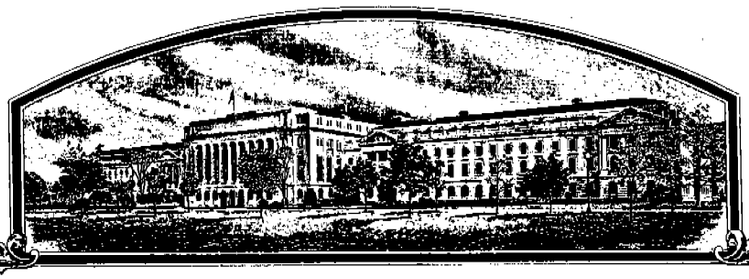

No. 7500051

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Rogers Brothers 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 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 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 (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'Melody'

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, DC *this* 18th *day of* June *in the year of our Lord one thousand nine hundred and* seventy-six

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(12-15-72)

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

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1. VARIETY NAME OR TEMPORARY DESIGNATION	2. KIND NAME	FOR OFFICIAL USE ONLY
Melody	Garden Pea	PV NUMBER 7500051
3. GENUS AND SPECIES NAME: Pisum sativum	4. FAMILY NAME *(Botanical)*: Leguminosea	FILING DATE 1.21.75 / TIME 3 ~~A.M.~~ P.M.
	5. DATE OF DETERMINATION: January 1975	FEE RECEIVED $250 / $250 / $250 — BALANCE DUE $ — / $ — / $ —

6. NAME OF APPLICANT(S)	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*	8. TELEPHONE AREA CODE AND NUMBER
Rogers Brothers Company	Rogers Brothers Company P. O. Box 2188 Idaho Falls, Idaho 83401	(208) 522-0110

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)*	10. STATE OF INCORPORATION	11. DATE OF INCORPORATION
Corporation	Delaware	1958

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:
Charles Green, Administrative Assistant
Rogers Brothers Company
P. O. Box 2188
Idaho Falls, Idaho 83401

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- [X] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [X] 13B. Exhibit B, Botanical Description of the Variety
- [X] 13C. Exhibit C, Objective Description of the Variety
- [X] 13D. Exhibit D, Data Indicative of Novelty
- [X] 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 [X] NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations? [ ] YES [ ] NO

14C. If "Yes," to 14B, how many generations of production beyond breeder seed? [ ] 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.

January 16, 1975 (DATE) — Charles Green (SIGNATURE OF APPLICANT) 1

January 16, 1975 (DATE) — (SIGNATURE OF APPLICANT)

RECEIVED JAN 21 1975 PVPO

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and $250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, 6525 Belcrest Road, Hyattsville, Maryland 20782. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Insert the date the applicant determined that he had a new variety based on the definition in Section 41 (a) of the Act and decision is made to increase the seed.

13a First, give the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. Second, give the details of subsequent stages of selection and multiplication. Third, indicate the type and frequency of variants during reproduction and multiplication and state how these variants may be identified. Fourth, provide evidence on stability.

13b First, give any special characteristics of the seed and of the plant as it passes through the seedling stage, flowering stage and the fruiting stage. Second, describe the mature plant and compare it with a similar commercial variety grown under the same conditions, and indicate the differences.

13c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.

13d Provide complete data indicative of novelty. Seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty may be submitted. Seeds submitted may be sterile.

13e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

7500051

MELODY

Garden Pea

EXHIBIT A

Origin and Breeding History of the Variety

MELODY, a late Perfection type freezing pea, was derived from the following hand pollinated crosses:

TARGET X (WASATCH X BARTON'S #16)

Barton's #16 was a release of the New York Agricultural Experiment Station, Geneva, New York. The final cross of the pedigree was made during the fall of 1963, and the following series of selections were subsequently made:

Year	Generation	Plot *	Harvested
1964	F2	641135	11 single plant selections
1965	F3	651298	4 single plant selections
1966	F4	66757	5 single plant selections
1967	F5	67990	3 single plant selections
1968	F6	68674	3 single plant selections
			12 ounces of bulk seed from plot.

* The plots listed above were only one of the several that were increased from each previous generation.

Four ounces of the 12 ounces of seed harvested from plot 68674 were planted as plot 69255 in 1969 and the three single plant selections were increased as plots 69655 through 69657. The single plant increase of plot 69657 was judged the best of the three single plant selections, and the seeds from this plot were harvested and increased during 1970 as plot 70423 and yielded 57 pounds of seeds which were planted again in 1971 as plot 71449 and 2,010 pounds of seeds were harvested. This seed was released for production increase in 1973 and is the origin of our current production. Single plant selections were harvested during the 1970 season and these have been increased as reserve pure lines to maintain the variety.

During 1973, one off-type in a 200,000 plant population was removed. This rogue type had larger and darker leaves and was of later season.

7500051

MELODY

Garden Pea

EXHIBIT B

Botanical Description of the Variety

MELODY is a late Perfection freezer type pea of 71 days maturity, which is two days later than Dark Skin Perfection and one day later than Aurora (Rogers Brothers Company). It has an average berry sieve size of 4.00 which is one sieve size smaller than Dark Skin Perfection. The vine is 76 cm tall, which is 10 cm shorter than Dark Skin Perfection, and the vine is very determinate as well as having a determinate pod set. The leaves are of moderate size and it is of an open vine type. In replicated yield trials during 1972, 1973, and 1974, Melody yielded 70%, 110% and 70% of Dark Skin Perfection respectively, in Rogers Brothers Company Southern Idaho yield trials.

