No. 7600001

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow Seed Company

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 (7 U.S.C. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

EGGPLANT

'Gator'

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* 30th *day of* December *in the year of our Lord one thousand nine hundred and* seventy-seven

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(12-15-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL 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	2. KIND NAME	FOR OFFICIAL USE ONLY
~~XP 2025~~ (Gator)	Eggplant	PV NUMBER 7600001
3. GENUS AND SPECIES NAME	4. FAMILY NAME *(Botanical)*	FILING DATE 7-29-75 / TIME 3:30 P.M.
Solanum melogena	Solanaceae	FEE RECEIVED $250.00 / BALANCE DUE $7-29-75
	5. DATE OF DETERMINATION 1971	$250.00 / $10-17-77
		$250.00 / $12-19-77

6. NAME OF APPLICANT(S)	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*	8. TELEPHONE AREA CODE AND NUMBER
Asgrow Seed Company	Kalamazoo, MI 49001	(616) 382-4000

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)*	10. STATE OF INCORPORATION	11. DATE OF INCORPORATION
Corporation	Delaware	3/22/68

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

~~Allen R. Trotter~~ JOHN A. BATCHA
Asgrow Seed Company
Kalamazoo, MI 49001

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- [X] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [X] 13B. Exhibit B, Botanical Description of the Variety
- [X] 13C. Exhibit C, Objective Description of the Variety
- [X] 13D. Exhibit D, Data Indicative of Novelty
- [X] 13E. Exhibit E, Statement of the Basis of Applicant's Ownership

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). (If "Yes," answer 14B and 14C below.)* [ ] YES [X] NO

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

14C. If "Yes," to 14B, how many generations of production beyond breeder seed? [ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

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.

The undersigned applicant(s) of this sexually-reproduced novel plant variety believes 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.

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

original application submitted 7/29/75 — John A. Batcha
(DATE) (SIGNATURE OF APPLICANT)

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(DATE) (SIGNATURE OF APPLICANT)

JUL 29 1970

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and $250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, 6525 Belcrest Road, Hyattsville, Maryland 20782. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Insert the date the applicant determined that he had a new variety based on the definition in Section 41 (a) of the Act and decision is made to increase the seed.

13a 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.

13b 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.

13c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.

13d Provide complete data indicative of novelty. Seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty may be submitted. Seeds submitted may be sterile.

13e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

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Exhibit A: ORIGIN AND BREEDING HISTORY OF "XP2025" 'GATOR' EGGPLANT

~~XP2025~~ 'GATOR' was selected (in 1964) from a segregating population which originated from the cross Florida Market and a Plant Introduction Cultivar. In 1971, after undergoing five cycles of selection, it had achieved stablility and uniformity. Our evaluations since 1971 to the present, indicate that ~~XP2025~~ 'GATOR' has remained stable, uniform and free of off types.

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Exhibit B: BOTANICAL DESCRIPTION OF "~~XP2025~~ 'GATOR'" EGGPLANT

~~XP 2025~~ 'GATOR' is a late or main season variety, flowering in about 86 days under normal conditions. Flowers are purple; borne in pairs or triples. They are of average size with a corolla diameter of about 6.6 cm and 2.3 cm in length. Calyx is green, about 1.5 cm in diameter, and bears spines. Flowers are borne on green peduncles of about 3.5 cm long.

The stem is green, spineless, reaching 2.2 cm in diameter at the basal node, and averaging 8.7 branches at first fruit set. ~~XP 2025~~ 'GATOR' is a relatively tall eggplant, developing about 14.5 nodes and reaching 77.9 cm in height by first fruit set.

Leaves are pubescent, measuring about 21.7 cm in length and 13.2 cm in width. Petioles average 8.8 cm in length and 0.5 cm in diameter.

The glossy dark colored fruit reaches 19.2 cm in length and 7.6 cm diameter at midpoint. It is a high seed producer, averaging 3,188 seeds per fruit.

September 20, 1977

FORM GR-470-39
(4-77)

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERIVCE
GRAIN AND SEED DIVISION
BELTSVILLE, MARYLAND 20705

OBJECTIVE DESCRIPTION OF VARIETY
EGGPLANT
(Solanum melongena var. esculentum Nees)

NAME OF APPLICANT(S)
Asgrow Seed Co.

ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code)
7000 Portage Road
Unit 9630-190-1
Kalamazoo, Michigan 49001

VARIETY NAME OR TEMPORARY DESIGNATION
GATOR

FOR OFFICIAL USE ONLY
PVPO NUMBER
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Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (e.g. [0 9 9] or [0 9])when number is either 99 or less or 9 or less.

