No. 7400019

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Quali-Sel, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF seventeen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Domingos 41'

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington *this* seventh *day of* September *in the year of our Lord one thousand nine hundred and* seventy-six

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(2-12-71)

UNITED STATES DEPARTMENT OF AGRICULTURE
CONSUMER AND MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1. VARIETY NAME OR TEMPORARY DESIGNATION Domingos 41	2. KIND NAME Lettuce	FOR OFFICIAL USE ONLY PVPO NUMBER 7400019
3. GENUS AND SPECIES NAME Lactuca sativa L.	4. FAMILY NAME (*Botanical*) Compositae	FILING DATE 9-28-73 / TIME 10:00 A.M.
	5. DATE OF DETERMINATION June 17, 1972	FEE RECEIVED $250 / CHARGES
6. NAME OF APPLICANT(S) Quali-Sel, INC. n/k ~~B-C SEEDS, INC.~~	7. ADDRESS (*Street and No. or R.F.D. No., City, State, and ZIP Code*) 1143 Madison Lane Salinas, California 93901	8. TELEPHONE AREA CODE AND NUMBER (408) 422-8500 422-6489
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (*Corporation, partnership, association, etc.*) Corporation	10. STATE OF INCORPORATION California	11. DATE OF INCORPORATION March 1, 1972

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

GEORGE J. NETTER, ESQ.
Kendrick and Subkow
Suite 1260
612 South Flower Street
Los Angeles, California 90017

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

[X] 12A. Exhibit A, Origin and Breeding History of the Variety (*See Section 52, P.L. 91-577*)

[X] 12B. Exhibit B, Botanical Description of the Variety

[X] 12C. Exhibit C, Objective Description of the Variety

[X] 12D. Exhibit D, Data Indicative of Novelty

[X] 12E. Exhibit E, Statement of the Basis of Applicant's Ownership

The applicant declares that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable. (*See Section 52, P.L. 91-577*).

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? (*See Section 83(a), P.L. 91-577*) (*If "Yes," answer 14B and 14C below.*) [X] YES [X] NO n/f 9/7/76

14B. Does the applicant(s) specify that this variety be limited as to number of generations? [ ] YES [X] NO

14C. If "Yes," to 14B, how many generations of production beyond breeder seed?

Applicant is informed that false representation herein can jeopardize protection and result in penalties.

The undersigned applicant(s) of this sexually-reproduced novel plant variety believe that the variety is distinct, uniform, and stable as required in Section 41 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act (P.L. 91-577).

September 11, 1973
(DATE)

(SIGNATURE OF APPLICANT)

Nathan J. Olivas, President

(DATE)

(SIGNATURE OF APPLICANT)

00001

FORM GR-470 (REVERSE)

RECEIVED SEP 28 1973 U. S. DEPARTMENT OF AGRICULTURE AGR. ECON. DIV. PVPO

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and $50.00 fee to U.S. Dept. of Agriculture, Consumer and Marketing Service, Grain Division, Hyattsville, Maryland 20782. Retain one copy for your files. All items on the face of the form are self-explanatory unles noted below.

ITEM

5 Insert the date the applicant determined that he had a new variety.

12a First, give the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. Second, give the details of subsequent stages of selection and multiplication. Third, indicate the type and frequency of variants during reproduction and multiplication and state how these variants may be identified. Fourth, provide evidence on stability.

12b First, give any special characteristics of the seed and of the plant as it passes through the seedling stage, flowering stage and the fruiting stage. Second, describe the mature plant and compare it with a similar commercial variety grown under the same conditions, and indicate the differences.

12c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.

12d Provide complete data indicative of novelty. Seed and plant specimens may be submitted and seeds submitted may be sterile. Where possible, include photographs of plant comparisons, chemical tests, etc.

12e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

Plant Variety Protection Number: 7400019

DOMINGOS 41

EXHIBIT A

Origin and Breeding History of the Variety

1. DOMINGOS 41 originated from a hand pollinated cross between Great Lakes 66 and Great Lakes B Strain. The cross was made in the Salinas Valley of California in 1968 by B C SEEDS' personnel.

2. Initial trial plantings were conducted in 1969 to allow for individual plant selection work. Several subsequent trial plantings were made following the initial selection process to allow for segregation and more comprehensive evaluations and selections. These selections were made on the basis of size, color, texture and heading tendencies.

3. The procedures involving trial plantings, evaluations and plant selections were repeated numerous times before finally attaining the desirable type. These plantings were conducted in Yuma, Arizona and the Salinas, San Joaquin and Imperial Valleys of California.

