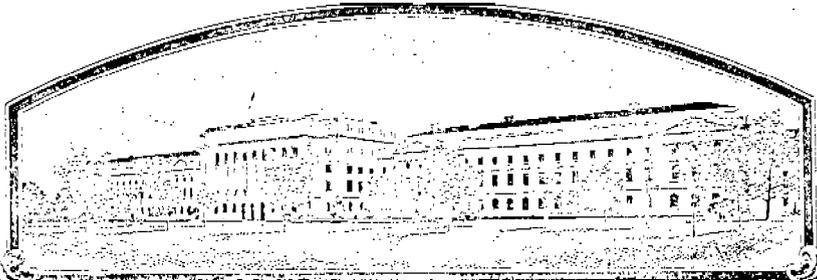


No.

7100034



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Keystone Seed Company

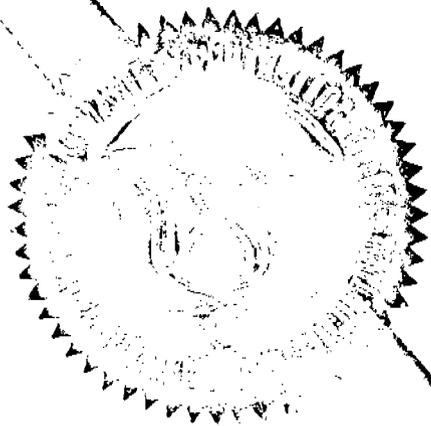
Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IS 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 *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (34 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BEAN

'Lake Superior'



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 this 21st day of May in the year of our Lord one thousand nine hundred and seventy-four

Attest

S. J. Rollin
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Earl H. Buttz

Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

VARIETY - LAKE SUPERIOR

Exhibit 13A

Origin and Breeding History of the Variety.

Lake Superior originated from a hand pollinated cross between Bush Blue Lake 274 and Geneva Breeding Line 108-20-1. Cross was made in 1964 and selections were made from F2 to F6 for Blue Lake pod type, upright bush, concentrated pod set and smooth pods. Further testing to the F11 showed that the variety was stable. Pod length had great variation; aborted ovules occurred at low frequency. Frequency of pod fiber was low.

Exhibit 13B

Seed is white and of the size-and shape of Blue Lake 274. Pod shape is like Blue Lake 274 but pod color is slightly lighter. Foliage habit is more like GV50. Plants are determinate. Flower color is white.

Exhibit-13C

Exhibit 13C is attached.'

Exhibit 13D

VOID - SEE REVISED EXHIBIT-D!
RJS

~~Data Indicative of Novelty.~~

~~Novelty is based on the unique following characteristics:~~

~~Lake Superior most closely resembles Bush Blue Lake 274, except that it matures 4 days earlier; plants are more compact:~~

~~Lake Superior - 50 cm. long x 60 , cm. wide~~

~~Bush Blue Lake 274 - 58 cm. high x 65 cm. wide~~

~~Leaflets are smaller:~~

~~Lake Superior - 11 cm. long x 8.5 cm. wide~~

~~Bush Blue Lake 274 - 11.5 cm. long x 10 cm. wide~~

Revised Exhibit D attached

FORM GA - 470
(12-15-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
-AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

FORM APPROVED
OMB HO. 40-R2712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1. VARIETY NAME OR TEMPORARY DESIGNATION Lake Superior	2. KIND NAME Bush Bean	FOR OFFICIAL USE ONLY	
		RV NUMBER 7134	
3. GENUS AND SPECIES NAME Phaseolus vulgaris	4. FAMILY NAME (Botanical) Leguminosae	FILING DATE 2.26.71	TIME 10 A.M.
		FEE RECEIVED \$ 250	BALANCE DUE \$ -
	5. DATE OF DETERMINATION November 1969	\$ 250	\$ -
6. NAME OF APPLICANT(S) Keystone Seed Co.	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 9870 Fairview Rd., Hollister, Calif. 95023	8. TELEPHONE AREA CODE AND NUMBER 408 637-5 781	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation		10. STATE OF INCORPORATION California	11. DATE OF INCORPORATION 11/23/55

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

Albert E. Braun
Same

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- 13B. Exhibit B, Botanical Description of the Variety
- 13C. Exhibit C, Objective Description of the Variety
- 13D. Exhibit D, Data Indicative of Novelty
- 13E. Exhibit E, Statement of the Basis of Applicant's Ownership.