1. TYPE

[1] 1 = COMMON 2 = SNAKE *(Oriental)* 3 = OTHER *(Specify)*_____

2. REGION OF BEST ADAPTABILITY IN THE U.S.A.

[1] 1 = SOUTHEAST 2 = SOUTHWEST 3 = CENTRAL
4 = NORTHEAST 5 = NORTHWEST 6 = MOST AREAS

3. MATURITY

Fla. Market 10

[0 3] NO. DAYS EARLIER THAN . . . . . [3]
[0 5] NO. DAYS LATER THAN . . . . . [2]
[0 8 6] DAYS FROM SEEDING TO FLOWERING

1 = NEW HAMPSHIRE
2 = BLACK BEAUTY
3 = FLORIDA MARKET

4. PLANT CHARACTERISTICS AT FIRST FLOWER STAGE

[0 7 8] CM HEIGHT
[2 2] MM DIAMETER AT FIRST NODE OF MAIN STEM
[1] STEM COLOR: 1 = GREEN 2 = PURPLE

[0 9] NO. OF BRANCHES FROM MAIN STEM

5. FLOWERS (Perfect Type)

[6 6] MM COROLLA DIAMETER
[3 5] MM PEDUNCLE LENGTH
[1] CALYX COLOR: 1 = GREEN 2 = PURPLISH

[1 5] MM CALYX DIAMETER
[2] FLOWER COLOR: 1 = WHITE 2 = PURPLE
[2] CALYX: 1 = SPINED 2 = SPINELESS

6. LEAF (Blade) 1st Primary Leaf; Average from 25 plant sample

[2 2] CM LENGTH
[0 9] CM PETIOLE LENGTH

[1 3] CM WIDTH

[1] 1 = PUBESCENT 2 = GLABROUS
MIDRIB: [2] 1 = SPINED 2 = SPINELESS

7. FRUIT AT MARKET MATURITY

[0 6] CM DIAMETER AT STEM END
[1 9] CM LENGTH
[0 6] SKIN COLOR: 1 = WHITE 2 = YELLOW 3 = GREEN 4 = LIGHT PURPLE 5 = MEDIUM PURPLE
6 = BLACKISH PURPLE 7 = BROWNISH PURPLE 8 = PINK 9 = ORANGE 10 = OTHER_____

[0 8] CM DIAMETER AT MIDPOINT

[0 9] CM DIAMETER AT BLOSSOM END
[0 5 1 0] GRAM WT/FRUIT

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Application for Variety Protection

EXHIBIT D

Eggplant - Solanum melongena, var. esculentum

Name of Applicant: Asgrow Seed Company
Subsidiary of the Upjohn Co.
Kalamazoo, Michigan 49001

Objective Description of Variety (Exhibit C)
Name: "Gator" (XP2025)

	Gator [XP2025]		Fla. Market 10	
	Average	No. Measured	Average	No. Measured
Days to Anthesis	86.0	48	89.0	43
Corolla diameter (cm)	6.6	48	6.3	45
Calyx diameter (cm)	1.5	48	1.7	45
Peduncle length (cm)	3.5	48	3.5	44
Flower length (cm)	2.3	48	2.2	44
Flower color	purple	48	purple	48
No. of flowers at first fruit set	2.9	48	2.2	39
Calyx Color	green	48	green	39
Calyx spined	yes	48	yes	48
Leaf (lamina) length	21.7	48	22.6	42
Leaf width	13.2	48	15.4	42
Petiole length	8.8	48	9.4	42
Petiole diameter	0.5	48	0.5	42
Leaf pubesence-top	yes	48	yes	40
Leaf pubesence-bottom	yes	48	yes	40
No. of branches at first fruit set	8.7	48	8.7	40
Stem diameter at first node (cm)	2.2	48	2.3	40
Plant height at first fruit set (cm)	77.9	48	77.2	40
No. of nodes at first fruit set	14.5	48	14.6	40
Fruit length (cm) (at maturity)	19.2	16	16.8	16
Fruit diameter (cm) at midpoint (at maturity)	7.6	16	8.8	16
L:D Ratio (at maturity)	2.5	16	1.9	16
Stem color	green	48	green	44
Spines on limbs	none	20	none	20
Fruit color	'GATOR' ~~XP2025~~ is slightly darker than Florida Market 10			
No. of seed per fruit	3188.0	3	1118.0	3
Weight of 500 seeds (gm)	2.34	3	2.65	3

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Exhibit D: PROOF OF NOVELTY - "~~XP2025~~ 'GATOR'" EGGPLANT

~~XP2025~~ 'GATOR' resembles Florida Market 10 in most taxonomical features. However, it differs from Florida Market 10 in that it produces longer and more slender fruits with less tendency toward bulbing and having a more glossy color.

Figure 1. 'GATOR' ~~XP2025~~ outline.

