200600126

No.

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Monsanto Technology LLC

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 PURPOSES, 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.)

CORN, FIELD

'I170094'

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 twenty-fifth day of November, in the year two thousand and eight.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

BUREAU OF ENGRAVING AND PRINTING

JMS 9/24/08

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: Monsanto Technology ~~L.L.C.~~ LLC

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME: None

3. VARIETY NAME: I170094

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
800 N. Lindbergh Blvd.
Creve Coeur, MO 63167
U.S.A.

5. TELEPHONE *(Include area code)*: (815) 758-9281

6. FAX *(Include area code)*: (815) 758-3117

FOR OFFICIAL USE ONLY
PVPO NUMBER: 200600126
FILING DATE: March 1, 2006

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

8. IF INCORPORATED, GIVE STATE OF INCORPORATION: Delaware

9. DATE OF INCORPORATION: August 27, 1999

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

Timothy R. Kain
8350 Minnegan Road
Waterman, IL 60556
U.S.A.

Michael J. Roth
800 N. Lindbergh Blvd.
Creve Coeur, MO 63167
U.S.A.

FEES RECEIVED
FILING AND EXAMINATION FEES: $ 4382.00 DATE 3/1/06
CERTIFICATION FEE: $ 768.00 DATE 10/27/08

11. TELEPHONE *(Include area code)*: (815) 758-9281

12. FAX *(Include area code)*: (815) 758-3117

13. E-MAIL: trkain@monsanto.com

14. CROP KIND *(Common Name)*: Corn, Field

15. GENUS AND SPECIES NAME OF CROP: *Zea mays*

16. FAMILY NAME *(Botanical)*: Graminae

17. IS THE VARIETY A FIRST GENERATION HYBRID? ☐ YES X NO

18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)
- a. X Exhibit A. Origin and Breeding History of the Variety
- b. X Exhibit B. Statement of Distinctness
- c. X Exhibit C. Objective Description of Variety
- d. ☐ Exhibit D. Additional Description of the Variety *(Optional)*
- e. X Exhibit E. Statement of the Basis of the Owner's Ownership
- f. X 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. X Filing and Examination Fee ($3,652), 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)* X NO *(If "no", go to item 22)*

20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? ☐ YES ☐ NO
IF YES, WHICH CLASSES? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☐ NO
IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS.
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED
(If additional explanation is necessary, please use the space indicated on the reverse.)

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?
X 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)*?
X 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 has been 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: Timothy R. Kain

SIGNATURE OF OWNER:

NAME *(Please print or type)*: Timothy R. Kain

NAME *(Please print or type)*:

CAPACITY OR TITLE: Patent Scientist

DATE: 2/27/06

CAPACITY OR TITLE:

DATE:

ST-470 (02-10-2003) designed by the Plant Variety Protection Office using Word 2000. Replaces former versions of ST-470, which are obsolete.

(See reverse for instructions and information collection burden statement)

INSTRUCTIONS

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 $3,652 ($432 filing fee and $3,220 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 401, 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 $432 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/pvpo/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 55 of the Act for instructions on claiming the benefit of an earlier filing date.*

21. CONTINUED FROM FRONT *(Please provide a statement as to the limitation and sequence of generations that may be certified.)*

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.)*

Parent of a hybrid sold in the U.S. – April 2005

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).)*

U.S. Patent Application No. 11/098,603 – filed April 4, 2005 (I170094)

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 appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089. http://www.ams.usda.gov/lsg/seed.htm

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not 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 complete this information collection is estimated to average 3.0 hours 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.

EXHIBIT A

Origin and Breeding History
I170094

I170094 was selected for improved stay green and intactness in addition to greater combining ability for yield.

Summer 1996	The inbred line 01DHD10 (a proprietary DEKALB Genetics Corporation inbred) was crossed to the inbred line 09DSQ1 (a proprietary DEKALB Genetics Corporation inbred) in nursery rows 7329 and 7287, respectively.
Winter 1996-97	F1 seed was grown and self-pollinated in nursery rows 2-29 thru 2-30.
Summer 1997	F2 seed was grown and self-pollinated in nursery rows 16-20 thru 20-21. 111 ears were selected.
Summer 1998	F3 ears were grown ear-to-row and self-pollinated. 3 ears were selected in nursery row 147-30.
Winter 1998-99	F4 ears were grown ear-to-row and self-pollinated. 3 ears from nursery row 213 were selected.
Summer 1999	F5 ears were grown ear-to-row and self-pollinated. 4 ears from nursery row 365-12 were selected and designated as coded inbred I170094.
Winter 1999-00	F6 ears were grown ear-to-row and self-pollinated. 10 ears from nursery row 0W1IN 53-46 were selected.
Summer 2000	F7 ears were grown ear-to-row and self-pollinated. Final selection was completed in nursery rows 432-13 thru 432-15. This selection consisted of bulking F8 ears.