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? (See Section 83(a). (If "Yes," answer 14B and 14C below). YES NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations? YES

14C. If "Yes," to 14B, how many generations of production beyond breeder seed? NO FOUNDATION REGISTERED CERTIFIED

The applicant declares that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable.

The undersigned applicant(s) of this sexually-reproduced novel plant variety believes that the variety is distinct, uniform, and stable as required in Section 41 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant is informed that false representation herein can jeopardize protection and result in penalties.

February 23, 1971
(DATE)

Fred Wilder Schubert
(SIGNATURE OF APPLICANT)

Pod length is slightly shorter and more uniform:

<u>Sieve size</u>	<u>Lake Superior</u>	<u>Bush Blue Lake 274</u>
3	11 cm.	9 cm.
4	13 cm.	12 cm.
5	14 cm.	14 cm.
6	15 cm.	17 cm.

Lake Superior differs from Bush Blue Lake 274 in that it is highly resistant to rust disease.

Exhibit 13E

Statement of Applicant's Ownership.

Keystone Seed Co. believes it is the sole, original and first breeder of Lake Superior variety of bush bean for which it solicits a certificate of protection.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

OBJECTIVE DESCRIPTION OF VARIETY
BEAN (*PHASEOLUS VULGARIS*)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S) KEYSTONE SEED CO.	FOR OFFICIAL USE ONLY
	PVPO NUMBER 7134
	VARIETY NAME OR TEMPORARY DESIGNATION Lake Superior

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (e.g. or) when number is either 99 or less or 9 or less.

1. TYPE:

<input type="text" value="1"/> 1 = SNAPBEAN	<input type="text" value="2"/> 2 = GREEN SHELL	<input type="text" value="3"/> 3 = DRY EDIBLE	<input type="text" value="4"/> 4 = MULTIPURPOSE
---	--	---	---

2. SEASON AND REGION OF ADAPTABILITY IN THE U.S.:

<input type="text" value="2"/> Grows best during:	<input type="text" value="1"/> 1 = SPRING	<input type="text" value="2"/> 2 = SUMMER	<input type="text" value="3"/> 3 = FALL	<input type="text" value="4"/> 4 = WINTER
---	---	---	---	---

<input type="text" value="6"/> Best adapted in:	<input type="text" value="1"/> 1 = NORTHWEST	<input type="text" value="2"/> 2 = NORTHCENTRAL	<input type="text" value="3"/> 3 = NORTHEAST	<input type="text" value="4"/> 4 = SOUTHEAST
	<input type="text" value="5"/> 5 = SOUTHWEST	<input type="text" value="6"/> 6 = MOST REGIONS		

3. MATURITY (Days from seeding to first harvest):

<input type="text" value="5"/> <input type="text" value="4"/> GREEN PODS	<input type="text" value=""/> <input type="text" value=""/> GREEN SHELLS	<input type="text" value="9"/> <input type="text" value="0"/> DRY SEEDS
--	--	---

<input type="text" value="0"/> <input type="text" value="4"/> NO. DAYS EARLIER THAN	<input type="text" value="7"/> 7	1 = TENDERCROP	2 = KENTUCKY WONDER	3 = KINGHORN WAX
<input type="text" value="0"/> <input type="text" value="2"/> NO. DAYS LATER THAN	<input type="text" value="8"/> 8	4 = WHITE KIDNEY	5 = MICHELITE 62	6 = DWARF HORTICULTURAL
		7 = BUSH BLUE LAKE	8 = OTHER (Specify) Lake Shasta	

4. PLANT:

<input type="text" value="1"/> 1 = DETERMINATE, ERECT BUSH	<input type="text" value="2"/> 2 = DETERMINATE, SPRAWLING BUSH
<input type="text" value="3"/> 3 = DETERMINATE, SEMIPOLE	<input type="text" value="4"/> 4 = INDETERMINATE, POLE