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EXHIBIT D

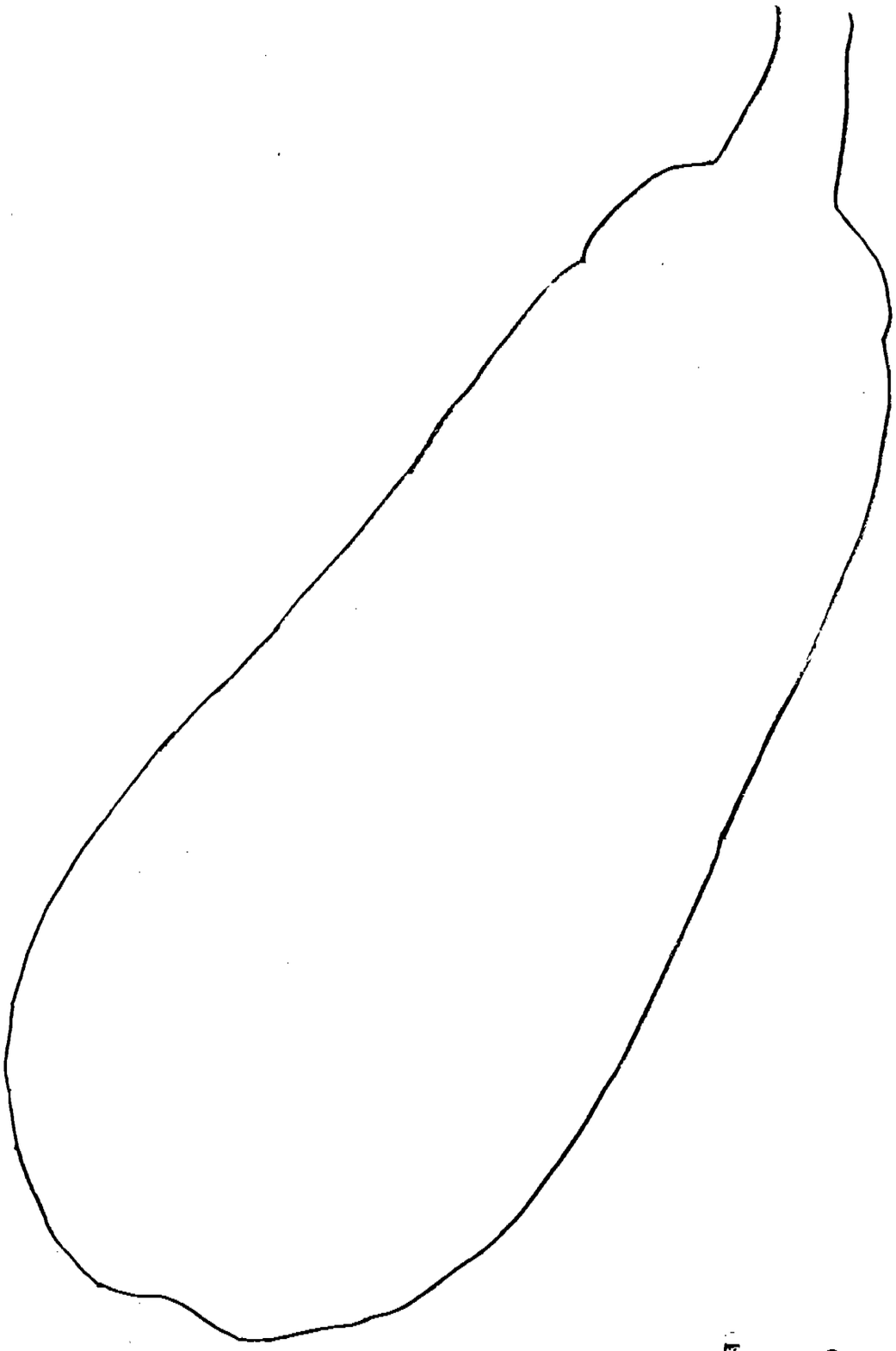
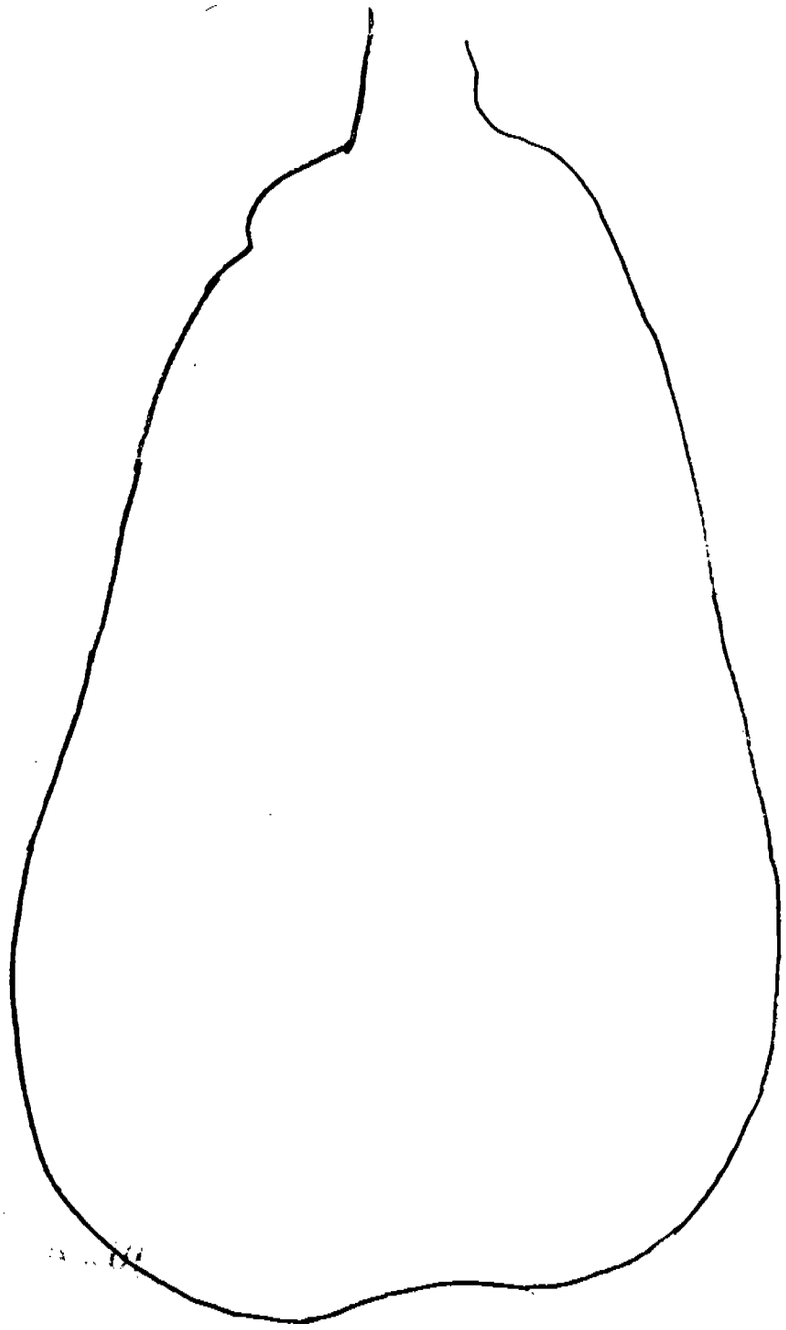