Statement of Stability and Uniformity

Corn inbred I170094 was coded in 1999 with final selection made in 2000. This inbred has been reproduced by self pollination for three generations and judged to be stable. Inbred I170094 is uniform for all traits observed.

Statement of Variants

I170094 shows no variants other than what would normally be expected due to environment or that would occur for almost any character during the course of repeated sexual reproduction.

200600126

JMS 9/24/08

EXHIBIT B
(revised)

Statement of Distinctness

Monsanto Technology ~~L.L.C.~~ LLC believes that I170094 is most similar to corn inbred 01DHD10, an inbred developed by DEKALB Genetics Corporation.

I170094 and 01DHD10 differ most significantly in the following traits:

Trait	I170094	01DHD10
Glume Color	Purple (5 RP 5/8)	Green (5 GY 4/8)

2002

Variety	Tassel Length (cm)
I170094	40.4 (Std Dev = 3.9, N= 10)
01DHD10	32.1 (Std Dev = 1.9, N= 10)
P_Val	0.000
Signif.	**

2003

Variety	Tassel Length (cm)
I170094	41.8 (Std Dev = 3.5, N=10)
01DHD10	29.9 Std Dev = 3.6 , N=10)
P_Val	0.000
Signif.	**

Significance levels are indicated as: + = 10%, * = 5 %, ** = 1%

Corn variety I170094 has purple glume color and a longer tassel length while comparative corn variety 01DHD10 has green glume color and a shorter tassel length.

200600126

EXHIBIT B
(revised)

Description of Experimental Design

The corn varieties I170094, 01DHD10 and B73 were grown at the Waterman, IL observation nursery in years 2002-2003. The varieties were planted in 2 row plots with 15 plants per row in each of the three years. Trait data were collected on 10 random representative plants for most traits from each 2 row plot. Data on qualitative traits are usually collected on 10 plants from each 2 row plot. For Exhibit C all data were pooled and reported as means across the years for subject variety and the standard variety with standard deviation. The varieties are randomly planted in a 4.5 acre observation nursery which is located within a larger 18 acre field. Besides the observation nursery, this field consists of a research seed increase nursery and an IP seed inventory nursery. The location of each of these individual nurseries is rotated each year to a different location within the 18 acre field. Therefore subject inbreds are not planted adjacent to comparative or standard varieties and may be located in different areas of the larger field each year, therefore being influenced by spacial differences within the field. Growing conditions within the field are not uniform as there are some slight topographical variations such as lower areas which may accumulate and retain water or higher areas which are usually drier. The field is tiled and therefore a variety maybe planted close to a tile line while a comparative variety maybe planted further away and in a low spot within the field. Temporal varieties can exist as weather conditions from year to year can vary as well as planting dates can vary from year to year based on weather conditions. Weather conditions each year can vary the maturity rate of the varieties due to either favorable or unfavorable growing conditions.

Trait variability is not observed for each variety within its own test plot-plants are usually uniform and data are collected on the "most" representative plants- variability occurs due to spacial location of the test plot for that variety from year to year and to the temporal variation of weather conditions from year to year during the 2-3 years data are collected.

Waterman Research Station
Weather Data 2002-2003

Date	Average Precip. (mm)	Ave. Monthly Temp – Max. (F°)	Ave. Monthly Temp-Min (F°)	Ave. Monthly Rel. Humid.- Max (%)	Ave. Monthly Rel. Humid – Min (%)
June 2002	5.3	81.3	60.4	90.7	47.7
July 2002	1.5	87.0	64.9	93.2	48.3
August 2002	5.7	83.1	61.0	96.0	51.8
Sept. 2002	1.5	79.4	52.6	95.0	42.7
June 2003	2.0	75.7	55.7	-	-
July 2003	6.4	82.2	62.2	-	-
August 2003	2.6	83.5	63.5	-	-
Sept 2003	2.6	72.9	52.9	-	-

EXHIBIT C
(Corn; Maize)
(8-22-2001)

JMS 9/24/08

United States Department of Agriculture, Agricultural Marketing Service
Science and Technology, Plant Variety Protection Office
National Agricultural Library Building, Room 400
Beltsville, MD 20705-2351

OBJECTIVE DESCRIPTION OF VARIETY
CORN (*Zea mays* L.)