<input type="text" value="0"/> <input type="text" value="5"/> <input type="text" value="0"/> CM. HEIGHT OR LENGTH OF VINE FROM PRIMARY LEAF NODE	<input type="text" value="6"/> <input type="text" value="0"/> CM. SPREAD
<input type="text" value="0"/> <input type="text" value="0"/> <input type="text" value="4"/> NUMBER PRIMARY BRANCHES PER MAIN STALK	<input type="text" value="0"/> <input type="text" value="7"/> NUMBER INTERNODES ON MAIN STALK BETWEEN PRIMARY LEAF AND BASE OF TERMINAL INFLORESCENCE
<input type="text" value="1"/> Branching habit: 1 = COMPACT 2 = OPEN	<input type="text" value="0"/> <input type="text" value="7"/> MM. STALK DIAMETER ABOVE FIRST TRIFOLIATE LEAF
<input type="text" value="0"/> <input type="text" value="3"/> CM. LENGTH OF FIRST INTERNODE ABOVE PRIMARY LEAF	
<input type="text" value="2"/> Main stalk: 1 = BRITTLE 2 = WIREY <input type="text" value="1"/> 1. STOUT 2 THIN	
<input type="text" value="3"/> Flower position: } 1 = LOW, CONCENTRATED 2 = HIGH, CONCENTRATED 3 = SCATTERED	
<input type="text" value="2"/> Pod Position: }	

5. LEAVES:

<input type="text" value="1"/> 1 = SMOOTH 2 = WRINKLED	<input type="text" value="1"/> 1 = DULL 2 = GLOSSY	<input type="text" value="2"/> Thickness: 1 = THIN 2 = MEDIUM 3 = THICK
<input type="text" value="3"/> Size: 1 = SMALL (<i>Zerliwax</i>) 2 = MEDIUM 3 = LARGE (<i>Tendercrop</i>)	<input type="text" value="14"/> CM. PETIOLE LENGTH (To basal leaflets of first trifoliate leaf)	
<input type="text" value="2"/> Tip shape of center leaflet: 1 = ROUNDED 2 = TAPER POINTED 3 = SHARP POINTED		
<input type="text" value="2"/> PUBESCENCE - Dorsal: } 1 = NONE 2 = SLIGHT 3 = CONSIDERABLE		
<input type="text" value="1"/> PUBESCENCE - Ventral: }		
<input type="text" value="2"/> Color: 1 = LIGHT GREEN (<i>Bountiful</i>) 2 = MEDIUM GREEN 3 = DARK GREEN (<i>Bush Blue Lake</i>)		

Sophia

6. FLOWERS:

1 Color: 1 = WHITE 2 = CREAM 3 = PINK 4 = LILAC 5 = PURPLE
6 = OTHER (Specify) _____

2 Racemes: 1 = LONG 2 = MEDIUM 3 = SHORT 10 NUMBER FLOWERS PER RACEME

7. FRESH PODS: (Edible maturity, averages for 10 pods)

3 Color: 1 = LIGHT GREEN (Bountiful) 2 = MEDIUM GREEN (Tendergreen) 3 = DARK GREEN (Wade)
4 = LIGHT YELLOW (Brittlewax) 5 = GOLDEN YELLOW (Cherokee Wax) 6 = GREEN-RED VARIAGATED (Horticultural)
7 = OTHER (Specify) _____

1 5 CM. LENGTH 1 5 MM. WIDTH (Between sutures) 1 5 MM. THICKNESS 1 0 $\frac{WIDTH}{THICKNESS} \times 10$

