No. 9300006

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

John Bodger & Sons Co.

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, 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.)

VINCA

'Heat Wave White'

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* 30th *day of* November *in the year of our Lord one thousand nine hundred and* ninety-four.

Attest:

Kenneth R. Evans

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Mike Espy

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)*: John Bodger & Sons Co.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO.: PT379

3. VARIETY NAME: Heat Wave White JMS 12/5/94

4. ADDRESS *(street and no. or R.F.D. no., city, state, and ZIP)*: P.O. Box 5090, El Monte, CA 91734

5. PHONE *(Include area code)*: (818) 442-6161

FOR OFFICIAL USE ONLY

PVPO NUMBER: 9300006

FILING — Date: October 19, 1992; Time: 2:36 ☐ A.M. ☒ P.M.

FEES RECEIVED — Filing and Examination Fee: $2150.00; Date: October 15, 1992; Certificate Fee: $250.00; Date: Oct. 17, 1994

6. GENUS AND SPECIES NAME: Catharanthus Roseus

7. FAMILY NAME *(Botanical)*: APocynaceae

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

9. DATE OF DETERMINATION: August 1991

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: California

12. DATE OF INCORPORATION: 2-7-12

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

JMS 9/21/93

~~David Lemon~~
~~Bodger Seeds, Ltd.~~
~~P.O. Box 607~~
~~Lompoc, CA 93438~~

Mr. Kim Bodger, CEO
Bodger Seeds, Ltd
1800 N. Tyler Ave.
So. El Monte, CA 91733-3618

PHONE *(Include area code)*: 818-442-6161 ~~(805) 736 5118~~

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 9 OCT 92
- 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
JOHN BODGER & SONS CO. By [signature]	PRESIDENT	9 OCT 92
SIGNATURE OF APPLICANT *(Owner(s))*	CAPACITY OR TITLE	DATE

EXHIBIT 14A Vinca PT379 White

Origin and Breeding History of Variety

This variety was developed by several generations of single plant selections originating from an F1 cross between the commercial varieties Pretty in Pink and Parasol. in 1989. The critera used to make single plant selections were: earliness in the pack, basal branching habit, and good flower form.

F1 Pretty in Pink X Parasol
F2 10CA134 single plant self
F3 10CA295 single plant self
F4 1CA60 single plant self
F5 2CA201 single plant self
F6 30 plant mass
0,25 acre trial production

The variety has been uniform for earliness, height, flower and plant type.

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PVP 93000006, VINCA PT 379

ADDENDUM TO EXHIBIT 14A

This variety has been uniform and stable for earliness, height, flower and plant type. There are no variants in this variety.

This variety has been observed for all traits described in Exhibit 14A, starting with the 30 plant sibling cross stage, going on to a production test planting (1/4 acre, over 3000 plants), and, most recently in a major field production, grown under our own control (over two acres, more than 25,000 plants). The size of these populations in three generations provides a very good test for uniformity and stability.

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EXHIBIT 14B Vinca PT379 White

Novelty Statement

Enclosed please find photographs of Vinca PT379 White and PT379 White compared to Pretty in White.

PT379 White most closely resembles the commercial variety Pretty in White. PT379 White is considerable more vigorous than Pretty in White. It flowers earlier and has a faster growth rate (see photo). PT379 also has excellent flower quality. Flowers are larger than Pretty in White, are more opaque and have more overlapping petals. Pt379 White also has a darker ring in the flower.

Exhibit B, I have attached original trial data, with analysis, for the following characteristics--Flower: diameter, orifice size, ring width, petal width, petal length, Leaf: length, width, Plant: height, width. I believe that this data supports claims regarding flower size and also vigor. In Exhibit C we indicated that the ring color of our variety was RHS 55B while that of the comparison was 55C. We also gave specific information regarding earliness (51 vs. 57 days). This data was derived from breeders trial observations. Thus I feel that we have provided quantitative information for this claim.

If you would like more quantitative data on these varieties, we will have to make a specific comparison sowing. Our next available sowing data for outdoor trials is July 1, at our Chilean station. This would yield data at the latest by May 1, 1995.

We feel that objectively determining opaqueness would be quite difficult and perhaps economically not viable. Degree of petal overlap could be described through detailed trial notes. We feel, however, that earliness and the general dimensions of the plant should be enough to demonstrate that our variety is significantly different from the comparison.