Figure 2. Florida Market 10 outline.

7600001
EXHIBIT D.



#7600001

Exhibit E: STATEMENT OF THE BASIS OF APPLICANT'S OWNERSHIP
'GATOR'
~~"XP2025~~" EGGPLANT

'GATOR'
~~XP2025~~ was originated and developed by Paul E. Helsel, retired Asgrow Plant Breeder. By agreement between employee and Asgrow Seed Comapny, all rights to any invention, discovery, or development made by an employee are assigned to the Company. No rights to such invention, discovery, or development are retained by the employee.

7. FRUIT AT MARKET MATURITY (Con't)

1 FLESH COLOR: 1 = WHITE 2 = GREEN 3 = ORANGE

2 FRUIT SHAPE:
1 = SHORT OVAL *('Early Beauty')*
2 = LONG OVAL *('Florida High Bush')*
3 = EGG *('Early Purple Egg')*
4 = LONG, CYLINDRICAL *('Chinese Long')*
5 = OTHER *(Specify)*_____

1 SKIN LUSTER: 1 = GLOSSY 2 = DULL

8. DISEASE (Enter 0 = Not tested 1 = Susceptible 2 = Resistant):

0 FRUIT ROT *(Phomopsis vexans)*
0 BACTERIAL WILT *(Pseudomonas solanacearum)*
0 POWDERY MILDEW
0 FUSARIUM WILT
0 OTHER *(Specify)*_____
0 OTHER *(Specify)*_____
0 WILT *(Verticillium albo-atrum)*
0 TOBACCO MOSAIC VIRUS
0 CUCUMBER VIRUS I
0 OTHER *(Specify)*_____

9. INSECT (Enter 0 = Not Tested 1 = Susceptible 2 = Resistant):

0 FLEA BEETLE
0 APHIDS
0 COLORADO POTATO BEETLE
0 OTHER *(Specify)*_____
0 EGGPLANT LACEBUG

10. INDICATE A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED FOR EACH CHARACTER:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
MATURITY	Florida Market 10	FRUIT SHAPE	Florida Market 10
PLANT HEIGHT	" " "	FRUIT COLOR	" " "
LEAF SIZE	" " "	FRUIT SIZE	" " "

11. COMMENTS:

RECEIVED
SEP 26 1977
AMS, PLANT DIV.
PVPO