4 Cross section pod shape: 1 = FLAT 2 = OVAL 3 = CREASEBACK 4 = ROUND

1 Curvature: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED 2 Pubescence: 1 = NONE 2 = SPARSE 3 = CONSIDERABLE

1 Constrictions: 1 = NONE 2 = SLIGHT 3 = DEEP 1 Spur: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

2 Surface: 1 = SHINY 2 = DULL 1 Surface: 1 = SMOOTH 2 = BLISTERED

2 Pod flesh: 1 = LIGHT 2 = DARK 1 Pod flesh: 1 = FIRM 2 = WATERY

6 MM. SPUR LENGTH 2 Suture string: 1 = PRESENT 2 = ABSENT

1 Fiber: 1 = NONE 2 = SPARSE 3 = CONSIDERABLE 2 Seed development: 1 = SLOW 2 = MEDIUM 3 = FAST

6 NUMBER OF SEEDS PER POD 22 NUMBER PODS PER PLANT (Once over harvest)

18 NUMBER MARKETABLE PODS PER PLANT (Once over harvest) 1 Machine harvest: 1 = ADAPTED 2 = NOT ADAPTED

8. SEED COAT COLOR:

1 1 = MONOCHROME 2 = POLYCHROME 2 1 = SHINY 2 = DULL

Primary color: 1 = WHITE 2 = YELLOW 3 = BUFF 4 = TAN
Secondary color: 5 = BROWN 6 = PINK 7 = RED 8 = PURPLE
9 = BLUE 10 = BLACK 11 = OTHER (Specify) _____

Color pattern: 1 = SPLASHED 2 = MOTTLED 3 = STRIPED 4 = FLECKED 5 = DOTTED

Secondary color location: 1 = HILAR RING 2 = HILAR SURFACE
3 = STROPHIOLE 4 = MICROPYLE
5 = SIDES 6 = BORSAL SURFACE
7 = NOT RESTRICTED TO ANY AREA 8 = COMBINATION OF LOCATIONS (Specify) _____

2 Hilar ring: 1 = NOT PRESENT 2 = NARROW 3 = BUTTERFLY SHAPED

2 Vein-like under coat pattern: 1 = ABSENT 2 = PRESENT

9. SEED SHAPE AND SIZE:

1 Hilum view: 1 = ELLIPTICAL 2 = OVAL 3 = ROUND 1 Side view: 1 = OVAL 2 = ROUND
3 = KIDNEY 4 = TRUNCATE ENDS

1 Cross section: 1 = ELLIPTICAL 2 = OVAL 45 GM. WEIGHT PER 100 SEEDS
3 = CORDATE 4 = ROUND

2 Classification: 1 = PEA 2 = MEDIUM 3 = MARROW 4 = KIDNEY 5 = PINTO

0 8 MM. WIDTH (Dorsal to ventral) 0 6 MM. THICKNESS (Side to side) 5

1 4 MM. LENGTH 0 1 3 $\frac{WIDTH}{THICKNESS} \times 10$

10. ANTHOCYANIN: (1 = Absent 2 = Present)

FLOWERS STEMS PODS SEEDS LEAVES

11. DISEASE RESISTANCE (0 = Not tested; 1 = Susceptible; 2 = Resistant)

<input type="checkbox"/> RUST (Specify race) _____	<input type="checkbox"/> ANGULAR LEAF SPOT
<input type="checkbox"/> BACTERIAL WILT	<input type="checkbox"/> COMMON BEAN MOSAIC
<input type="checkbox"/> ANTHRACNOSE	<input type="checkbox"/> YELLOW BEAN MOSAIC
<input type="checkbox"/> SOUTHERN BEAN MOSAIC	<input type="checkbox"/> FUSARIUM ROOT ROT
<input type="checkbox"/> CURLY TOP	<input type="checkbox"/> N.Y. 15 BEAN MOSAIC
<input type="checkbox"/> POWDERY MILDEW	<input type="checkbox"/> BEAN MOSAIC VIRUS 4
<input type="checkbox"/> HALO BLIGHT	<input type="checkbox"/> FUSCOUS BLIGHT
<input type="checkbox"/> ALFALFA MOSAIC VIRUS	<input type="checkbox"/> ALFALFA MOSAIC VIRUS 2
<input type="checkbox"/> POD MOTTLE VIRUS	<input type="checkbox"/> RED NODE VIRUS
<input type="checkbox"/> ROOT KNOT NEMATODE	<input type="checkbox"/> OTHER (Specify) _____

12. INSECT RESISTANCE: (0 = Not tested; 1 = Susceptible; 2 = Resistant)

<input type="checkbox"/> APHIDS	<input type="checkbox"/> LEAF HOPPERS
<input type="checkbox"/> POD BORER	<input type="checkbox"/> LYGUS
<input type="checkbox"/> THRIPS	<input type="checkbox"/> WEAVILS
<input type="checkbox"/> SEED CORN MAGGOT	<input type="checkbox"/> OTHER (Specify) _____

13. PHYSIOLOGICAL RESISTANCE: (0 = Not tested; 1 = Susceptible; 2 = Resistant)

HEAT COLD DROUGHT OTHER (Specify) _____

REFERENCES: The following publications may be used as a reference in completing this form:

1. Beans of New York. Vol. 1 Part II of Vegetables of New York. U.P. Hedrick et al. J. B. Lyon Company, Albany, N.Y. 1931.
2. Yarnell, S. H., Cytogenetics of the Vegetable Crops IV. Legumes. Bot. Rev. 31:247 - 330. 1965.
3. USDA Yearbook of Agriculture. 1937.