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VARIETY	PT379 WHITE	
Plant Data cm	Height	Width
1	26.4	27.6
2	28	28.1
3	27.8	27.7
4	28.9	28.5
5	28.6	27.7
6	28.4	27.2
7	29.2	26.3
8	28.3	27.3
9	27.3	27.6
10	28.4	27.2
11	27.5	27.6
12	27.2	27.4
13	29.1	28.4
14	27.5	26.1
15	28.9	27.2
16	28.6	26.4
17	27.7	29
18	27.8	28.6
19	28.5	28.3
20	27.4	27.5
AVERAGE	28.075	27.585
VARIETY	PRETTY IN WHITE	
Plant Data cm	Height	Width
1	24.6	28.6
2	26	28.2
3	27.1	30.2
4	24.5	28
5	25.8	30.5
6	25.8	31
7	25.9	30.4
8	26.5	28.5
9	26.6	30.6
10	25.4	30.4
11	25.2	31.5
12	26.2	30.5
13	26	32.1
14	25.9	30.9
15	25.5	30.9
16	27.6	29.4
17	26.4	29.7
18	26.8	31.1
19	26.6	30.9
20	27.1	29.9
AVERAGE	26.075	30.165

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VARIETY	PT379 WHITE	
Leaf Data mm	Length	Width
1	55	30
2	80	32
3	70	30
4	86	35
5	75	30
6	76	29
7	77	27
8	80	31
9	68	25
10	69	30
11	54	25
12	75	30
13	80	25
14	81	24
15	75	27
16	80	30
17	76	29
18	83	30
19	72	30
20	81	26
AVERAGE	74.65	28.75
VARIETY	PRETTY IN WHITE	
Leaf Data mm	Length	Width
1	70	25
2	70	29
3	74	24
4	68	26
5	75	26
6	69	26
7	74	26
8	65	29
9	74	27
10	74	25
11	70	25
12	74	25
13	70	27
14	60	25
15	74	27
16	75	26
17	63	25
18	69	23
19	65	26
20	64	27
AVERAGE	69.85	25.95

VARIETY	PT379 WHITE				
Flower Data mm	Diameter	Orifice size	Ring width	Petal Width	Petal Length
1	55	3	10	22	23
2	50	3	10	25	22
3	47	3	9	25	23
4	52	3	10	24	25
5	52	3	11	23	22
6	49	3	10	23	25
7	53	3	10	26	23
8	42	3	10	24	24
9	51	3	10	26	25
10	54	3	10	25	24
11	52	3	9	25	23
12	49	3	11	25	21
13	50	3	11	24	23
14	50	3	12	24	22
15	45	3	11	23	24
16	46	3	11	26	22
17	51	3	10	25	24
18	50	3	10	26	22
19	50	3	10	24	24
20	51	3	10	24	23
AVERAGE	49.95	3	10.25	24.45	23.2

VARIETY	PRETTY IN WHITE				
Flower Data mm	Diameter	Orifice size	Ring width	Petal Width	Petal Length
1	53	3	9	25	21
2	45	3	10	24	23
3	50	3	7	24	26
4	52	3	10	21	19
5	46	3	9	23	23
6	47	3	9	24	19
7	52	3	8	24	25
8	42	3	8	22	21
9	48	3	7	25	22
10	50	3	10	23	22
11	43	3	10	24	22
12	44	3	11	24	24
13	49	3	9	24	23
14	45	3	10	24	21
15	45	3	7	23	23
16	50	3	9	22	22
17	51	3	9	22	22
18	46	3	8	25	25
19	49	3	10	23	20
20	49	3	10	23	21
AVERAGE	47.8	3	9	23.45	22.2

FORM GR-470-28
(4-16-92)

EXHIBIT C
(Vinca)

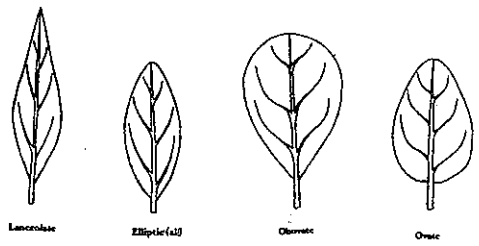
United States Department of Agriculture, Agricultural Marketing Service
Science Division, Plant Variety Protection Office
National Agricultural Library Building, Room 500
Beltsville, MD 20705

OBJECTIVE DESCRIPTION OF VARIETY
VINCA (Catharanthus)

Name of Applicant(s)	Variety Name or Temporary Designation
John Bodger & Sons	PT379 White
Address (Street & No., or R.F.D. No., City, State, Zip Code and Country)	FOR OFFICIAL USE ! PVPO Number
P.O. Box 5090 El Monte, CA 91734	9300006

Place the appropriate number that describes the varietal characters typical of this variety in the spaces below. Right justify whole numbers by adding leading zeros if necessary. Completeness should be striven for to establish an adequate variety description.

