No. 200000282

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Sakata Seed Corporation

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED 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 TWENTY 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 CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE , 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.)

ASTER, CHINA

'Serenade Scarlet'

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 twelfth day of September, in the year two thousand three.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions*

Form Approved - OMB No. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

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 OWNER Sakata Seed Corporation	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME	3. VARIETY NAME Serenade Scarlet
4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)* 2-7-1 Nakamachidai Tsuzuki-Ku, Yokohama JAPAN 224	5. TELEPHONE *(include area code)* (408) 778-7758 6. FAX *(include area code)* (408) 779-1978	FOR OFFICIAL USE ONLY PVPO NUMBER 200000282 FILING DATE 6/23/00

7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.)*	8. IF INCORPORATED, GIVE STATE OF INCORPORATION	9. DATE OF INCORPORATION
Corporation	Yokohama, Japan	December 11, 1942

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. *(First person listed will receive all papers)*

Thomas Day
Gary Whiteaker
Sakata Seed America, Inc.
18095 Serene Drive
Morgan Hill, CA 95037 USA

FEES RECEIVED

FILING AND EXAMINATION FEES: $ 2450.00 DATE 5/26/00

CERTIFICATION FEE: $ 432.00 DATE 8/22/03

11. TELEPHONE *(include area code)*	12. FAX *(include area code)*	13. E_MAIL	14. CROP KIND *(Common Name)*
(408) 778-7758	(408) 779-1978	tday@sakata.com	cutflower Aster

15. GENUS AND SPECIES NAME OF CROP	16. FAMILY NAME *(Botanical)*	17. IS THE VARIETY A FIRST GENERATION HYBRID?
Callistephus chinensis	Asteraceae	☐ YES ☒ NO

18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

- a. ☒ Exhibit A. Origin and Breeding History of the Variety
- b. ☒ Exhibit B. Statement of Distinctness
- c. ☒ Exhibit C. Objective Description of Variety
- d. ☐ Exhibit D. Additional Description of the Variety *(Optional)*
- e. ☒ Exhibit E. Statement of the Basis of the Owner's Ownership
- f. ☒ Voucher Sample *(2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)*
- g. ☒ Filing and Examination Fee ($2,450), made payable to "Treasurer of the United States" *(Mail to the Plant Variety Protection Office)*

19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? *See Section 83(a) of the Plant Variety Protection Act)*

☐ YES *(If "yes", answer items 20 and 21 below)* ☒ NO *(If "no," go to item 22)*

20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☐ YES ☐ NO

21. IF "YES" TO ITEM 20, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES?

☒ YES ☐ NO

IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. *(Please use space indicated on reverse.)*

23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT *(PLANT BREEDER'S RIGHT OR PATENT)*?

☒ YES ☐ NO

IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. *(Please use space indicated on reverse.)*

24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

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

SIGNATURE OF OWNER		SIGNATURE OF OWNER	
Thomas H. Day			
NAME *(Please print or type)* Thomas H. Day		NAME *(Please print or type)*	
CAPACITY OR TITLE QC and IPR Manager	DATE June 12, 2000	CAPACITY OR TITLE	DATE

INSTRUCTIONS

Serenade Scarlet
2000002821

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable *(in the sense that it will reproduce an entire plant)* tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for $2,450 ($300 filing fee and $2,150 examination fee), payable to "Treasurer of the United States" *(See Section 97.6 of the Regulations and Rules of Practice.)* Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of $300 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office
Telephone: (301) 504-5518
FAX: (301) 504-5291
Homepage: http://www.ams.usda.gov/science/pvp.htm

ITEM

18a. Give:
(1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified

18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety 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 are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness

18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.

18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.

18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.

19. 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 this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. *(See Regulations and Rules of Practice, Section 97.103).*

22. *See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.*

23. *See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.*

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22. CONTINUED FROM FRONT *(Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)*

USA: April 2000
Europe: January 2000
Japan: September 1999

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23. CONTINUED FROM FRONT *(Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)*

Japan: No. 7653, Issued Feb. 4, 2000
Europe: No. 1999/1845, Applied Dec. 17, 1999

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. *(See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)*

To avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center–East, Beltsville, MD 20705. Telephone: (301) 504-8089.

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 Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter. Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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S&T-470 (6-98) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (03-96) which is obsolete.

2000 0 0282

Sakata Seed America
Aster 'Serenade Scarlet'
PVP Application Number: 200000282

Exhibit A, Breeding History
May 20, 2000 (THD)
Revised: July 15, 2002 (THD)

In 1989 the initial cross was made between a late blooming, small, semi-double flowered, carmine-rose petal color, V-shaped habit breeding line as the female and the variety 'Matsumoto Scarlet' as the male line. The female line was a true breeding off-type plant selected from the variety 'Matsumoto Red'. 'Matsumoto Scarlet' is an early flowering, V-shaped habit Aster possessing orange-red double petaled flowers.

