet been registered formally. The concept underlying GIs is rooted in the notion that the exceptional quality of agricultural products is largely determined by their geographical provenance.

An illustrative example is the Parigi Moutong Durian, which has long been recognized as a staple product, particularly its variant, Mentari Durian. The diversity of durian cultivars available from local agricultural communities presents a distinct advantage and offers considerable reputational value.⁶

The credibility of this product is further reinforced through research endeavors and comparative studies with similar products from other regions, alongside the proactive support of local government entities, notably the Regent of Parimo. This governmental backing is instrumental in empowering durian farmers to augment their production levels. Increased durian output can consequently improve the economic conditions of families, communities, and the nation at large.

It is regrettable that, despite the potential for exportation, many durian

producers have yet to obtain a Geographical Indication Potential certificate or an indication of origin label. The absence of such certifications not only obscures the product's identity but also heightens the risk of engendering unfair competitive practices within the market.

The quality standards for exports are both reputable and exceptional. If the Parimo durian has been exported without clearly indicating its origin, it is the government's responsibility to promptly pursue obtaining a Geographical Indication certificate. However, prior to seeking Geographical Indication Certification, it would be advisable to register the product as one with potential for Geographical Indication status. Achieving this status will provide automatic protection and clarify the origin of the product.

The Role of Government and the Role of Related Agencies in the Potential Geographical Indications of Parimo Durian

The Parigi Moutong Regency Government, widely recognized as Parimo, has undertaken a significant promotional initiative by organizing an International Durian Festival under the theme "Durian Parimo GO International." This festival, which took place from July 4 to July 6, 2023, at Mosing Siney Beach, served as a platform for numerous micro, small, and medium enterprises (MSMEs) specializing in durian products. Central Sulawesi Province has distinguished itself as a premier region for durian cultivation within Indonesia, further reinforcing its status as a critical area for durian production. This acknowledgment highlights the region's agricultural prowess and strategic importance in the global durian market. Consequently, our research team is motivated to visit the Parimo Regency to conduct a

⁵ Dyah Permata Budi Asri, "Perlindungan Hukum Hak Kekayaan Intelektual Bagi Produk Kreatif Usaha Kecil Menengah Di Yogyakarta," *Jurnal Hukum Ius Quia Iustum* 27, no. 1 (2020): 130–50, <https://doi.org/10.20885/iustum.vol27.iss1.art7>.

⁶ Victor Bintang Panunggul et al., *Pengantar Ilmu Pertanian* (Bandung: Widina Media Utama, 2023).

comprehensive field study, allowing us to gain firsthand insights into the durian industry and its socio-economic impacts.

During our visit to the Department of Education and Culture, particularly within the Cultural Sector, we were greeted by Mr. Mohammad Taufan, S.Pd., M.H.⁷ who demonstrated significant responsiveness to our research team's presence. Following a comprehensive interview process that facilitated the exchange of valuable information, it became evident that the Department's role is crucial, particularly in relation to the potential of the Parimo Durian Geographical Indication.

Their responsibilities encompass various aspects of culture, dance, and tradition, which align with the objectives outlined in the Government Regulation concerning Communal Intellectual Property (KIK). This regulation asserts that Geographical Indications (IG) are inherently connected to communal identities and values. Moreover, the Department's functions are reinforced by the Law on the Advancement of Culture (UUPK 2017), which underscores the importance of cultural preservation and promotion.

The potential for Geographical Indications is intricately linked to the concept of Indication of Origin.⁸ Notably with regard to the durian fruit, a long-standing agricultural staple within the Parimo community. There exists significant potential for this product to be

featured in the educational and cultural inventory aimed at bolstering the local economy, highlighting the Parimo Durian as a key asset in this endeavor.

Following the initial phase of the study, the research team engaged in an interview with Mr. Fit Dewana S.STP.⁹ the Head of the Parimo Industry and Trade Service. Mr. Dewana expressed a positive outlook regarding the potential for Parimo durian to be registered as a Geographical Indication (GI). However, he indicated that the registration of Geographical Indications or the proposal for a potential GI is not currently a priority within his agenda. Instead, he emphasized a range of other superior agricultural prospects that warrant attention. It is acknowledged that Parimo Regency is a significant contributor to the food supply in Central Sulawesi.

Despite the findings indicating that the proposal for a Potential Geographical Indication for Parimo durian has not been prioritized, the research team remains optimistic. It is anticipated that, following the dissemination of information and proposals by the research team, the local government may reassess its priorities and consider advancing the registration application for a Potential Geographical Indication certificate for Parimo Durian. Securing such a certificate would facilitate the labeling of durian designated for export with a GI label, thereby enhancing the product's marketability.

