200600263

No.

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Rutgers, the State University of New Jersey

and R. H. Hurley

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 [illegible] FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC [illegible] DEPOSIT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE [illegible] TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR [illegible] IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE [illegible] PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PR[illegible] THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SH[illegible] SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER [illegible] GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BENTGRASS, CREEPING

'007'

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 seventeenth day of February, in the year two thousand and nine.

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: Rutgers University and R.H. Hurley
2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME: DSB
3. VARIETY NAME: 007
4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*: Rutgers University, New Brunswick, NJ 08901
RH Hurley LLC, RR13 Box6803, East Stroudsburg, PA
5. TELEPHONE *(include area code)*: 570 588 9494
6. FAX *(include area code)*: 570 588 7743

FOR OFFICIAL USE ONLY
PVPO NUMBER: 200600263
FILING DATE: August 9, 2006

7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.)*: State University, LLC
8. IF INCORPORATED, GIVE STATE OF INCORPORATION: FL
9. DATE OF INCORPORATION: 2000

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. *(First person listed will receive all papers)*
V.G. Lehman
~~811 Mountain River Dr.~~ P.O. Box 2390
Lebanon, OR 97355
RAO 8/27/08

FEES RECEIVED
FILING AND EXAMINATION FEES: $ 4,382 — DATE 8/9/2006
CERTIFICATION FEE: $ 768 — DATE 1/12/2009

11. TELEPHONE (Include area code): 541 451 1847
12. FAX (Include area code): 541 451 1847
13. E-MAIL: vlehman@aol.com
14. CROP KIND *(Common Name)*: Creeping bentgrass
16. FAMILY NAME *(Botanical)*: Gramineae
15. GENUS AND SPECIES NAME OF CROP: Agrostis stolonifera
17. IS THE VARIETY A FIRST GENERATION HYBRID? ☐ YES ☒ NO
18. DOES THE VARIETY CONTAIN ANY TRANSGENES? *(OPTIONAL)* ☐ YES ☒ NO
IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERICALIZATION. _____

19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)
RAO 7/17/09
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. ☒ Exhibit F. Declaration Regarding Deposit
g. ☒ Voucher Sample *(3,000 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 ($4,382), made payable to "Treasurer of the United States" *(Mail to the Plant Variety Protection Office)*

20. 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 21 and 22 below)* ☒ NO *(If "no", go to item 23)*
21. 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
22. 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.
1 FOUNDATION 1 REGISTERED 1 CERTIFIED
(If additional explanation is necessary, please use the space indicated on the reverse.)

23. 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.)*
24. 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.)*

25. 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		SIGNATURE OF OWNER	
David Rossi		Richard H. Hurley	
NAME *(Please print or type)*		NAME *(Please print or type)*	
David Rossi		R H Hurley	
CAPACITY OR TITLE	DATE	CAPACITY OR TITLE	DATE
Senior Associate Director, NJAES	7/24/06		July 25, 2006

(See reverse for instructions and information collection burden statement)

ST-470 (02-06) designed by the Plant Variety Protection Office using Word 2003.

2006 00263

GENERAL INSTRUCTIONS: 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, F; (3) for a tuber reproduced variety, 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; and (4) payment by credit card or check drawn on a U.S. bank for $4,382 ($518 filing fee and $3,864 examination fee), payable to "Treasurer of the United States" *(See Section 97.6 of the Regulations and Rules of Practice).* **NEW:** With the application for a seed reproduced variety **or by direct deposit soon after filing**, the applicant must provide at least 3,000 viable untreated seeds of the variety *per se*, and for a hybrid variety at least 3,000 untreated seeds of each line necessary to reproduce the variety. Partial applications will be held in the PVPO for not more than 90 days; then returned to the applicant as un-filed. 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 payment by credit card or check payable to "Treasurer of the United States" in the amount of $768 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

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. The fees for filing a change of address; owner's representative; 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.)*

Plant Variety Protection Office
Telephone: (301) 504-5518 **FAX:** (301) 504-5291
General E-mail: PVPOmail@usda.gov
Homepage: http://www.ams.usda.gov/science/pvpo/PVPindex.htm

SPECIFIC INSTRUCTIONS:
To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and **provide evidence** that the permanent name of the application variety (even if it is a parental, inbred line) has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: U.S. Department of Agriculture, Agricultural Marketing Service, Livestock and Seed Programs, **Seed Regulatory and Testing Branch**, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054-2193 Telephone: (704) 810-8870. http://www.ams.usda.gov/lsg/seed.htm.