MELODY

EXHIBIT D - REVISED

Date Indicative of Novelty

"MELODY" most closely resembles "AURORA", but differs in having darker, more uniform berry color, is one day later in freezing maturity, has a lesser degree of resistance to Enation Mosaic Virus and averages 18 percent more double pods.

7500051

EXHIBIT E

Statement of Applicant's Ownership

Rogers Brothers Company, P. O. Box 2188, Idaho Falls, Idaho, believes it to be the sole, original and first breeder of the "MELODY" variety of Garden Pea for which it solicits a certificate of protection.

FORM APPROVED. OMB NO. 40-R3712

FORM GR-470-14
(5-15-74)

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

EXHIBIT C
(Pea)

OBJECTIVE DESCRIPTION OF VARIETY

PEA *(PISUM SATIVUM)*

NAME OF APPLICANT(S)
ROGERS BROTHERS COMPANY

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*
P. O. Box 2188
Idaho Falls, Idaho 83401

VARIETY NAME OR TEMPORARY DESIGNATION
Melody

FOR OFFICIAL USE ONLY

PVPO NUMBER
7500051

Place the appropriate number that describes the varietal character in the boxes below.
Place a zero in first box (e.g. [0][8][9] or [0][9]) when number is either 99 or less or 9 or less.

1. TYPE:

[1] 1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

[1][6] Node number of first bloom: (15 to 17) [0][7][1] No. of days to processing [1][7][6][6] Heat Units

[ ][ ] No. of days *Earlier* than . . . [ ] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[0][2] No. of days *Later* than . . . . [ ] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

[0][7][7] CM. HIGH

[1][2] Cm. *Shorter* than . . . . . [2] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[2][3] Cm. *Taller* than . . . . . [3] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

[1] Habit: 1 = DETERMINATE 2 = INDETERMINATE [2] Stockiness: 1 = SLIM (Alaska) 2 = MEDIUM (Thomas Laxton WR) 3 = HEAVY (Alderman)

[2] Branching: 1 = NONE (Alaska) 2 - 1–2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar

[2] Internodes: 1 = STRAIGHT 2 = ZIG ZAG [2][3] NUMBER OF NODES

5. LEAFLETS:

[3] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman) 4 = OTHER (Specify)

[2] Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 4 = HEAVY [1] 1 = NOT MARBLED 2 = MARBLED (Alaska)

[3] Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

[2] 1 = LACKING 2 = PRESENT [2] 1 = NOT CLASPING 2 = CLASPING

[2] 1 = NOT MARBLED 2 = MARBLED [3] Size (Compared with leaflets): 1 = SMALLER 2 = SAME 3 = LARGER

[2] Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

[2] VENATION [1] STANDARD [ ] WING [ ] KEEL 1 = WHITE 2 = GREENISH 3 = LAVENDER 4 = PURPLE 5 = RED 6 = OTHER (Specify) _____

4

7500051

8. PODS:

[1] Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)

[3] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____

[1] Surface: 1 = SMOOTH 2 = ROUGH

[2] Surface: 1 = SHINY 2 = DULL

[2] Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____

[0 8] CM. LENGTH

[1 4] MM. WIDTH (Between sutures)

[0 7] NO. SEEDS PER POD

9. SEEDS (95–100 Tenderometer):

[3] Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____

Seive: %	1	2	3	4	5	6	7	8	AVERAGE
	0 3	1 0	1 3	2 7	3 2	1 3	0 2	0 0	4 2 2

SEEDS (Dry, Mature):

[4] Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED

[3] Surface: 1 = SMOOTH 2 = DIMPLED 3 = WRINKLED

[2 ~~1~~] Surface: 1 = SHINY 2 = DULL

HF 11/20/75

[1] Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED

[0 4 ~~5~~] Primary Color: 1 = CREAMY–WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN 5 = DARK GREEN 6 = BLUE–GREEN 7 = YELLOW 8 = BROWN 9 = RED

[ ] Secondary Color: 10 = GRAY 11 = BLACK

HF 11/20/75

[2] Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK

[1] Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE

[1 8] GRAMS PER 100 SEEDS

10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[2] FUSARIUM WILT

[0] NEAR–WILT

[0] DOWNY MILDEW

[0] ASCOCHYTA BLIGHT

[2] POWDERY MILDEW

[0] BACTERIAL BLIGHT

[0] MOSAIC

[1] PEA ENATION MOSAIC

[0] YELLOW BEAN MOSAIC

[ ] OTHER (Specify) _____

11. INSECT: (0= Not Tested; 1 = Susceptible; 2 = Resistant)

[ ] APHIDS

[ ] OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	AURORA	Fresh Seed Color	GALAXIE
Leaf Color	AURORA	Mature Seed Color	AURORA
Pod Color	AURORA	Seed Shape	GALAXIE
Pod Shape	AURORA	Plant Habit	AURORA

COMMENTS:

No. 7500051

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Rogers Brothers 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 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.

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PEA

'Melody'

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* fifth *day of* April *in the year of our Lord one thousand nine hundred and* seventy-six

[SEAL]

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

BUREAU OF ENGRAVING AND PRINTING