No. 9000111

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

HyPerformer 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 eighteen 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. 2541-2542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'HSC 721'

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, D.C. *this* 31st *day of* December *in the year of our Lord one thousand nine hundred and* ninety-one.

Attest:

Kenneth A. Evans
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Edward Madigan
Secretary of Agriculture

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Office, OIRM, Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB #0581-0055), Washington, 20250.

FORM APPROVED: OMB 0581-0055, Expires 1/31/91

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) *(as it is to appear on the Certificate)*: Hyperformer Seed Company

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO.: R 1-27

3. VARIETY NAME: HSC 721

4. ADDRESS *(street and no. or R.F.D. no., city, state, and ZIP)*:
Suite 3200
5100 Popular Avenue
Memphis, Tennesee 38137

5. PHONE *(include area code)*:

FOR OFFICIAL USE ONLY

PVPO NUMBER: 9000111

FILING — Date: Mar. 8, 1990 — Time: ☐ A.M. ☑ P.M.

FEES RECEIVED — Filing and Examination Fee: $ 2,150.— — Date: Mar. 8, 1990 — Certificate Fee: $ 250.— — Date: Dec. 17, 1991

6. GENUS AND SPECIES NAME: Glycine max

7. FAMILY NAME *(Botanical)*: Leguminosae

8. CROP KIND NAME *(Common Name)*: Soybeans

9. DATE OF DETERMINATION: November, 1988

10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION *(Corporation, partnership, association, etc.)*: Corporation

11. IF INCORPORATED, GIVE STATE OF INCORPORATION: Delaware

12. DATE OF INCORPORATION: 1977

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS
Dr. George Berger
Eagle Seed Company
P.O. Box 308
Weiner, Arkansas 72479

PHONE *(include area code)*: (501)684-7377

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED *(Follow INSTRUCTIONS on reverse)*

- a. ☒ Exhibit A, Origin and Breeding History of the Variety.
- b. ☒ Exhibit B, Novelty Statement.
- c. ☒ Exhibit C, Objective Description of Variety.
- d. ☒ Exhibit D, Additional Description of Variety.
- e. ☒ Exhibit E, Statement of the Basis of Applicant's Ownership.
- f. ☒ Seed Sample (2,500 viable untreated seeds). Date Seed Sample mailed to Plant Variety Protection Office March 1990
- g. ☒ Filing and Examination Fee ($2,150) made payable to "Treasurer of the United States."

15. 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) of the Plant Variety Protection Act.)*
☐ YES *(If "YES," answer items 16 and 17 below)* ☒ NO *(If "NO," skip to item 18 below)*

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
☐ YES ☐ NO

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?
☐ YES *(If "YES," through* ☐ Plant Variety Protection Act ☐ Patent Act. Give date: _____ .)
☒ NO

19. HAS THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?
☐ YES (If "YES," give names of countries and dates)
☒ NO

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request 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 Protection Act.

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

SIGNATURE OF APPLICANT *(Owner(s))*	CAPACITY OR TITLE	DATE
George A. Berger	Breeder	2/27/90
SIGNATURE OF APPLICANT *(Owner(s))*	CAPACITY OR TITLE	DATE

FORM CSSD-470 (5-89) Edition of FORM LS-470, 3-86, is obsolete.

EXHIBIT A ORIGIN AND BREEDING HISTORY OF THE VARIETY

CROSS: FORREST/ESSEX//BEDFORD///TRACY

BREEDING METHOD = MODIFIED BULK

F_1 generation grown at Weiner, Arkansas - 1982

F_2 generation grown at Weiner, Arkansas - 1983

F_3 generation grown at Weiner, Arkansas - 1984

Single plant selection made in F_3 generation in 1984. A single row was grown in 1985 and selected based upon seed yields of Bedford and Centennial checks.

Small increases plus yield trials were conducted at Weiner, Arkansas in 1986. In 1987-88 further increases were made at Weiner, Arkansas, and yield trials and/or disease nurseries were conducted in Arkansas, Georgia, Texas and Louisiana.

The line was released to Hyperformer Seed Company in 1988 for preliminary testing. The variety was approved for it's subsequent release in November of 1989.

Breeders seed was grown at Weiner, Arkansas in 1989. HSC 721 has been rogued for offtypes in the vegetative state. An occassional (.01%) tall offtype will be found. Seed will carry a few darker black hila types (.02%).