I. OVERALL PLANT HABIT:	
Data Collection Site Lompoc, CA	Comparison Variety Pretty in White
1 Species : 1=roseus 2=Other	1
2 Ploidy : 1=Haploid 2=Diploid 3=Triploid 4=Tetraploid	2
1 Life Cycle : 1=Annual 2=Biennial 3=Perennial	1
2 Growth Habit : 1=Determinant 2=Semi-determinant 3=Indeterminant	2
1 Growth Form : 1=Upright 2=Semi-prostrate 3=Prostrate	1
5 Flowering Season : 1=Very Early 2=Early 3=Mid Season 4=Late 5=Continuous	5
51 Days from Planting to First-flowering	57 days
Length of Flowering Season in Days	days
27.6 cm Plant Width at Maturity	30.2 cm
28.1 cm Plant Height at Maturity	26.1 cm
3 Plant Height Class : 1=Extra Dwarf 2=Dwarf 3=Semi-dwarf 4=Tall	2
2. STEM:	
1 Appearance : 1=Straight 2=Zig-zag	1
3 Branching Pattern : 1=Single stem 2=Few branches 3=Many Branches	3
6 Number of Internodes below First Branch	5
Number of First Order Branches	
1 Main Stalk Anthocyanin : 1=Absent 2=Mild 3=Strong	1
3. FOLIAGE:	
1 Leaf Type : 1=Simple 2=Compound	1
1 Leaf Margin : 1=Entire 2=Serrate 3=Other	1
1 Fragrance : 1=None 2=Mild 3=Strong	1
1 Leaf/Leaflet Shape : 1=Lanceolate 2=Elliptic 3=Obovate 4=Ovate	1
28.8 mm Leaf Width	26.0 mm
74.7 mm Leaf Length	69.9 mm
n/a. mm Leaflet Length	n/a. mm



Application Variety Data | Comparison Variety Data

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Application Variety Data	Page 2	Comparison Variety Data
3a. FOLIAGE (continued):		
LEAF DORSAL SIDE:		
2 Color : 1=Light Green 2=Medium Green 3=Dark Green 4=Other _____		2
1 Pubescence : 1=Absent 2=Light 3=Heavy		1
2 Luster : 1=Dull 2=Shiny		2
LEAF VENTRAL SIDE:		
1 Color : 1=Light Green 2=Medium Green 3=Dark Green 4=Other _____		1
1 Pubescence : 1=Absent 2=Light 3=Heavy		1
1 Luster : 1=Dull 2=Shiny		1
4. FLOWER:		
1 Type : 1=Single 2=Semi-double 3=Double		1
1 Form : 1=Flat 2=Cupped 3=Other _____		1
1 Shape : 1=Round (petals overlap) 2=Intermediate 3=Star (petals gapped)		2
1 Fragrance : 1=None 2=Mild 3=Strong		1
50.0 mm Flower Diameter		47.8 mm
3.0 mm Orifice Size (including the opening of the corolla tube)		3.0 mm
10.3 mm Ring Width (from outside orifice to edge of color band)		9.0 mm
24.5 mm Petal Width (at widest point)		23.5 mm
23.2 mm Petal Length (from ring to outer edge)		22.2 mm
RHS 8A Orifice Color (Name and Color Chart Code)		RHS 8A
JMS 8/9/94 RHS 55B Rose Ring Color (Name and Color Chart Code)		RHS 55C Pale Rose
RHS 155D White Petal Color (Name and Color Chart Code)		RHS 155D White
1 Pedicel Anthocyanin : 1=Absent 2=Mild 3=Strong		1
5. SEEDS (Measure mature (dry) seeds):		
4 Seed Set : 1=None 2=Poor 3=Fair 4=Good 5=Excellent		3
4 Seed Coat Color : 1=White 2=Tan 3=Brown 4=Black 5=Other _____		4
1790. mg Weight per 1000 Seeds		___. mg
6. RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant)):		
Rating Disease/Insect Name (give race or strain, if known)		Rating Disease/Insect Name
_ _____		_ _____
_ _____		_ _____
_ _____		_ _____
_ _____		_ _____
8. COMMENTS :		

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EXHIBIT 14E

CATHARANTHUS ROSEUS WHITE PT379

Statement of basis of Applicant's ownership

Catharanthus roseus Bright Eye PT379 was bred in Lompoc, California at the Research Headquarters of John Bodger & Sons Co. It is owned by John Bodger & Sons Co. and was developed by Michael Heffner, an employee of the company.

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