COLOR: Nickerson's or any recognized color fan may be used to determine the colors.

BUSH BEAN

'LAKE SUPERIOR'

Revised Exhibit D:

The combination of characteristics incorporated in 'Lake Superior' differentiates this variety from all other green podded bush snapbean varieties thus far introduced.

'Lake Superior' most closely resembles Lake Geneva but differs from Lake Geneva in the following characteristics:

1. Color of pods is lighter.

L.value 4 sieve Lake Superior - 41.3
L value 5 sieve Lake Superior - 42.0
L value 4 sieve Lake Geneva - 39.6
L value 5 sieve Lake Geneva - 40.0

2. Plants are larger.

Lake Superior - height 50 cm., width 60 cm.
Lake Geneva - height 45 cm., width 45 cm.

3. Center trifoliate leaflet is smaller.

Lake Superior - length 16 cm., width 12 cm.
Lake Geneva - length 17 cm., width 13 cm.

PLANT VARIETY PROTECTION CERTIFICATE

ASSIGNMENT

The Sunseeds Division of Agrigenetics Corporation, a Delaware corporation having a place of business at 3575 Mitchell Lane, Boulder, Colorado 80301 ("Agrigenetics"), represents that it is the owner of the entire right, title and interest in and to the plant variety protection certificates and applications for plant variety protection certificates shown below.

For good and valuable consideration, receipt of which is hereby acknowledged, Agrigenetics hereby assigns to UF Genetics, Inc., a Delaware corporation having a place of business at 9800 Fairview Road, Hollister, California 95024, Agrigenetics' entire right, title and interest in and to the following plant variety protection certificates and applications therefore, together with all Agrigenetics' rights to the sexually reproduced plants that are the subject of such certificates and applications:

I. Registered Certificates

<u>Title</u>	<u>Certificate Number</u>	<u>Date</u>
Empress	7900045	4/15/82
9014	Ap8100174	9/28/81
9293	Ap8100175	9/28/81
9400	Ap8200007	10/22/81
Paymaster	7600058	12/7/77
Lakeland	7600059	1/26/78
Triumph	7600061	12/30/77
Broker's Choice	8100175	4/28/83
Profit Maker	8100174	4/28/83
Shannon	8200007	4/28/83
Sunrise	7100029	6/24/74
Lake Shasta	7100030	8/12/74
Lake Erie	7100031	8/12/74
Rebel	7100033	9/30/74
Lake Superior	7100034	5/21/74
Miami	7100036	2/28/74
Lake Geneva	7200068	5/21/74
Scanion	7300001	11/15/74
Picoverde	7300016	4/10/73
Raider	7400069	7/26/74

Lake Largo	7400104	9/30/74
Lake Seneca	7500096	11/24/75
Chaparral	7600052	5/16/77
Costaverde	7600053	8/24/77
Gustoverde	7600054	8/24/77
Mesaverde	7600055	5/31/77
Conquest	7700058	7/26/77
Commander	7900067	7/26/79
Keygold	8000111	10/16/80
Snapbean, Exp. 163	7600058	12/7/77
Snapbean, Exp. 195	7600059	1/6/78
'Green Genes' Bean	7600060	12/7/77
Snapbean, Exp. 116-0	7600061	12/30/77
Mikado (AVX 450)	Ap8400037	12/30/83
Mystro	8500064	4/16/85

II. Pending Certificate Applications

<u>Title</u>	<u>Application Number</u>	<u>Filing Date</u>
Cajun Queen	Pending	--
Mendota	Pending	--
Sunset	Pending	--
Alpine	Pending	--
Polaris	Pending	--

AGRIGENETICS CORPORATION

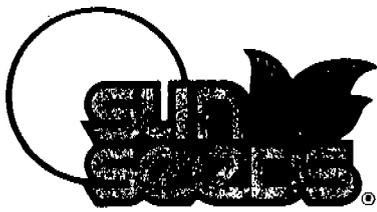
By: Murray Palmer
 Title: Executive Vice President

COMMONWEALTH OF MASSACHUSETTS)

County of Suffolk)

On this 30th day of April, 1986, before me appeared Wesley Johnson, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of Agrigenetics Corporation.