Seed coat may occassionally show a greenish color, especially when planted late.

These variances acceptable, predicatable and stable. These variances can be reproduced and maintained through the seed without changing, as has been observed through three generations of seed increase and testing.

EXHIBIT B NOVELTY STATEMENT

HSC 721 is most similar to Bedford in its appearance in the field and in its reaction to Soybean Cyst Nematodes.

HSC 721 differs from Bedford in maturity, in seed size, and in peroxidase reaction.

Bedford is in maturity group V and HSC 721 is in maturity group VII.

Bedford has smaller seed with approximately 3600 seed per pound and HSC 721 has approximately 3100 seed per pound.

Bedford has high seed protein peroxidase activity and HSC 721 has low seed protein peroxidase activity.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (Glycine max L.)

NAME OF APPLICANT(S)	TEMPORARY DESIGNATION	VARIETY NAME
Hyperformer Seed Company	R 1-27	HSC 721

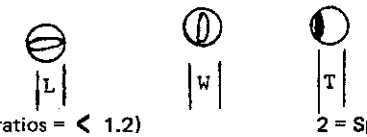
ADDRESS *(Street and No., or R.F.D. No., City, State, and Zip Code)*
Suite 3200
5100 Popular Avenue
Memphis, Tennessee 38137

FOR OFFICIAL USE ONLY
PVPO NUMBER
9000111

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g., [0][9]).

1. SEED SHAPE:

[1]



1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)
4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

2. SEED COAT COLOR: (Mature Seed)

[1] 1 = Yellow 2 = Green 3 = Brown 4 = Black 5 = Other *(Specify)* _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

[1] 1 = Dull ('Corsoy 79'; 'Braxton') 2 = Shiny ('Nebsoy'; 'Gasoy 17')

4. SEED SIZE: (Mature Seed)

[1][4] Grams per 100 seeds

5. HILUM COLOR: (Mature Seed)

[6] 1 = Buff 2 = Yellow 3 = Brown 4 = Gray 5 = Imperfect Black 6 = Black 7 = Other *(Specify)* _____

6. COTYLEDON COLOR: (Mature Seed)

[1] 1 = Yellow 2 = Green

7. SEED PROTEIN PEROXIDASE ACTIVITY:

[1] 1 = Low 2 = High

8. SEED PROTEIN ELECTROPHORETIC BAND:

[0] 1 = Type A ($SP1^a$) 2 = Type B ($SP1^b$)

9. HYPOCOTYL COLOR:

[1] 1 = Green only ('Evans'; 'Davis') 2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')
3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')
4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

10. LEAFLET SHAPE:

[2] 1 = Lanceolate 2 = Oval 3 = Ovate 4 = Other *(Specify)* _____

11. LEAFLET SIZE:

[2] 1 = Small ('Amsoy 71'; 'A5312') 2 = Medium ('Corsoy 79'; 'Gasoy 17')
3 = Large ('Crawford'; 'Tracy')

12. LEAF COLOR:

[2] 1 = Light Green ('Weber'; 'York') 2 = Medium Green ('Corsoy 79'; 'Braxton')
3 = Dark Green ('Gnome'; 'Tracy')

13. FLOWER COLOR:

[1] 1 = White 2 = Purple 3 = White with purple throat

14. POD COLOR:

[1] 1 = Tan 2 = Brown 3 = Black

15. PLANT PUBESCENCE COLOR:

[2] 1 = Gray 2 = Brown (Tawny)

16. PLANT TYPES:

[2] 1 = Slender ('Essex'; 'Amsoy 71') 2 = Intermediate ('Amcor'; 'Braxton')
3 = Bushy ('Gnome'; 'Govan')

17. PLANT HABIT:

[1] 1 = Determinate ('Gnome'; 'Braxton') 2 = Semi-Determinate ('Will')
3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

18. MATURITY GROUP:

[1][0] 1 = 000 2 = 00 3 = 0 4 = I 5 = II 6 = III 7 = IV 8 = V
9 = VI 10 = VII 11 = VIII 12 = IX 13 = X

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

[0] Bacterial Pustule *(Xanthomonas phaseoli* var. *sojensis)*

[0] Bacterial Blight *(Pseudomonas glycinea)*

[1] Wildfire *(Pseudomonas tabaci)*

FUNGAL DISEASES:

[0] Brown Spot *(Septoria glycines)*

Frogeye Leaf Spot *(Cercospora sojina)*

[1] Race 1 [ ] Race 2 [ ] Race 3 [ ] Race 4 [ ] Race 5 [ ] Other *(Specify)* _____

[0] Target Spot *(Corynespora cassiicola)*

[0] Downy Mildew *(Peronospora trifoliorum* var. *manshurica)*

[2] Powdery Mildew *(Microsphaera diffusa)*

[0] Brown Stem Rot *(Cephalosporium gregatum)*

[2] Stem Canker *(Diaporthe phaseolorum* var. *caulivora)*

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

[0] Pod and Stem Blight *(Diaporthe phaseolorum* var; *sojae)*

[2] Purple Seed Stain *(Cercospora kikuchii)*

[0] Rhizoctonia Root Rot *(Rhizoctonia solani)*

Phytophthora Rot *(Phytophthora megasperma* var. *sojae)*

[0] Race 1 [0] Race 2 [2] Race 3 [0] Race 4 [0] Race 5 [0] Race 6 [0] Race 7

[0] Race 8 [0] Race 9 [ ] Other *(Specify)* _____

VIRAL DISEASES:

[0] Bud Blight (Tobacco Ringspot Virus)

[0] Yellow Mosaic (Bean Yellow Mosaic Virus)

[0] Cowpea Mosaic (Cowpea Chlorotic Virus)

[0] Pod Mottle (Bean Pod Mottle Virus)

[0] Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode *(Heterodera glycines)*

[0] Race 1 [0] Race 2 [2] Race 3 [2] Race 4 [0] Other *(Specify)* _____

[0] Lance Nematode *(Hoplolaimus Colombus)*

[2] Southern Root Knot Nematode *(Meloidogyne incognita)*

[0] Northern Root Knot Nematode *(Meloidogyne Hapla)*

[1] Peanut Root Knot Nematode *(Meloidogyne arenaria)*

[0] Reniform Nematode *(Rotylenchulus reniformis)*

[1] OTHER DISEASE NOT ON FORM *(Specify)*: Javanese Root-Knot Nematode (Meloidogyne javanica)

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[0] Iron Chlorosis on Calcareous Soil

[ ] Other *(Specify)* _____

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[1] Mexican Bean Beetle *(Epilachna varivestis)*

[1] Potato Leaf Hopper *(Empoasca fabae)*

[ ] Other *(Specify)* _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	Forrest	Seed Coat Luster	Essex
Leaf Shape	Bedford	Seed Size	Bragg
Leaf Color	Bedford	Seed Shape	Essex
Leaf Size	Bedford	Seedling Pigmentation	Forrest

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEEDS	NO. SEEDS/ POD
				CM Width	CM Length	% Protein	% Oil		
Submitted HSC 721	147	1.5	97					14	3
Name of Similar Variety Bedford	130	2.5	108					13	3

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTI-A_2 in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

RECEIVED USDA AMS MAR 8 - 1990 Plant Variety Protection Ofc.

EXHIBIT D ADDITIONAL DESCRIPTION OF VARIETY

HSC 721 is a white flowered medium tall soybean variety with medium green leaves, which are medium in size. The seed is medium to medium small in size with a light yellow color, a dull seed coat and a black hila. Pubescence is brown with tan pod walls.

Data from the 1988 Georgia Field Crops Performance Tests indicate resistance to Races 3 and 4 of the Soybean Cyst Nematode and to the Southern Root-Knot Nematode. HSC 721 is susceptable to both Peanut and Javanese Root-Knot Nematodes. Florida Variety Performance Tests in 1988 and in 1989 confirm the Root-Knot data from Georgia.

HSC 721 was tested and found resistant to stem canker in screening trials in both Georgia and Texas. Arkansas data indicates that HSC 721 has resistance to the common race 3 of Phytophthora Root Rot.

EXHIBIT E STATEMENT OF THE BASIS OF APPLICANT'S OWNERSHIP

HSC 721 was bred and developed by Dr. George A. Berger, who will serve as the applicants representative of Hyperformer Seed Company.

Exclusive marketing rights are assigned to Hyperformer Seed Company by Dr. George A. Berger.