ITEM

19a. 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

19b. 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 replicated 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.

19c. 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.

19d. 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.*

19e. 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.

20. 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).*

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

24. *See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.*

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

23. 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.)*

Date of First Sale= 23 Sept 2005, sold from Seed Research to East Coast Sod & Seed

24. 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).)*

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 1.4 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.

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To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

November 2008

Breeding History of 007 (Experimentally designated as DSB) Creeping Bentgrass

Stacy Bonos, Bill Meyer, Richard Hurley and Virginia Lehman

All the individual clones of creeping bentgrass used in the development of 007 (DSB) were selected for improved dollar spot resistance, medium bright color, and vigorous, uniform growth habit. All the parental clones identified as germplasm from Rutgers that was used in the development of 007 were selected from a mowed-spaced trial established in 2000 at North Brunswick, NJ containing 4,128 plants. These clones were inoculated in the spring of 2000 and 2001 with 3 virulent isolates of *Sclerotinia homoeocarpa* F.T. Bennet, the causal agent of dollar spot disease. The plants used to establish the mowed-spaced plant trial were selected as the better performing turf plots from a mowed turf trial established in the fall of 1999 at North Brunswick, NJ maintained at putting green height.

Germplasm Sources From Rutgers

HF00sb 3-2, 3-7, 3-9 = progeny from cross between two dollar spot resistant clones, one selected from L-93 and one selected from Penncross. These creeping bentgrass clones were screened for dollar spot resistance in a two field trials for two consecutive years that had been inoculated with 5 isolates of *Sclerotinia homoeocarpa*, the fungus responsible for dollar spot disease.

HF00TP 59-3 = traces to a collection from Rumson Golf Course in Rumson, NJ in 1996

HF00TP 67-1, 69-3 = traces to collections from Spring Lake Golf Course in Spring Lake, NJ in 1996

HF00TP 1-6-5, 127-6, 127-7, 127-11, 131-3, 147-10, 214-1= trace to several plants collected from Piping Rock Golf Course in LI, NY in 1996.

HF00TP 109-8 = traces to one of several plants collected from a golf course fairway in Chicago, Illinois.

HF00TP 161-7 = traces to a plant collected from Harkers Hollow Golf Course in Harmony, NJ in 1996.

HF00TP 167-4 = traces to a plant selected out of a Southshore creeping bentgrass putting green in 1996.

HF00TP 256-7, 262-9 = traces to several plants selected from Northshore Country Club in LI, NY in 1998.

HF00TP 301-8 = traces to several plants selected for improved winter color from a three year old L-93 putting green at Hort Farm II in North Brunswick, NJ in 1998.

Germplasm Sources from Blue Moon Farm (Virginia Lehman)

BM01.0890, BM01.0891, BM01.0892, BM01.0893 (4 clones each) trace to germplasm from 96-2193 and L-93. 96-2193 traces to germplasm collected from old greens in the Atlanta, GA from unknown varietal origin. The plants were selected for high seed head number.

Breeder Seed of 007

The creeping bentgrass variety 007 has a broad genetic base developed using twenty four (24) parent plants. Plants identified as the Rutgers clones from the varieties L-93 (HF00sb 3-2, 3-7, 3-9, HF00TP 301-8) and Southshore (HF00TP 167-4) were used in the breeding of 007. Additionally, some of the parents of 007 can be traced to plants collected from putting greens on the following golf courses: Piping Pock GC (7: HF00TP 1-6-5, 127-6, 127-7, 127-11, 131-3, 147-10, 214-1), LI, NY, Spring Lake GC (2: HF00TP 67-1, 69-3), Spring Lake NJ, Northshore CC (2: HF00TP 256-7, 262-9), LI, NY, Rumson GC, Rumson, NJ (1: HF00TP 59-3), Harkers Hollow GC (1: HF00TP 161-7), Harmony, NJ. Four vegetative cuttings each of the 20 Rutgers clones (76 plants total), and 4 different clones from each of the four Blue Moon Farm (16 plants total) tracing to the 4 maternal sources (BM01.0890, BM01.0891, BM01.0892, BM01.0893) were placed for polycross proximity crosses near Lebanon OR in Fall 2001. Breeders seed was harvested in 2002.