Name of Applicant(s)	Variety Seed Source	Variety Name or Temporary Designation
Monsanto Technology ~~L.L.C.~~ LLC		I170094
Address (Street & No., or R.F.D. No., City, State, Zip Code and Country)		FOR OFFICIAL USE / PVPO Number
8350 Minnegan Road, Waterman, IL 60556		2006 00126

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

COLOR CHOICES (Use in conjunction with Munsell color code to describe all color choices; describe #25 and #26 in Comments section):

01=Light Green	06=Pale Yellow	11=Pink	16=Pale Purple	21=Buff
02=Medium Green	07=Yellow	12=Light Red	17=Purple	22=Tan
03=Dark Green	08=Yellow-Orange	13=Cherry Red	18=Colorless	23=Brown
04=Very Dark Green	09=Salmon	14=Red	19=White	24=Bronze
05=Green-Yellow	10=Pink-Orange	15=Red & White	20=White Capped	25=Variegated (Describe)
				26=Other (Describe)

STANDARD INBRED CHOICES (Use the **most similar** (in background and maturity) of these to make comparisons based on **grow-out trial data**):

Yellow Dent Families:

Family	Members
B14	CM105, A632, B64, B68
B37	B37, B76, H84
B73	N192, A679, B73, NC268
C103	Mo17, Va102, Va35, A682
Oh43	A619, MS71, H99, Va26
WF9	W64A, A554, A654, Pa91

Yellow Dent (Unrelated): Co109, ND246, Oh7, T232, W117, W153R, W182BN

White Dent: CI66, H105, Ky228

Sweet Corn: C13, Iowa5125, P39, 2132

Popcorn: SG1533, 4722, HP301, HP7211

Pipecorn: Mo15W, Mo16W, Mo24W

1. TYPE: (describe intermediate types in Comments section) 2 1=Sweet 2=Dent 3=Flint 4=Flour 5=Pop 6=Ornamental 7=Pipecorn	Standard Inbred Name B73 2 Type
2. REGION WHERE DEVELOPED IN THE U.S.A.: 2 1=Northwest 2=North central 3=Northeast 4=Southeast 5=South central 6=Southwest 7=Other	Standard Seed Source _____ 2 Region

3. MATURITY (In Region Best Adaptability; show Heat Unit formula in "Comments" section):

DAYS	HEAT UNITS		DAYS	HEAT UNITS
84	1609.0	From emergence to 50% of plants in silk	74	1608.5
81	1529.5	From emergence to 50% of plants in pollen	74	1555.0
___	____.__	From 10% to 90% pollen shed	___	____.__
___	____.__	From 50% silk to optimum edible quality	___	____.__
___	____.__	From 50% silk to harvest at 25% moisture	___	

4. PLANT:	Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
198.3 cm Plant Height (to tassel tip)	11.1	30	209.6	13.2	30
064.5 cm Ear Height (to base of top ear node)	7.8	30	66.5	6.3	30
12.4 cm Length of Top Ear Internode	2.5	30	14.7	1.7	30
__.__ Average Number of Tillers	_____	_____	____.__	_____	_____
1.0 Average Number of Ears per Stalk	0.1	30	1.0	0.0	30
3 Anthocyanin of Brace Roots: 1=Absent 2=Faint 3=Moderate 4=Dark			2		