4. DOMINGOS 41 is genetically uniform and free of any distinct variations.

VARIETY: Domingos 41

EXHIBIT B: Botanical Description of the Variety

Annual. A crisphead variety with medium sized frame. Wrapper leaves smooth and of medium size. Wrapper leaves are broad (similar to Great Lakes 66). Plant color is outstanding (dark green with exceptional high gloss). Head is spherical. Butt of plant is smooth with uniform medium green color. Petioles are medium smooth. Texture of the tissue is exceptionally thick. Adapted to late fall harvest in the San Joaquin and Imperial Valleys of California. Also adapted to late spring and early summer harvest in the Salinas Valley. Seedstalk very uniform in height. Produces a compact panicle and is a medium seed yielder. Seed color is white.

FORM GR-471
(4-3-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

EXHIBIT C

DOMINGOS 41

P.V.P. No. 7400019

OBJECTIVE DESCRIPTION OF VARIETY
(LETTUCE)

INSTRUCTIONS: See reverse.

NAME OF APPLICANT(S)
QUALI-SEL, INC. (Formerly B C Seeds, Inc.)

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)
1143 Madison Lane, Salinas, Ca 93901

(P O Box 1804, Salinas, Ca 93901)

FOR OFFICIAL USE ONLY

PVPO NUMBER
~~397-1~~ - 7400019

VARIETY NAME OR TEMPORARY DESIGNATION
DOMINGOS 41

Place the appropriate number that describes the varietal character of this variety in the boxes below.

1. PLANT TYPE: [4][2]
10 = CUTTING (Leaf) 20 = STALK
50 = BUTTERHEAD 60 = LATIN
70 = OTHER (Specify) _____

30 = COS
31 = SELF-CLOSING GROUP
32 = LOOSE-CLOSING GROUP

40 = CRISPHEAD
41 = IMPERIAL GROUP
42 = GREAT LAKES GROUP
43 = VANGUARD
44 = NEW YORK GROUP

2. SEED COLOR: [1]
1 = WHITE 2 = BLACK 3 = YELLOW

3. ANTHOCYANIN: [1]
1 = ABSENT 2 = PRESENT

4. LEAF CONTAINING ANTHOCYANIN: [4]
1 = COVERED 2 = SPOTTED 3 = ALONG MARGIN 4 = ABSENT 5 = OTHER (Specify) _____

5. LEAF SURFACE TEXTURE: [1]
1 = SMOOTH 2 = BLISTERED

6. LEAF SURFACE REFLECTANCE: [2]
1 = DULL 2 = GLOSSY 3 = OTHER (Specify) _____

7. LEAF MARGIN: [2]
1 = STRAIGHT 2 = WAVY
3 = CURLED

[1]
1 = ENTIRE 2 = DENTATE 3 = INCISED
4 = DEEPLY INCISED 5 = OTHER (Specify) _____

8. LEAF SHAPE: [1]
1 = ROUNDED 2 = POINTED

[1]
1 = BROADER THAN LONG 2 = LONGER THAN BROAD 3 = OTHER (Specify) _____

9. LEAF COLOR: (See reverse.) [7]
1 = RED 2 = REDDISH-BROWN 3 = YELLOW 4 = YELLOWISH-GREEN 5 = GREYISH-GREEN
6 = BLUE-GREEN 7 = DARK-GREEN 8 = VERY DARK GREEN

10. HEADS: [1]
1 = SPHERICAL 2 = FLATTENED 3 = ELONGATE
4 = POINTED 5 = NON-HEADING

11. PLANT SIZE: (See reverse.) [2]
1 = SMALL 2 = MEDIUM 3 = LARGE

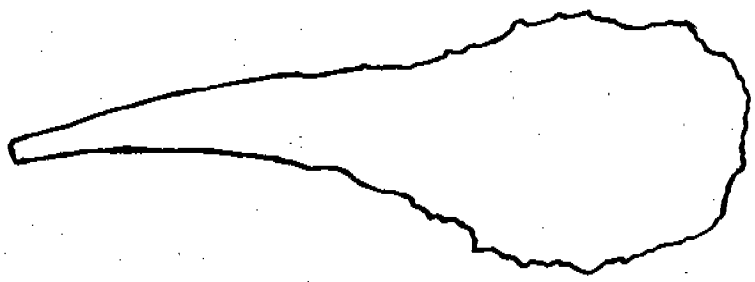
12. CULTURE: [5]
1 = SUMMER CROP 2 = WINTER CROP 3 = NOT SPECIFIC 4 = UNDER GLASS 5 = OTHER (Specify) Late Fall, Early Summer, Late Spring