Foundation Seed of 007

A 10+-acre foundation field was established in the fall of 2004 in Oregon under the supervision of Seed Research of Oregon. Foundation seed harvested (from the ten acre field) in the fall of 2005 was used to establish additional seed production (in the fall of 2005) with the first commercial seed production expected in August 2006.

The creeping bentgrass variety 007 was observed to be uniform and stable for two generations, from foundation to certified seed production. In addition, the variety has been determined to be uniform and stable for five years in turfgrass mowed evaluations. The creeping bentgrass variety 007 has shown less than 3% variants during the succession of generations. Any variants have shown to be slightly coarser in leaf texture.

Exhibit B:

Statement of Distinctness:

007 is distinct from all other creeping bentgrasses by a combination of morphological and turf characteristics. 007 is most similar to Providence. 007 has an earlier date of flowering when measured at Lebanon, OR (Tables 1, 2). Sixty plants were planted for morphological examination of each variety, arranged in three replications (20 plants per replication) with a randomized complete block design.

Table 1. Morphological characteristics of bentgrass measured at Lebanon, Oregon, 2004, on one year old spaced plants.

Name	Natural height (cm)	Pulled up height (cm)	Heading date	Flowering date	Panicle length (cm)	Distance from node to flag leaf (cm)	Flag leaf height (cm)	Flag leaf length (cm)	Flag leaf width (mm)	3rd leaf width (mm)	Ligule length (mm)
007;	21	33	3-Jun	16-Jun	5.8	4.8	16.9	2.4	2.71	2.63	2.0
Southshore	25	35	13-Jun	26-Jun	7.1	6.1	26.9	3.3	2.75	2.65	
Penncross	21	36	14-Jun	29-Jun	6.9	5.6	23.7	3.6	3.06	2.75	
Seaside	39	53	6-Jun	21-Jun	11.1	10.7	30.3	6.3	3.79	4.09	
SR 1020	25	38	9-Jun	24-Jun	8.2	7.1	26.5	3.9	3.26	2.84	
LS-44	23	31	4-Jun	21-Jun	7.1	5.7	20.4	3.9	3.36	2.85	2.9
Pennlinks	23	37	5-Jun	21-Jun	8.1	6.9	25.0	4.0	2.88	2.41	
Cobra	28	41	13-Jun	25-Jun	8.2	6.9	27.6	4.0	3.36	3.03	
Providence	23	34	9-Jun	24-Jun	7.7	6.6	24.7	4.0	3.08	2.60	
Crenshaw	23	33	3-Jun	19-Jun	7.6	5.7	24.1	3.6	3.06	2.67	
cv	8.74	11.27	3.2	1.96	12.05	11.5	15.9	18.28	13.76	11.62	
lsd, p=0.05	3.66	7.05	8.68	5.81	1.58	1.28	6.53	1.22	0.73	0.56	

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Table 2. Morphological characteristics of creeping bentgrass measured at Lebanon, Oregon, 2005 on 2 year old spaced plants.