In 1990 F1 plants were grown and F2 seed was harvested. In 1991 the F2 plants were grown in a Fusarium infested nursery and F2 selections were made for Fusarium tolerance, early blooming, V-shaped plant habit and orange petal color. Several plant lines were selected and self-pollinated.

Single plant selection and self-pollination continued until 1994 when a single F5 selection was made. In 1995 the F6 line was confirmed to be stable and true breeding.

'Serenade Scarlet' was subsequently observed to be uniform and stable in two more generations. It was determined that the new variety lacks genetic variants.

2000 0 0282

Sakata Seed America
Aster 'Serenade Scarlet'
PVP Application Number: 200000282

Exhibit B, Distinctness Statement
May 20, 2000 (THD)
Revised: July 15, 2002 (THD)

To the best of our knowledge, 'Serenade Scarlet' most clearly resembles 'Serenade Red'. However, 'Serenade Scarlet' differs from 'Serenade Red' in at least one characteristic. 'Serenade Scarlet' has an orange-red (RHS 53A) petal color while 'Serenade Red' has dark red petals (RHS 59B).

FORM APPROVED. OMB NO. 40-R3712

FORM GR-470-7
(11-1-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
COMMODITIES SCIENTIFIC SUPPORT DIVISION
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Aster)

OBJECTIVE DESCRIPTION OF VARIETY

REFERENCES: See reverse.

CHINA ASTER *(CALLISTEPHUS CHINENSIS)*

NAME OF APPLICANT(S)
Sakata Seed Corporation

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*
2-7-1 Nakamachidai, Tsuzuki-Ku
Yokohama JAPAN 224-8686

FOR OFFICIAL USE ONLY

PVPO NUMBER
200000282

VARIETY NAME OR TEMPORARY DESIGNATION
Serenade Scarlet

Place the appropriate number that describes the varietal character in the boxes below.
Place a zero in first box (e.g. [0|9]) when number is 9 or less.

1. PLANT TYPE

[3] 1= DWARF (Less than 35 cm.) 2 = INTERMEDIATE (35 - 50 cm.) 3 = TALL (More than 50 cm.)

2. PLANT FORM (At Maturity):

[2] 1 = SOLITARY 2 = UPRIGHT BRANCHING 3 = BROADLY BRANCHING

[1] 1 = NOT BASAL BRANCHING 2 = BASAL BRANCHING

3. PLANT ROSETTE:

[3] Leaves: 1 = ELLIPTIC 2 = OVATE 3 = SPATULATE 4 = OTHER (Specify) _____

[3] Leaf number (prior to elongation): 1 = FIVE OR LESS 2 = SIX TO NINE 3 = TEN OR MORE

[1] Anthocyanin: 1 = ABSENT 2 = PRESENT

4. STEM:

[1] Strength: 1 = NOT BRITTLE 2 = BRITTLE [2] 1 = RIGID 2 = FLEXIBLE

[1] Anthocyanin: 1 = ABSENT 2 = PRESENT - ALONG THE VEIN 3 = PRESENT - ENTIRE

[2] Vesture: 1 = GLABROUS 2 = LIGHTLY PUBESCENT 3 = PUBESCENT

5. LEAF

[1] Dorsal:Side:
[1] Ventral Side:
} 1 = GLABROUS 2 = PUBESCENT

[2] Dorsal Side:
[2] Ventral Side:
} 1 = GLOSSY 2 = DULL

[2] Margin: 1 = ENTIRE 2 = DENTATE 3 = LACERATE 4 = OTHER (Specify) _____

6. FLOWERING TYPE

[2] 1 = SHORT SEASON 2 = LONG SEASON

[3] 1 = EARLY (Early Bird Type) 2 = INTERMEDIATE (Crego Type) 3 = LATE (Powderpuff Type)

7. FLOWER HEAD:

[1] Symmetry: 1 = SYMMETRICAL 2 = ASYMMETRICAL [3.2] CM. ACROSS

[1] Shape: 1 = CONCAVE 2 = FLATTENED 3 = CONVEX 4 = GLOBOSE 5 = OTHER (Specify) _____

[2] 1 = SINGLE 2 = SEMIDOUBLE 3 = DOUBLE

[1] Odor: 1 = ODORLESS 2 = FAINTLY SWEET 3 = STRONG ODOR

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FORM GR-470-7 (Reverse) Serenade Scarlet

7. FLOWER HEAD (Continued):

RAY FLOWER:

[1] Dorsal Side: [1] Ventral Side: } 1 = GLABROUS 2 = PUBESCENT

[2] Dorsal Side: [1] Ventral Side: } 1 = SHINY 2 = DULL

[1] Twisted: 1 = ABSENT (Flat) 2 = PRESENT (Rayonante Type)