6

200600126

Application Variety Data	Page 2		Standard Inbred Data		
5. LEAF:	Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
0 8 . 0 cm Width of Ear Node Leaf	0.5	30	7.5	0.9	30
7 6. 2 cm Length of Ear Node Leaf	3.1	30	7 4.8	5.7	30
6 . 3 Number of leaves above top ear	0.7	30	5.5	0.5	15
2 3. 3 degrees Leaf Angle (measure from 2nd leaf above ear at anthesis to stalk above leaf)	4.9	30	23.5	3.7	30
0 3 Leaf Color (Munsell code 5 GY 3/4)			0 2 (Munsell code 5 GY 4/8)		
4 Leaf Sheath Pubescence (Rate on scale from 1=none to 9=like peach fuzz)			5		
4 Marginal Waves (Rate on scale from 1=none to 9=many)			6		
5 Longitudinal Creases (Rate on scale from 1=none to 9=many)			6		
6. TASSEL:	Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
0 7. 1 Number of Primary Lateral Branches	2.0	30	5. 5	0.9	30
2 0. 5 Branch Angle from Central Spike	6.3	30	2 8. 0	8.4	30
4 1. 1 cm Tassel Length (from top leaf collar to tassel tip)	3.7	30	4 5.6	2.6	30
4.1 Pollen Shed (Rate on scale from 0=male sterile to 9=heavy shed)			6 .8		
1 7 Anther Color (Munsell code 5 RP 5/8)			0 7 (Munsell code 2.5 Y 8/10)		
1 7 Glume Color (Munsell code 5 RP 5/8)			1 7 (Munsell code 5 RP 5/8)		
1 Bar Glumes (Glume Bands): 1=Absent 2=Present			1		
7a. EAR (Unhusked Data):					
0 5 Silk Color (3 days after emergence) (Munsell code 2.5 GY 8/6)			0 7 (Munsell code 2.5 Y 8/10)		
0 2 Fresh Husk Color (25 days after 50% silking) (Munsell code 5 GY 4/8)			0 2 (Munsell code 5GY 4/8)		
2 1 Dry Husk Color (65 days after 50% Silking) (Munsell code 2.5 Y 8/4)			2 1 (Munsell code 2.5 Y 8/4)		
1 Position of Ear at Dry Husk Stage: 1=Upright 2=Horizontal 3=Pendent			1		
9 Husk Tightness (Rate on scale from 1=very loose to 9=very tight)			9		
2 Husk Extension (at harvest): 1=Short (ears exposed) 2=Medium (<8 cm) 3=Long (8-10 cm beyond ear tip) 4=Very Long (>10 cm)			2		
7b. EAR (Husked Ear Data):	Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
1 4. 6 cm Ear Length	0.6	30	1 3.7	0.4	30
4 1. 3 mm Ear Diameter at mid-point	0.9	30	4 4.4	1.1	15
9 8 .6 gm Ear Weight	7.8	30	1 2 8.7	6.5	15
1 6 .4 Number of Kernel Rows	1.5	30	1 7.6	1.7	15
2 Kernel Rows: 1=Indistinct 2=Distinct			2		
1 Row Alignment: 1=Straight 2=Slightly Curved 3=Spiral			1		
0 8 .5 cm Shank Length	2.0	30	7.7	2.6	15
2 Ear Taper: 1=Slight 2=Average 3=Extreme			2		
Application Variety Data			Standard Inbred Data		

Note: Use chart on first page to choose color codes for color traits.

200600126

Application Variety Data	Page 3		Standard Inbred Data		
8. KERNEL (Dried):	Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
1 0 .2 mm Kernel Length	0.4	30	1 1.7	0.1	15
0 8 .0 mm Kernel Width	0.5	30	7.8	0.3	15
6 .3 mm Kernel Thickness	0.2	30	4.0	0.2	15
4 7 .6 % Round Kernels (Shape Grade)	4.8	500g	3 8.7	6.4	500g
1 Aleurone Color Pattern: 1=Homozygous 2=Segregating (describe)_____			1		
1 9 Aleurone Color (Munsell code Lighter than 5 Y 9/1)			1 9 (Munsell code Lighter than 2.5 Y 9/2)		
0 7 Hard Endosperm Color (Munsell code 2.5 Y 8/10)			2 6 (orange) (Munsell code 7.5 YR 7/8)		
3 Endosperm Type: 1=Sweet (su1) 2=Extra Sweet (sh2) 3=Normal Starch 4=High Amylose Starch 5=Waxy Starch 6=High Protein 7=High Lysine 8=Super Sweet (se) 9=High Oil 10=Other_____			0 3		
2 5.4 gm Weight per 100 Kernels (unsized sample)	2.7	1500 seeds	2 3.1	0.6	2000 seeds

9. COB:	Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
2 6 .2 mm Cob Diameter at mid-point	1.9	30	2 7.1	1.7	15
1 4 Cob Color (Munsell code 5 R 3/8)			1 1 (Munsell code 5 R 6/6)		

10. DISEASE RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant); leave blank if not tested; leave Race or Strain Options blank if polygenic):