Access	Name	Heading	Flowering	Height pulled up	Natural Height	Panicle length	Distance from node to flag	Flag leaf height	Flag leaf length	Flag leaf width	3rd leaf width
				(cm)	(cm)	(cm)	(cm)	(cm)	(cm)	(mm)	(mm)
	007;	3-Jun	22-Jun	55	39.6	9.3	7.7	39	4.6	2.56	2.60
	Southshore	11-Jun	28-Jun	62	40.3	10.2	8.7	45	5.2	3.01	3.23
	Penncross	12-Jun	30-Jun	56	35.8	9.4	7.8	40	4.8	2.48	2.84
	Seaside	10-Jun	29-Jun	82	49.7	14.3	12.9	63	8.4	3.61	3.37
	SR 1020	10-Jun	28-Jun	63	42.2	10.5	8.8	49	5.9	2.93	2.83
	LS-44**	7-Jun	24-Jun	56	39.1	11.0	7.8	41	5.0	3.11	2.86
	Pennlinks	9-Jun	26-Jun	56	40.3	10.3	8.5	43	5.6	2.63	2.74
	Cobra	8-Jun	27-Jun	66	45.0	11.4	9.7	46	5.7	2.77	2.90
	Providence	10-Jun	27-Jun	60	41.6	9.8	8.3	44	4.6	2.86	2.65
	Crenshaw	4-Jun	22-Jun	61	40.3	10.2	7.7	44	5.0	2.92	2.77
	CV	1.06	0.64	7.48	7.43	8.39	8.83	13.07	13.46	18.57	11.65
	lsd, p=0.05	2.86	1.94	7.73	5.21	1.5	1.31	9.9	1.25	0.89	0.55

2006 0293

REPRODUCE LOCALLY. Include form number and date on all reproductions. Form Approved OMB NO 0581-0055

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 1.4 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.

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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.

Exhibit C

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

OBJECTIVE DESCRIPTION OF VARIETY
Bentgrass (*Agrostis* spp.)

NAME OF APPLICANT (S)	TEMPORARY OR EXPERIMENTAL DESIGNATION	VARIETY NAME
Rutgers University and R H Hurley LLC	**DSB**	007
ADDRESS *(Street and No. or RD No., City, State, Zip Code and Country)*		FOR OFFICIAL USE ONLY
Rutgers University, New Brunswick, NJ, 08901 **RH Hurley LLC, RR 13 Box 6803, East Stroudsburg, PA 18301**		PVPO NUMBER #200600263

PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g., 089). Descriptions of the characters should represent those that are typical for the variety. Ranges may be given also. Measured data should be for SPACE PLANTS. Give additional description for all characteristics that cannot be adequately described in the form below. Append all pertinent comparative trial and evaluation data.

COMPARISON VARIETIES FOR USE BELOW

1 = Astoria 2 = Exeter 3 = Highland 4 = Seaside 5 = Penncross
6 = Kingstown 7 = Astra 8 = Other (Please Specify) _____Crenshaw_____

1. SPECIES: :2

1 = Colonial (Browntop) *A. tenuis* 2 = Creeping *A. stolonifera* (*A. palustris*) 3 = Velvet *A. Canina* spp *canina*
4 = Brown Bent *A. canina* spp *montana* 5 = Red Top *A. gigantea*

2. ADAPTATION: (0 = Not Tested, 1 = Not Adapted, 2 = Adapted)

2 : Northeast 2:Southeast 2: North Central 2: Pacific Northwest

☐ 5 = Other (Specify) _____

3. MATURITY: (At First Anthesis) Use Comparison Varieties

June 22

8 Days Earlier Than..... Penncross

Maturity the Same As Crenshaw .....

Days Later Than..... none

8

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4. HEIGHT: (Average of Longest 10 Shoots from Soil Surface to Top of Head)

39.6 cm Height (at Maturity)

10.1 cm Shorter Than Seaside

Height the Same as Pennlinks

3.8 cm Taller Than Penncross

5. GROWTH HABIT:

0 % Prostrate 0 % Decumbent 100% Geniculate 0 % Erect

6. VEGETATIVE REPRODUCTION:

Rhizomes: 1 1 = Absent ☐ 2 = Present

Stolons: 2 1 = Absent 2 = Present

0 % Rhizomes 100% Stolons

7. LEAF BLADE:

Color: 4
1 = Yellowish Green (Cohansey)
2 = Light Green (Washington
3 = Green (Exeter)
4 = Dark Green (Kingstown, Tracenta)
5 = Blush Green (Highland)
6 = Other (Please Specify) _____

Texture: (Finished) 2
1 = Very Fine (Kingstown)
2 = Fine (Exeter)
3 = Medium Fine (Astoria)
4 = Medium (Seaside)
5 = Medium Coarse (Virginia)
6 = Coarse (Vermont)

☐☐☐.☐ Stomatal Density of Upper Leaf Surface

Lower Surface	86% Smooth	% Rough 14% semi-rough
Upper Surface:	0 % Smooth	100% Rough
Margins:	0 % Smooth	100% Rough

