No. 7800014

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

LETTUCE

'Winter Supreme'

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* 20th *day of* April *in the year of our Lord one thousand nine hundred and* seventy-eight

Attest:

Acting

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(1-76)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
PLANT VARIETY PROTECTION OFFICE
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1a. TEMPORARY DESIGNATION OF VARIETY	1b. VARIETY NAME	FOR OFFICIAL USE ONLY
	Winter Supreme	PV NUMBER 7800014
2. KIND NAME: Lettuce	3. GENUS AND SPECIES NAME: Lactuca sativa L.	FILING DATE 12.29.77 / TIME 2:00 P.M.
4. FAMILY NAME (BOTANICAL): Compositae	5. DATE OF DETERMINATION: 3/1/77	FEE RECEIVED $250.00 / DATE 12.29.77 $250.00 / 12.29.77 $250.00 / 3-17-78

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
Bruce Church, Inc.	1020 Merrill Street, Salinas, Ca. 93901	408-758-4421

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)*	10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION	11. DATE OF INCORPORATION
Corporation	California	March 15, 1949

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

M.T. Payne, Vice-President
Bruce Church, Inc., P.O. Box 599, Salinas, California 93902

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, Novelty Statement.
- [X] 13C. Exhibit C, Objective Description of the Variety *(Request form from Plant Variety Protection Office.)*
- [X] 13D. Exhibit D, Additional Description of the Variety.

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 [X] NO

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

15. Does the applicant(s) agree to the publication of his/her (their) name(s) and address in the Official Journal? [ ] YES [X] NO

16. The applicant(s) declare(s) 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) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) 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 Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

November 30, 1977
(DATE)

M T Payne
(SIGNATURE OF APPLICANT)

(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, National Agricultural Library, Beltsville, Maryland 20705. (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 Give the date the applicant determined that he had a new variety based on (1) the definition in Section 41(a) of the Act and (2) the date a decision was made to increase the seed.

13a Give (1), the genealogy, including public and commerical varieties, lines, or clones used, and the breeding method. (2), the details of subsequent stages of selection and multiplication. (3), the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4), evidence of stability.

13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties; (1) identify these varieties and state all differences objectively; (2) Attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.

13c Fill in the Exhibit C, Objective Description form for all characteristics, for which you have adequate data.

13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe; such as; plant habit, plant color, disease resistance, etc.

14A If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled or published or the certificate has been issued. However, if the applicant specifies "NO", he may change his choice. (See Section 180.15 of the Regulations and Rules of Practice.)

VARIETY: WINTER SUPREME

EXHIBIT A

Origin and Breeding History of the Variety

1. Winter Supreme 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. Several trial plantings followed the initial selection work to allow for segregation and more comprehensive evaluations and selections. Selections were made on the basis of size, color, texture, and resistance to rusty rib (also known as rusty brown discoloration). The procedures involving trial plantings, evaluations, and plant selections were repeated numerous times before the final desirable type was attained. These plantings were conducted in Yuma, Arizona, and the Imperial Valley of California.

3. Winter Supreme is resistant to rusty rib (also known as rusty brown discolorations), genetically uniform and free of any distinct variation.

VARIETY: WINTER SUPREME

EXHIBIT B

Botanical Description of the Variety

1. Annual. A crisp head variety with large size frame and head.
2. Dark green, fairly slow bolting lettuce with black seeds.
3. The leaves are thick and moderately serrated.
4. Head is spherical, butt of plant is slightly ribby.
5. This variety is very similar horticulturally to the variety Climax.
6. For mid-winter harvest in the Imperial Valley of California and Yuma, Arizona. It does not appear to be adapted to the Salinas - Watsonville districts of California.

FORM GR-471
(4-3-72)

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

EXHIBIT C

INSTRUCTIONS: See reverse.

OBJECTIVE DESCRIPTION OF VARIETY
(LETTUCE)

WINTER SUPREME

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 - 7800014
VARIETY NAME OR TEMPORARY DESIGNATION
Winter Supreme

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

1. PLANT TYPE: [4][1]
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: [2]
1 = DULL 2 = GLOSSY 3 = OTHER (Specify) _____

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

[3]
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.) [3]
1 = SMALL 2 = MEDIUM 3 = LARGE

12. CULTURE: [2]
1 = SUMMER CROP 2 = WINTER CROP 3 = NOT SPECIFIC 4 = UNDER GLASS 5 = OTHER (Specify) _____

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.)