A. Leaf Blights, Wilts, and Local Infection Diseases

6 Anthracnose Leaf Blight (*Colletotrichum graminicola*)		6	Anthracnose Leaf Blight
4 Common Rust (*Puccinia sorghi*)		5	Common Rust
__ Common Smut (*Ustilago maydis*)		__	Common Smut
6 Eyespot (*Kabatiella zeae*)		7	Eyespot
7 Goss's Wilt (*Clavibacter michiganense* spp. *nebraskense*)		7	Goss's Wilt
4 Gray Leaf Spot (*Cercospora zeae-maydis*)		__	Gray Leaf Spot
7 Helminthosporium Leaf Spot (*Bipolaris zeicola*).....	Race 2	7	Helminthosporium Leaf Spot..... Race 2
6 Northern Leaf Blight (*Exserohilum turcicum*).....	Race 1	5	Northern Leaf Blight ..... Race 1
5 Southern Leaf Blight (*Bipolaris maydis*).....	Race O	3	Southern Leaf Blight .....Race O
__ Southern Rust (*Puccinia polysora*)		__	Southern Rust
__ Stewart's Wilt (*Erwinia stewartii*)		6	Stewart's Wilt
__ Other (Specify) _____		__	Other (Specify) _____

B. Systemic Diseases

__ Corn Lethal Necrosis (MCMV and MDMV)		__	Corn Lethal Necrosis
__ Head Smut (*Sphacelotheca reiliana*)		__	Head Smut
__ Maize Chlorotic Dwarf Virus (MCDV)		__	Maize Chlorotic Dwarf Virus
__ Maize Chlorotic Mottle Virus (MCMV)		__	Maize Chloritic Mottle Virus
__ Maize Dwarf Mosaic Virus (MDMV).....	Strain _____	__	Maize Dwarf Mosaic Virus .....Strain _____
__ Sorghum Downy Mildew of Corn (*Peronosclerospora sorghi*)		__	Sorghum Downy Mildew of Corn
__ Other (Specify) _____		__	Other (Specify) _____

C. Stalk Rots

__ Anthracnose Stalk Rot (*Colletotrichum graminicola*)		__	Anthracnose Stalk Rot
__ Diplodia Stalk Rot (*Stenocarpella maydis*)		__	Diplodia Stalk Rot
__ Fusarium Stalk Rot (*Fusarium moniliforme*)		__	Fusarium Stalk Rot
__ Gibberella Stalk Rot (*Gibberella zeae*)		__	Gibberella Stalk Rot
__ Other (Specify) _____		__	Other (Specify) _____

D. Ear and Kernel Rots

__ Aspergillus Ear and Kernel Rot (*Aspergillus flavus*)		__	Aspergillus Ear & Kernel Rot
__ Diplodia Ear Rot (*Stenocarpella maydis*)		__	Diplodia Ear Rot
__ Fusarium Ear and Kernel Rot (*Fusarium moniliforme*)		__	Fusarium Ear & Kernel Rot
__ Gibberella Ear Rot (*Gibberella zeae*)		__	Gibberella Ear Rot
__ Other (Specify) _____		__	Other (Specify) _____

Application Variety Data	Standard Inbred Data

Note: Use chart on first page to choose color codes for color traits.

200600126

Application Variety Data	Page 4		Standard Inbred Data		
11. INSECT RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant); leave blank if not tested):	Standard Deviation	Sample Size		Standard Deviation	Sample Size
__ Banks Grass Mite (*Oligonychus pratensis*)			__ Banks Grass Mite		
Corn Earworm (*Helicoverpa zea*)			Corn Earworm		
__ Leaf-Feeding			__ Leaf Feeding		
Silk Feeding : __ __ __.__ mg larval wt.	_____	_____	__ __ __.__	_____	_____
__ Ear Damage			__ Ear Damage		
__ Corn Leaf Aphid (*Rhopalosiphum maidis*)			__ Corn Leaf Aphid		
__ Corn Sap Beetle (*Carpophilus dimidiatus*)			__ Corn Sap Beetle		
European Corn Borer (*Ostrinia nubilalis*)			European Corn Borer		
__ 1st Generation (Typically Whorl Leaf Feeding)			__ 1st Generation		
__ 2nd Generation (Typically Leaf Sheath-Collar Feeding)			__ 2nd Generation		
Stalk Tunneling : __ __ __.__ cm tunneled/plant	_____	_____	__ __ __.__	_____	_____
Fall Armyworm (*Spodoptera frugiperda*)			Fall Armyworm		
__ Leaf-Feeding			__ Leaf Feeding		
Silk-Feeding : __ __ __.__ mg larval wt.	_____	_____	__ __ __.__	_____	_____
__ Maize Weevil (*Sitophilus zeamaize*)			__ Maize Weevil		
__ Northern Rootworm (*Diabrotica barberi*)			__ Northern Rootworm		
__ Southern Rootworm (*Diabrotica undecimpunctata*)			__ Southern Rootworm		
Southwestern Corn Borer (*Diatraea grandiosella*)			Southwestern Corn Borer		
__ Leaf Feeding			__ Leaf Feeding		
Stalk Tunneling : __ __ __.__ cm tunneled/plant	_____	_____	__ __ __.__	_____	_____
__ Two-spotted Spider Mite (*Tetranychus urticae*)			__ Two-spotted Spider Mite		
__ Western Rootworm (*Diabrotica virgifera virgifera*)			__ Western Rootworm		
__ Other (Specify) _____			__ Other (Specify) _____		