Susan J. Hardy
Notary Public
My Commission Expires: 1/31/90



From Technology To Life

P.O. Box 1438, 2320 Technology Parkway, Building 11 Suite A, Hollister, CA 95024-1438 USA 408/636-9505 TWX 910-3720254

June 7, 1988

Kenneth H. Evans, Commissioner
Plant Variety Protection Office
National Agriculture
Library Building, Room 500
Beltsville, MD 20705

Re: Change of Assignment.

Dear Mr. Evans:

This letter is in reference to your correspondence to me, dated July 14, 1987. I wish to make it clear that this change of assignment is to indicate a name change only, from U.F. Genetics, Inc. to Sunseeds Genetics, Inc.

Also, in reference to 'Mystro' tomato, have Item 1 read Sunseeds Genetics, Inc. and issue the certificate to Sunseeds Genetics, Inc.

Enclosed please find a check in the amount of \$170.00 to cover the cost of changing the certificates.

Title	Certificate No.	Date
Empress	7900045	4/15/82
9014	Ap8100174	9/28/81
9293	Ap8100175	9/28/81
9400	Ap8200007	10/22/81
Paymaster	7600058	12/7/77
Lakeland	7600059	1/26/78
Triumph	7600061	12/30/77
Broker's Choice	8100175	4/28/83
Profit Maker	8100174	4/28/83
Shannon	8200007	4/28/83
Sunrise	7100029	6/24/74
Lake Shasta	7100030	8/12/74
Lake Erie	7100031	8/12/74
Rebel	7100033	9/30/74
Lake Superior	7100034	5/21/74

SUNSEEDS

June 7, 1988
Kenneth H. Evans
Page 2

<u>Title</u>	<u>Certificate No.</u>	<u>Date</u>
Miami	7100036	2/28/74
Lake Geneva	7200068	5/21/74
Scanion	7300001	11/15/74
Picoverde	7300016	4/10/73
Raider	7400069	7/26/74
Lake Largo	7400104	9/30/74
Lake Seneca	7500096	11/24/75
Chaparral	7600052	5/16/77
Costaverde	7600053	8/24/77
Gustoverde	7600054	8/24/77
Mesaverde	7600055	5/32/77
Conquest	7700058	7/26/77
Commander	7900067	7/26/79
Keygold	8000111	10/16/80
Snapbean, Exp. 163	7600058	12/7/77
Snapbean, Exp. 195	7600059	1/6/78
'Green Genes' Bean	7600060	12/7/77
Snapbean, Exp. 116-0	7600061	12/30/77
Mikado (AVX 450)	Ap8400037	12/30/83

Sincerely,



Gene Hookstra
Vice President, Research

GH/mo

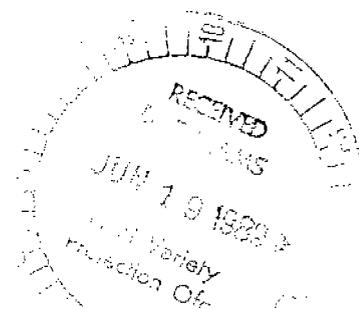
enc: Check
Copy of Correspondence from K.H. Evans

7100034

BILL OF SALE AND ASSIGNMENT

FOR VALUE RECEIVED, Sunseeds Genetics Inc, a Delaware Corporation, with its principal offices at 2320 Technology Parkway, Hollister, California, ("Sun") does hereby sell, transfer, assign and convey to Rogers Brothers Seed Company, a Delaware Corporation with principal offices at 1755 Westgate Drive, Boise, Idaho, ("Rogers") the following:

1. All Suns intangible assets relating to its pea, snap pea, garden bean, runner bean, cow pea, dry bean, and lima bean business ("Products").
2. All plant variety protection rights and all plant variety protected materials along with the rights to use the names thereof including all varieties listed on Schedule A attached hereto and incorporated herein by this reference.
3. All proprietary plant varieties and all other proprietary information relating thereto which are related to Products.
4. All patents, patent application and patent applications relating to the Products.
5. All research property relating to Products including notebooks, findings, pedigrees, records of experiments and their results, seed stocks, know how, techniques, all other proprietary information in whatever form stored, germ plasm, the germ plasm uses, seed samples and their coding and indexing methods.
6. All trademarks, trade names, service marks and copyrights which apply to the Products excluding any name which includes the corporate name of Sun and its affiliates.
7. Any and all other intangible assets and property rights relating to Products not specifically mentioned herein.



SUNSEEDS GENETICS, INC.
 PLANT VARIETY PROTECTION - USA
 AS OF 8/10/88

Variety	Cert #	Issued	Expires	Issued To
<u>Peas</u>				
Alpine	8500101	09/27/85	09/27/03	Sunseeds, A Div. of Agri. Sunseeds Genetics, Inc.
Blizzard	8700022	06/30/87	06/30/05	
Mendota	AP 8500163	05/30/85		Agrigenetics Corporation
Polaris	AP 8600017	11/12/85		
Sunset	8300074	04/30/84	04/30/02	
Titania	AP 8200008	10/26/81		
<u>Beans</u>				
Brokers Choice	8100175	04/28/83	04/28/01	Agrigenetics Corporation
Conquest	7700058	07/26/77	07/26/94	Keystone Seed Co., Inc.
Empress	7900045	04/15/82	04/15/00	Agrigenetics Corporation
Green Genes	7600060	12/07/77	12/07/94	Northrup King
Keygold	8000111	10/16/80	10/16/97	Keystone Seed Co., Inc.
Lake Erie	7100031	08/12/74	08/12/91	Keystone Seed Co., Inc.
Lake Geneva	7200068	05/21/74	05/21/91	Keystone Seed Co., Inc.
Lake Largo	7400104	09/30/74	09/30/91	Keystone Seed Co., Inc.
Lake Seneca	7500096	11/24/75	11/24/92	Keystone Seed Co., Inc.
Lake Shasta	7100030	08/12/74	08/12/91	Keystone Seed Co., Inc.
Lake Superior	7100034	05/21/74	05/21/91	Keystone Seed Co., Inc.
Lakeland	7600059	01/26/78	01/26/95	Agrigenetics Corporation
Miami	7100036	02/28/74	02/28/91	Keystone Seed Co., Inc.
Mikado (AVX 450)	8400037	03/31/87	03/31/05	Sunseeds Genetics, Inc.
Paymaster	7600058	12/07/77	12/07/94	Agrigenetics Corporation
Profit Maker	8100174	04/28/83	04/28/01	Agrigenetics Corporation
Raider	7400069	07/26/74	07/26/91	Keystone Seed Co., Inc.
Rebel	7100033	09/30/74	09/30/91	Keystone Seed Co., Inc.
Shannon	8200007	04/28/83	04/28/01	Agrigenetics Corporation
Sunrise	7100029	06/24/74	06/24/91	Keystone Seed Co., Inc.
Triumph	7600061	12/30/77	12/30/94	Agrigenetics Corporation

AP - PVP applied for

SCHEDULE A

DATED this the 26 day of May, 1989.

SUNSEEDS GENETICS INC:

BY [Signature]
its: Executive Vice President

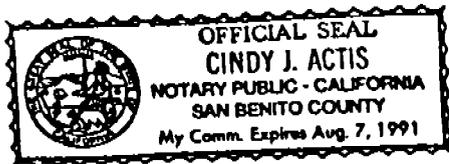
ATTEST:

[Signature]

State of CALIFORNIA)
) ss
County of SAN BENITO)

On this 26th day of May, 1989, before me, the undersigned Notary Public, personally appeared WILLIAM FRAZIER and ROBERT VAN MARTER known to me to be the EXECUTIVE V.P. and V.P. OF FINANCE respectively of the corporation that executed the instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year in this certificate first above written.



Cindy J Actis
Notary Public
Residing at: Hollister, CA
My commission expires: 8/7/91