The introduction of an indication of origin label for Parimo Durian would serve to clarify the designation of source, potentially contributing to improved livelihoods for durian farmers and fostering economic development within

⁷ Interview, "Moh. Taufan, S.Pd. Is the Head of the Cultural Values Section of Tradition/Civil Service at the Office of Education and Culture, Parigi Moutong Regency. Interview Dates Are 17 and 18 July 2024, and 26-27 September 2024."

⁸ Winda Risna Yessiningrum et al., "Perlindungan Hukum Indikasi Geografis Sebagai Bagian Dari Hak Kekayaan Intelektual," *Jurnal IUS Kajian Hukum Dan Keadilan* 3, no. 7 (2015): 42–53.

⁹ Interview, "Fit Dewana, S.STP, Has Been Appointed as the Head of the Parigi Moutong Industry and Trade Service. The Interview Took Place on July 18, 2024," n.d.

the Central Sulawesi region. Nonetheless, the regional government faces numerous challenges in this endeavor, including the necessity for funding to bolster production capabilities, expand market access, enhance human resource management skills, and stimulate innovation.

Despite these challenges, the prospects associated with obtaining a Geographical Indication certificate are noteworthy.¹⁰ Such a certification would not only provide legal protection but also enhance product quality recognition and offer a framework for bolstering regional economic activity. Furthermore, a comprehensive promotional strategy encompassing both conventional and digital marketing tactics could significantly broaden the market reach of Parimo durian on local, regional, and international scales.¹¹

The Potential of Geographical Indications as Support for National Civilization

Geographical Indications (GI) play a significant role in fostering regional economic growth. Beyond enhancing the market value of products, registered GIs offer numerous advantages. Yasonna H. Laoly, during his tenure as Minister of Law and Human Rights, emphasized that GIs serve as valuable national assets. Registered GIs can boost the income of producers of indigenous regional products, create opportunities for competition in both national and international markets, and expand export

potential more broadly.¹²

Indonesia possesses vast natural and human resources, yet the number of registered investors groups (IGs) does not reflect this potential. This is particularly evident in the Central Sulawesi region, which is rich in natural resources, including the widely available and nearly year-round durian fruit.¹³

The success of durian farmers in Central Sulawesi, particularly from Parimo Regency, has prompted the regional government to organize an international Durian Fruit Festival in 2023. The Parigi Moutong International Durian Festival took place from July 4 to 6, 2023, at Mosing Siney Beach in Parigi Moutong, with the theme "Durian Parimo Goes International."

The festival featured a variety of events, including a gathering of numerous durian micro, small, and medium enterprises (MSMEs), a fruit parade showcasing creations and processed products from each sub-district, a durian fruit competition with a total prize of 40 million rupiah, and the opening of a focus group discussion (FGD) aimed at developing and marketing superior national durian.

The 2023 Parimo International Durian Festival aims to:

1. Enhance the contribution of durian

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<https://sippn.menpan.go.id/berita/127836/Rumah-Penyimpanan-Benda-Sitaan-Negara-Mojokerto/Peduli-Indikasi-Geografis-Sebagai-Aset-Nasional-Yang-Berharga>. Accessed Oktober 6, 2024.,” n.d.

¹³ Edward Gland Tetelepta, *Geografi Pariwisata, Photosynthetica*, vol. 2 (Mojokerto: Insight Mediatama, 2024), <http://link.springer.com/10.1007/978-3-319-76887-8%0Ahttp://link.springer.com/10.1007/978-3-319-93594-2%0Ahttp://dx.doi.org/10.1016/B978-0-12-409517-5.00007-3%0Ahttp://dx.doi.org/10.1016/j.jff.2015.06.018%0Ahttp://dx.doi.org/10.1038/s41559-019-0877-3%0Aht>.

¹⁰ Giovanni Belletti, Andrea Marescotti, and Jean Marc Touzard, "Geographical Indications, Public Goods, and Sustainable Development: The Roles of Actors' Strategies and Public Policies," *World Development* 98 (2017): 45–57, <https://doi.org/10.1016/j.worlddev.2015.05.004>.

¹¹ Ervan Susilowati, *Hak Kekayaan Intelektual (HKI) Di Indonesia: Teori Dan Praktik* (Padang, Sumatera Barat: Tazaka Innovatix Labs, 2023).

- agricultural products to the Gross Regional Domestic Product (GRDP);
2. Establish Parigi Moutong as a prominent agro-tourism destination, particularly in marine tourism;
 3. Improve the welfare of farmers, and;
 4. Broaden the export market for Parigi Moutong durians.

The Parigi Moutong (Parimo) durian fruit stands out as a superior product when considered from the perspective of its geographical indication. Known for its sweet, rich flavor and delightful fragrance, this durian is a testament to the dedicated efforts of local farming communities who have cultivated it for generations. Ongoing research and the development of various durian varieties have further enhanced its prominence, culminating in Parimo Regency's selection as the host of the International Durian Festival.