2.6 mm Width (Average of 10)

1.05 mm Narrower Than Seaside

Width Same as Providence

none mm Wider Than

2.56 mm Width (Flag Leaves)

4.6 cm Length (Flag Leaves)

8. LEAF SHEATH:

Anthocyanin: 2 1 = Absent 2 = Present 100 % Red Sheaths

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#200600263

9. LIGULE: (Lower and Middle Leaves)

Shape at Apex:	0 % Acute	100% Rounded	0 % Truncate
	% Other (Please Specify) _____		
Pubescence:	100% Glabrous	0 % Pubescent	
Margins:	0 % Entire	100% Toothed	
	Other (Please Specify) _____		

2.26 mm Length

10. LEMMA:

Shape:	100 % Lanceolate	0 % Ovate
	0 % Obovate	0 % Elliptic
	0 % Oblong	% Other (Please Specify) _____

0.5 mm Width · 1.5 mm Length (Exclusive of awn)

Color:	100 % Buff on back	100 % Silvery on front
	0 % Other (Please Specify) _____	
Surface:	100 % Glossy	0 % Dull
Texture:	100 % Smooth	0 % Punctate
Pubescence:	0 % Glabrous	100 % Sparce
	0 % Copious	

10. LEMA: (continued)

Basal Hairs:	100 % Absent	0 % Few
	0 % Many	0 % Short
	0 % Long	0 % Apressed
	0 % Ascending	0 % Spreading
Awns:	100 % Absent	0 % Few
	0 % Many	0 % Awn-pointed
	0 % Short	0 % Long
	0 % Straight	0 % Geniculate
Awn Insertion On Lemma:	0 % Basal	0 % Middle
	0 % Distal	

11. PANICLE:

Type: (in Anthesis):	100% Open	0 % Compact
Anthocyanin:	0 % Absent	100% Present
Branches in Anthesis:	0 % Appressed	100% Ascending
	0 % Spreading	
Branches in Fruit:	100% Appressed	0 % Ascending
	0 % Spreading	
Branch Surface:	0 % Smooth	100% Scabrous

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12. SEED:

0 · 754g Grams per 1000 seeds

13. SPRING GREEN UP:

2 1 = Earl (Exeter) 2 = Medium (Astoria) 3 = Late (Kingstown)

14. ENVIRONMENTAL RESISTANCE: (0=Not Tested 1=Susceptible 2=Moderately Susceptible 3=Moderately Resistant 4=Resistant)

4 Cold 2 Heat 0 Drought 0 Shade Other (Please Specify)_____

15. DISEASE RESISTANCE: (0=Not Tested 1=Susceptible 2=Moderately Susceptible 3=Moderately Resistant 4=Resistant)

0 Red Leaf Spot (*Drechslera erythrospila*)

0 Melting Out (Drechslera poae (*Helminthosporium vagans*))

0 Pythium Blight (*P. aphanideramatum*)

0 Fusarium Blight (*F. roseum*)

3 Fusarium Patch (Pink Snow Mold (*F. nivale)*

0 Ophiobolus Patch (*O. graminis*)

3 Copper Spot (*Gloeocercospora sorghi*)

0 Red Thread (*Corticium fuciforme*)

0 Stem Rust (*Puccinia graminis*)

0 Leaf Rust (*P. poae-nemoralis*)

0 Helminthosporium Leaf Spot (*Bipolaris sorokiniana*)

3 Dollar Spot (*Sclerotinia homeocarpa*)

0 Pythium Blight (*P. ultimum*)

0 Fusarium Blight (*F. tricinctum*)

0 Powdery Mildew (*Ersiphe graminis)*

0 Stripe Smut (*Usilago striiformis*)

0 Typhula Blight (Snow Scald) (*T. incarnata*)

3 Brown Patch (*Rhizoctonia solani*)

0 Crown Rust (*P. coronata*)

Other (Please Specify) _____

16. INSECT RESISTANCE: (0=Not Tested 1=Susceptible 2=Moderately Susceptible 3=Moderately Resistant 4=Resistant)

0 European Chafer (*Amphimallon solstitalis*)

0 Chinch Bug (*Blissus insularis*)

0 Armyworm (Cutworm) (*Pseudoletia unipuncta*)

0 Garden Chafer (*Phyllopertha horticola*)

0 Webworm (*Crambus* spp.)

Other (Please Specify) _____

17. GIVE VARIETY(S) THAT MOST CLOSELY RESEMBLE THE SUBITTED VARIETY: For the following characteristics indicate the degree of resemblance (D.R.) with one of the following numbers: 1 = submitted variety is less than, lighter, or inferior to similar variety, 2 = Same as, 3 = More than, darker or superior, etc