12. AGRONOMIC TRAITS:		Standard Inbred Data	
4	Stay Green (at 65 days after anthesis) (Rate on a scale from 1=worst to 9=excellent.)	2	Stay Green
0 0.0	% Dropped Ears (at 65 days after anthesis)	0 0 .0	% Dropped ears
0 0 .0	% Pre-anthesis Brittle Snapping	0 0 .0	% Pre-anthesis Brittle Snapping
0 0. 0	% Pre-anthesis Root Lodging	0 0 .0	% Pre-anthesis Root Lodging
0 0. 0	% Post-anthesis Root Lodging (at 65 days after anthesis)	0 0 .0	% Post-anthesis Root Lodging
__ __ __.__	Kg/ha Yield of Inbred Per Se (at 12-13% grain moisture)	__ __ __.__	Yield

13. MOLECULAR MARKERS: (0=data unavailable; 1=data available but not supplied; 2=data supplied)

1 Isozymes 0 RFLP's 0 RAPD's __ Other (Specify) _____

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COMMENTS (e.g. state how heat units were calculated, standard inbred seed source, and/or where data was collected. Continue in Exhibit D):

Heat Unit Calculation: $GDU = \frac{\text{Daily Max Temp } (<=86^{\circ}F) + \text{Daily Min Temp } (>=50^{\circ}F)}{2} - 50^{\circ}F$

Supplemental data obtained from 2005 seed inventory and production parent test.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

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

1. NAME OF APPLICANT(S)	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
Monsanto Technology ~~L.L.C.~~ LLC		I170094
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)*
800 N. Lindbergh Blvd. Creve Couer, MO 63167 U.S.A.	(815) 758-9281	(815) 758-3117
	7. PVPO NUMBER	200600126

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

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? **If no, give name of country.** [X] **YES** [ ] **NO**

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

a. If the 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 the 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 *(Trace ownership from original breeder to current owner. Use the reverse for extra space if needed)*:

Corn Variety I170094 was originated and developed by a breeder employed by Monsanto Technology ~~L.L.C.~~ LLC. By agreement between Monsanto Technology ~~L.L.C.~~ LLC and the breeder, all rights to any invention, discovery or development are assigned to Monsanto Technology ~~L.L.C.~~ LLC. No rights to such invention, discovery or development are retained by the breeder.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet 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 the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not 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 complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provide and employer.

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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT F
DECLARATION REGARDING DEPOSIT

NAME OF OWNER (S)	ADDRESS *(Street and No. or RD No., City, State, and Zip Code and Country)*	TEMPORARY OR EXPERIMENTAL DESIGNATION
Monsanto Technology LLC	8350 Minnegan Road Waterman, IL 60556 U.S.A.	VARIETY NAME I170094
NAME OF OWNER REPRESENTATIVE (S)	**ADDRESS** *(Street and No. or RD No., City, State, and Zip Code and Country)*	FOR OFFICIAL USE ONLY
Timothy R. Kain	8350 Minnegan Road Waterman, IL 60556 U.S.A.	PVPO NUMBER 200600126

I do hereby declare that during the life of the certificate a viable sample of propagating material of the subject variety will be deposited, and replenished as needed periodically, in a public repository in the United States in accordance with the regulations established by the Plant Variety Protection Office.

Timothy R. K

Signature

28 FEB 2008

Date