This festival not only highlights the objectives for promoting durian but also signals the growing recognition of Central Sulawesi's durian on the international stage. It emphasizes the importance of providing communal intellectual property protection for local products deemed superior.

As a fundamental step in this process, it is essential to issue a certificate of Geographical Indication Potential, reinforcing the authenticity of this product as originating from Parigi Moutong Regency. Among the notable varieties is Durian Mentari, which has already been introduced and successfully marketed in Osaka, Japan, showcasing its potential to thrive in global markets.¹⁴

Additionally, the exceptional quality of Parimo durian fruit, which

benefits from the protection of geographical indications as previously discussed, should be recognized with a potential certificate for geographical indication. However, the process to conduct research and administrative procedures for obtaining Geographical Indication Certification can be lengthy. Therefore, there is the option to register its Geographical Indication Potential in the meantime.

Why is this significant? The durian fruit from Parigi Moutong Regency has been exported extensively, further emphasized by the International Durian Festival, which allows the entire community the chance to enjoy free durian. This festival is set to take place in July 2023 in Tinombo District, Parigi Moutong Regency.

As one of Indonesia's leading durian producers, Central Sulawesi boasts various varieties, including Montong Durian, Copper Durian, Black Durian, and Sun Durian, as well as a wealth of local durian types that are popular in international markets. Additionally, durian has emerged as the MSME product with the highest sales at the 2022 MSME voluntary auction, highlighting its prominence as the symbol of Central Sulawesi Province.¹⁵

There is a significant need to continuously promote Geographical Indication Products through enhanced public awareness, collaboration with other countries, specific trade cooperation agreements, and effective promotion and branding strategies. Achieving this

¹⁴ Muhammad Ikbal, "The Chief Researcher, and Owner of PT. Arumia, a Company That Specializes in Import and Export.," n.d.

¹⁵ Fokus Produk Unggulan, Parigi Moutong Gelar Festival Durian Internasional Tahun 2023. <https://www.djkn.kemenkeu.go.id/kpknl-palu/baca-berita/32744/fokus-produk-unggulan-parigi-moutong-gelar-festival-durian-internasional-tahun-2023.html> Accessed Februari 2," n.d.

requires the cooperation of relevant ministries and agencies, alongside the crucial role of the Geographical Indication Protection Society (MPIG).¹⁶

To bolster the potential of Geographical Indications, the Ministry of Law and Human Rights (Kemenkumham), through the Directorate General of Intellectual Property, establishes an annual theme focused on intellectual property. Since 2018, the designations have included the Year of Geographical Indications in 2018, the Year of Industrial Design in 2019, the Year of Communal IP in 2020, the Year of Patents in 2021, the Year of Copyright in 2022, and the Year of Trademarks in 2023. For 2024, the focus will return to celebrating the Year of Geographical Indications.¹⁷

In 2024, there is significant momentum among all stakeholders, including the Central Sulawesi regional government and the Geographical Indications Concern Community (MPIG), to increase awareness and registration of the Geographical Indication potential for local Parimo Durian products. Efforts will focus on sustainable promotions and the empowerment of Geographical Indication products.

CONCLUSION

A geographical indication is a recognition that associates a product with its region of origin, endowing it with

unique qualities that set it apart from similar products in other areas. Central Sulawesi durian, in particular, has distinct characteristics that can serve as key selling points in both national and international markets. In addition to bolstering the local economy's sustainability, the development of the Potential Geographical Indication for durian is anticipated to enhance product competitiveness, preserve biodiversity, and reinforce the cultural identity of the local community.

The protection of Geographical Indications positions Central Sulawesi durian not merely as a product of significant economic value but also as having a strategic role in advancing the nation's civilization across cultural, economic, and ecological dimensions. Geographical Indications (GI) play a crucial role in regional economic growth and yield numerous benefits. Registered GIs can elevate the income of producers of locally sourced products, create opportunities for competition both nationally and internationally, and expand export potential.

Legal protection for the Potential Geographical Indication of superior regional products offers advantages that can enhance a product's market value, signify its region of origin and quality, prevent fraudulent practices, and strengthen the nation's overall civilization.

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¹⁶ Angela Tregear, Áron Török, and Matthew Gorton, "Geographical Indications and Upgrading of Small-Scale Producers in Global Agro-Food Chains: A Case Study of the Makó Onion Protected Designation of Origin," *Environment and Planning A* 48, no. 2 (2016): 433–51, <https://doi.org/10.1177/0308518X15607467>.

¹⁷ <https://sippn.menpan.go.id/Berita/127836/Rumah-Penyimpanan-Benda-Sitaan-Negara-Mojokerto/Peduli-Indikasi-Geografis-Sebagai-Aset-Nasional-Yang-Berharga>. Accessed Oktober 6, 2024."

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