[1] Parallel Furrows: 1 = NONE 2 = SHALLOW 3 = DEEP

[1] Shape: 1 = STRAP 2 = BOAT SHAPE 3 = NEEDLE-LIKE (King Type) 4 = OTHER (Specify) _____

[2] Type: 1 = RECURVED 2 = STRAIGHT 3 = INCURVED

[1] Apices: 1 = OBTUSE 2 = ACUTE

[3] Apices: 1 = ENTIRE 2 = MUCRONATE 3 = RETUSE

[1] Color: 1 = MONOCOLOR 2 = BICOLOR 3 = OTHER (Specify) _____

[1] Color Pattern (Dorsal): [1] Color Pattern (Ventral): } 1 = SOLID 2 = STRIPED 3 = SPOTTED 4 = OTHER (Specify) _____

[ ][6] Primary Color: [ ][ ] Secondary Color: } 1 = WHITE 2 = CREAM 3 = YELLOW 4 = PINK 5 = SALMON PINK 6 = SCARLET 7 = RED 8 = ROSE 9 = LAVENDER 10. AZURE BLUE 11. DARK BLUE 12. OTHER (Specify) _____ RHS 53A

[1][2] MM. LONG [ ][5] MM. WIDE (USE OUTER ROW OF FIRST MATURED FLOWER FOR SIZE.)

DISK FLOWER:

[3] 1 = ABSENT 2 = PRESENT, COVERED 3 = PRESENT, UNCOVERED

[ ][7] MM. LENGTH (Longest Disk)

8. SEED:

[1] Coat Pattern: 1 = SOLID 2 = MOTTLED 3 = SPOTTED [2.5] MM. LENGTH

9. DISEASE RESISTANCE (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[0] ASTER WILT [0] RUST [0] ASTER YELLOW [2] OTHER (Specify) Fusarium

10. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant size		Flower color	
Plant habit		Flower size	
No. days to maturity		Ray size	

REFERENCES

1. Bailey, L. H., 1971, Manual of Cultivated Plants, (Rev.) MacMillan.
2. Nechansky, 1967, Systematic Studies on Cultivated China Asters. Preslia, 39:122 - 50.
3. Wit, F., 1936, Contributions to the Genetics of the China Aster, Genetica, 19:1 - 104

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Sakata Seed America
Aster 'Serenade Scarlet'
PVP Application Number: 200000282

Exhibit B Photographs

At Right: Whole plants of 'Serenade Scarlet' (left) and 'Serenade Red' (right) showing flower color difference.

Below: Inflorescence close-ups of 'Serenade Scarlet' (left) and 'Serenade Red' (right) showing flower color difference.

2000 0 0282

Sakata Seed America
Aster 'Serenade Scarlet'
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Exhibit D, Prior Art Varieties
July 30, 2002 (THD)

The table below summarizes existing varieties of a similar color that are also suitable for growing as a cut flower.

Variety	Distributor	Flower Morphology	Other Information
Matsumoto Scarlet	Sakata Seed Corporation	5 cm in diameter (avg), doubled ray florets, conspicuous yellow disk	Kurenai type (more petals and larger disk), upright habit, blooms in about 14 weeks, stems 60 - 75 cm long
Petit Rose Red	Miyoshi & Co., LTD. (a)	3.5 cm diameter (avg), double ray florets, small yellow disk, later flowering than Serenade Scarlet	Flowers similar to Serenade Scarlet but plant shorter and possessing more basal branching
Hana Scarlet	Miyoshi & Co., LTD. (a)	3.5 cm diameter (avg), single ray florets, conspicuous yellow disk	Upright habit with basal branching
Hime Scarlet	Miyoshi & Co., LTD. (a)	4.0-4.5 cm diameter, semi-double ray florets, small yellow disk	Upright habit with basal branching

a: Miyoshi & Co., LTD.
3181 Kamisasao Kobuchizawa
Kitakoma-gun, Yamanshi #408-8533 JAPAN

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

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)	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
Sakata Seed Corporation		Serenade Scarlet
4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP, and Country)*	**5. TELEPHONE** *(include area code)*	**6. FAX** *(include area code)*
2-7-1 Nakamachidai Tsuzuki-Ku, Yokohama JAPAN 224	(408) 778-7758	(408) 779-1978
	7. PVPO NUMBER 200000282	

8. Does the applicant own all rights to the variety? *Mark an "X" in appropriate block.* If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company? ☐ YES ☒ NO
   If no, give name of country JAPAN

10. Is the applicant the original owner? ☒ YES ☐ NO *If no, please answer one of the following:*

   a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?

   ☐ YES ☐ NO If no, give name of country

   b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?

   ☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership *(if needed, use reverse for extra space)*:

The breeder of the new variety is an employee of Sakata Seed Corporation. By agreement between the employee and Sakata all rights to any invention are assigned to the company. Therefore, ownership resides with Sakata Seed Corporation.

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to compete this information collection is estimated to average 10 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.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.