No. 7600008

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Bruce Church, 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, 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 42'

PLANT VARIETY PROTECTION OFFICE · U.S. DEPARTMENT OF AGRICULTURE

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* 28th *day of* January *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 DOMINGOS 42	2. KIND NAME Lettuce	FOR OFFICIAL USE ONLY PV NUMBER 7600008
3. GENUS AND SPECIES NAME Lactuca Sativa L.	4. FAMILY NAME *(Botanical)* Compositae	FILING DATE 8/27/75 TIME 2:00 P.M. FEE RECEIVED $ 250.00 BALANCE DUE $ —
	5. DATE OF DETERMINATION March 18, 1975	$ 250.00 $ — $ 250.00 $ —
6. NAME OF APPLICANT(S) BRUCE CHURCH, INC.	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)* P. O. Box 599 Salinas, CA 93901	8. TELEPHONE AREA CODE AND NUMBER (408) 758-4421

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 3/15/49

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

Charles E. Townsend, Jr.
TOWNSEND & TOWNSEND
1 Kearny
San Francisco, CA

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 [XX] NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations? [ ] YES [XX] 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.

August 14, 1975
(DATE)

Nathan J. Olivas
(SIGNATURE OF APPLICANT)
Nathan J. Olivas

00001

(DATE)

(SIGNATURE OF APPLICANT)

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.

7600008

VARIETY: DOMINGOS 42

EXHIBIT A

Origin and Breeding History of the Variety

1. Domingos 42 originated from a hand pollinated cross between Climax and Vanguard. The cross was made in the Salinas Valley of California in 1969.

2. Initial trial plantings were conducted in 1970 to allow for individual plant selections. General trial plantings followed the initial selection work to allow for segregation and more comprehensive evaluations and selections. Selections made were based upon size, color, texture, and resistance to rusty rib. The procedure 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 in the Imperial Valley of California.

3. Domingos 42 is resistant to rusty rib and genetically uniform and free of any distinct variations.

7600008

VARIETY: DOMINGOS 42

EXHIBIT B

Annual. A crisphead variety with a medium sized frame. Wrapper leaves are similar in texture and color to Vanguard, but are smaller.

Head is spherical. Butt of plant is very smooth with a medium green color. Diameter of core is medium. Petioles are medium smooth. Adapted to the major lettuce production districts of Arizona and California for spring harvest.

Seedstalk is medium height, very uniform. Produces a medium sized panicle and is an average seed yielder. Seed color is black.

AM GR-471
(4-3-72)

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

EXHIBIT C

OBJECTIVE DESCRIPTION OF VARIETY
(LETTUCE)

Domingos 42

INSTRUCTIONS: See reverse.

NAME OF APPLICANT(S)
Bruce Church, Inc.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)
1020 Merrill Street
Salinas, California 93901

FOR OFFICIAL USE ONLY
PVPO NUMBER
297 - 1 - 7600008
VARIETY NAME OR TEMPORARY DESIGNATION
DOMINGOS 42

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

1. PLANT TYPE: [4][3]
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: [2] 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: [2] 1 = SMOOTH 2 = BLISTERED

6. LEAF SURFACE REFLECTANCE: [1] 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+ [2] 1 = SUMMER CROP 2 = WINTER CROP 3 = NOT SPECIFIC 4 = UNDER GLASS 5 = OTHER (Specify) 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.)
[6][2] mm. LENGTH OF SEEDLING [1][2] 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.)
[0] 1 = TIPBURN [0] 2 = MOSAIC [0] 3 = DAMPING OFF [0] 4 = DOWNY MILDEW [X] RUSTY RIB
[0] 5 = SCLEROTINIA ROT [0] 6 = BROWN BLIGHT [0] 7 = BIG VEIN [X] 8 = OTHER (Specify) Internal Rib Necrosis

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

00004

FORM GR-471 (REVERSE) 7600008

16. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY
Leaf color	Red Coach 74
Leaf pigmentation	Red Coach 74
Leaf shape	Red Coach 74
Plant size	Vanmax
Head size	Vanmax

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 136	San Joaquin Valley	Not tested		Approximately 61	San Joaquin Valley
Similar	Approximately 136	San Joaquin Valley	Not tested		Approximately 60	San Joaquin Valley
Name of similar variety →	Vanmax				Red Coach 74	

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

PVP Application Number
7600008

VARIETY: Domingos 42

EXHIBIT D: Data Indicative of Novelty

DOMINGOS 42 was developed to replace the variety Vanguard in the major lettuce producing districts of Arizona and California. It will replace Vanguard for winter harvest in the Imperial Valley, Blythe and Arizona districts. It will also replace Vanguard for spring harvest in the San Joaquin Valley of California.

Its distinguishing features include:

1. Unique in that it most closely resembles Red Coach 74, but differs in that it is best adapted for late winter harvest in the Imperial Valley of California. It is also adapted to late spring harvest in Blythe, California; Arizona and the San Joaquin Valley of California. Red Coach 74 is not adapted to these harvest periods.

2. Unique in that it is a Red Coach 74 type and is adapted to the Vanguard harvest period in the desert lettuce producing districts.

3. It is Rusty Rib and Internal Rib Necrosis resistant.

4. When compared to Red Coach 74 for mid winter harvest (the optimum Red Coach 74 period), its head size will be consistently smaller.

7600008

VARIETY: DOMINGOS 42

EXHIBIT E

The applicant is the breeder. All rights have been assigned to BRUCE CHURCH, INC.