13. SIZE OF 10-DAY OLD SEEDLING GROWN UNDER CONSTANT LIGHT (Growth Chamber) **AT 25° C.:** (Place a zero in first box (i.e. [0][2]) when size is 9 mm. or less.)
[7][9] mm. LENGTH OF SEEDLING [1][5] mm. LENGTH OF COTYLEDON [0][3] mm. WIDTH OF COTYLEDON

14. DISEASE RESISTANCE TO: (Enter zeroes in box(es) where there is no special disease resistance.)
* [2] 1 = TIPBURN [2] 2 = MOSAIC [1] 3 = DAMPING OFF [2] 4 = DOWNY MILDEW
[2] 5 = SCLEROTINIA ROT [1] 6 = BROWN BLIGHT [1] 7 = BIG VEIN [ ] 8 = OTHER (Specify) _____

* 1-Not Tested
2-Susceptible
3-Resistant

15. OUTLINE THE FOURTH LEAF: (For standardization purposes, the fourth leaf should be taken from a 20-day old plant grown under constant light.)



P.V.P. No. 700019

VARIETY: DOMINGOS 41

EXHIBIT D: Data Indicative of Novelty

Domingos 41 most closely resembles the variety Great Lakes 66. The distinguishing features of Domingos 41 compared to Great Lakes 66 include:

1. It has a good range of adaptability suitable for production in the San Joaquin and Imperial Valleys of California in the fall and the Salinas Valley in late spring and early summer. Great Lakes 66 is limited to summer production in the Salinas Valley of California.

2. It has a heavier leaf texture not found in Great Lakes 66. The leaf texture is similar to the variety Val Rio.

3. It possesses an extremely high glossy color not currently found on any commercial Great Lakes strain. The color is similar to the dark-green shade found on the variety Val Rio.

4. It does not produce upright foliage growth to protect the head as well as the Great Lakes 66.

5. It is slightly smaller in average frame size, but will produce an optimum diameter head size of 5½" to 6".

VARIETY: Domingos 41

EXHIBIT E:

The applicant is the breeder. All rights have been assigned to Quali-Sel, Inc.

FORM GR-471 (REVERSE)

16. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY
Leaf color	Val Rio
Leaf pigmentation	Great Lakes B
Leaf shape	Val Rio
Plant size	Great Lakes 66
Head size	Great Lakes 66

VARIETY	NO. OF DAYS TO HEAD MATURITY UNDER WINTER CROPPING	LOCATION	NO. OF DAYS TO HEAD MATURITY UNDER SUMMER CROPPING	LOCATION	NO. OF DAYS TO SEED STALK EMERGENCE UNDER SUMMER CROPPING	LOCATION
Submitted	Approximately 107 days	Yuma, Ariz	Approximately 79 days	Salinas Valley, Ca.	Approximately 125 days	San Joaquin Valley, Ca
Similar	Approximately 97 days	Yuma, Ariz	Approximately 73 days	Salinas Valley, Ca.	Approximately 119 days	San Joaquin Valley, Ca
Name of similar variety →	CALMAR		CALMAR		CALMAR	

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for completing this form:

1. C. M. Rodenburg, 1960, Varieties of Lettuce, An International Monograph, Institunt Voor de Veredeling van Tuinbouwgewassen, Wageningen, Holland.

2. L. L. Morse, 1930, Field Notes on Lettuce, published by Ferry-Morse Seed Co.

LEAF COLOR: Nickerson's or any recognized color fan may be used to determine the leaf color of the described variety. The following lettuce varieties may be used as a guide to identify the eight colors listed on the form.

Color	Variety
Red	"Salad Trim"
Reddish-brown	"Ruby"
Yellow	"Salad Bowl"
Yellowish-green	"Oakleaf"
Greyish-green	"White Boston"
Bluish-green	"Bibb"
Dark-green	"Imperial" group
Very dark green	"Deer Tongue"

PLANT SIZE: The following varieties may be used as a guide to identify the plant type size:

TYPE	COMPARABLE VARIETIES		
	SMALL	MEDIUM	LARGE
Cutting (leaf)	Boston-Curled	Prize Head	Grand Rapids
Stalk (stem)	Celtuce	--	--
Cos	Express	Parris Island	Giant White
Crisphead	Mignonette	Hanson (Merit)	Climax
Butterhead	Tom Thumb	Big Boston	Mammoth Butter
Latin	Sucrine	Creole	Deer Tongue