[1][2][6] mm. LENGTH OF SEEDLING [1][9] mm. LENGTH OF COTYLEDON [0][4] 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
[0] 5 = SCLEROTINIA ROT [0] 6 = BROWN BLIGHT [0] 7 = BIG VEIN [2] 8 = OTHER (Specify) Rusty Rib or Rusty Brown Discoloration

WF 1-11-77

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

16. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY
Leaf color	Climax
Leaf pigmentation	Climax
Leaf shape	Climax
Plant size	Climax
Head size	Climax

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	Approx. 110 days	Imperial Valley, Ca.	60 days	Salinas Valley, Ca.	Approx. 105 days	San Joaquin Valley, Ca.
Similar	Approx. 110 days	Imperial Valley, Ca.	60 days	Salinas Valley, Ca.	Approx. 105 days	San Joaquin Valley, Ca.
Name of similar variety →	Climax		Climax		Climax	

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:

5

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

VARIETY: WINTER SUPREME

EXHIBIT D

Data Indicative of Novelty

Winter Supreme was developed to replace the variety Climax for winter harvest in the Southwestern United States. Its distinguishing feature is that although it closely resembles the variety Climax, it is unique in that it is rusty rib (also known as rusty brown discoloration) resistant. The variety Climax is not resistant to rusty rib.

EXHIBIT D

to
ASSET ACQUISITION AGREEMENT
by and between
BRUCE CHURCH, INC., a California corporation,
and
KONINKLIJKE ZAAIZAADBEDRIJVEN GEBROEDERS SLUIS, B.V.,
a corporation formed under the laws of The Netherlands

ASSIGNMENT OF PLANT VARIETY PROTECTION CERTIFICATES

WHEREAS, BRUCE CHURCH, INC., a California corporation the mailing address for which is P.O.Box 80599, Salinas, California U.S.A., 93912-0599, is the owner of certain Plant Variety Protection Certificates issued either to BRUCE CHURCH, INC., or to QUALI-SEL, INC., a Delaware corporation by the Plant Variety Protection Office or by the United States Department of Agriculture, all as listed below (referred to collectively as the PVPs"); and

WHEREAS, KONINKLIJKE ZAAIZAADBEDRIJVEN GEBROEDERS SLUIS, B.V., a corporation formed under the laws of The Netherlands, the mailing address for which is Post Box 22, 1600 AA Enkuisen, The Netherlands, is desirous of acquiring the PVP's and the certificates and application thereof;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, BRUCE CHURCH, INC and QUALI-SEL, INC., hereby assigns to KONINKLIJKE ZAAIZAADBEDRIJVEN GEBROEDERS SLUIS, B.V. all right, title and interest in and to the PVPs.

The Plant Variety Protection Office is requested to record the assignment of the PVPs in accordance with Section 101 of the Plant Variety Protection Act (7 U.S.C. 2531).

PVP Certificate Number	Date of Issuance	Owner	Name of Variety	PVP Issued To
7400010	April 8, 1975	Bruce Church, Inc.	Red Coach 74	Quali-Sel, Inc.
8600108	January 15, 1988	Bruce Church, Inc.	Vancrisp	Quali-Sel, Inc.
7800014	April 20, 1978	Bruce Church, Inc.	Winter Supreme	Bruce Church, Inc.
8000043	May 15, 1980	Bruce Church, Inc.	Viva II	Bruce Church, Inc.
7800062	June 22, 1978	Bruce Church, Inc.	Blanco	Quali-Sel, Inc.
7900095	January 2, 1980	Bruce Church, Inc.	Viva	Bruce Church, Inc.

Note: The PVP name "Viva" had been changed to "Diplomat", the name change has been approved by the U. S. Department of Agriculture, Livestock and Seed Division. See attached correspondence relative to name change being processed by the Plant Variety Protection Office.

This assignment is executed this 7th day of March, 1988, at Salinas, California.

Quali-Sel, Inc.

By _____

Its Vice President

Bruce Church, Inc.

By _____

Its President

Acknowledgement for Corporation

State of California)
) SS
County of Monterey)

On this 7th day of March, in the year 1988, before me Edward H. Taylor, personally known to me to be the person who executed the within instrument as vice president of Quali-Sel, Inc. and president of Bruce Church, Inc. and acknowledged to me that the corporation executed it.

OFFICIAL SEAL
ROBIN F. AINSWORTH
Notary Public–California
MONTEREY COUNTY
My Comm. Exp. Sep. 1, 1990

_____
Notary Public