CHARACTER	VARIETY		CHARACTER	VARIETY	
Growth Habit	A-1	2	Leaf Color	Penncross	2
Awn Length			Panicle Type	Providence	2
Seed Weight			Turf Fineness	A-1	2
Cold Resistance			Heat Resistance		
Drought Resistance			Shade Resistance		
Brown Patch	A-1	2	Density	A-1	2

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18. COMMENTS:

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Quantitative data presented is from the second year of measurements on spaced plants grown at Lebanon, OR.

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Table 3. Leaf Texture, Summer Density and Disease Ratings for Creeping Bentgrass Cultivars using University Putting Green Test Data (2003 NTEP Test).

Cultivar	Leaf Texture				Summer Density				Brown Patch				Dollar Spot			
	1-9; 9 = Very Fine				1-9; 9 = Max Density				1-9; 9 = No Disease				% Disease		1-9; 9 = No Disease	
	NJ		TX		PA		UT		ME		NJ*		KY		IN	
	05	04	05	04	05	04	05	04	05	04	04	03	05	04	05	04
007 (DSB)	8.0	6.3	8.0	6.3	8.0	8.0	8.7	7.0	7.0	7.5	7.3	7.0	11.3	8.7	8.7	8.8
Penn A-1	7.7	5.3	7.0	6.0	7.7	7.7	7.3	6.3	7.7	7.0	4.3	6.3	14.5	13.5	8.3	8.3
Declaration	7.0	6.0	7.7	6.7	8.0	7.0	7.0	6.3	7.8	7.0	6.7	7.7	2.4	7.3	8.7	8.9
Independence	7.7	4.0	7.7	5.7	7.7	6.7	7.3	6.3	8.0	8.0	6.3	5.3	21.8	21.9	6.3	5.9
Benchmark DSR	6.7	3.3	7.0	8.0	7.7	6.7	7.7	6.3	7.3	7.3	NA	NA	5.5	11.9	9.0	8.4
Pennlinks II	3.3	2.3	6.3	4.3	5.7	5.3	4.7	4.0	7.2	7.0	NA	NA	9.3	11.5	8.3	7.8
Penncross	1.7	1.7	5.7	4.3	5.0	4.0	4.3	4.0	5.8	5.0	2.7	3.7	34.2	16.9	7.0	7.2
LSD .05	1.7	2.0	2.0	1.4	0.6	0.7	1.2	1.1	1.7	1.8	1.8	2.2	6.9	6.5	2.6	1.0

*Putting Green Trial Established 2002 at North Brunswick, NJ.

2006 0263

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
Rutgers University and R.H. Hurley	DSB	007
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)*
Rutgers University, New Brunswick, NJ, 08901 RH Hurley, RR 13 Box 6803 ,East Stroudsburg PA 18301	(570) 588-9494	(570) 588-7743
	7. PVPO NUMBER #200600263	

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

10. Is the applicant the original owner? ☑ 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):*

Germplasm developed by Rutgers University and finalized by R H Hurley.

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.

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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

RAP 11/21/08

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
Rutgers University and R.H. Hurley	Rutgers University, New Brunswick, NJ 08901 RH Hurley LLC, RR~~18~~ 21 Box 6803, East Stroudsburg, PA ~~18301~~ 18302	DSB **VARIETY NAME** 007
NAME OF OWNER REPRESENTATIVE (S)	**ADDRESS** *(Street and No. or RD No., City, State, and Zip Code and Country)*	FOR OFFICIAL USE ONLY
V. G. Lehman	PO Box 2390, Lebanon OR 97355	**PVPO NUMBER** #200600263

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.

Signature

8 Oct 08
Date

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