

# 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 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 (STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BEAN

'Lake Seneca'

*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 24th day of November in the year of our Lord one thousand nine hundred and seventy-five*

*Attest:*

*R. J. Rollins*

Commissioner  
Plant Variety Protection Office  
Grain Division  
Agricultural Marketing Service

*Earl L. Butz*  
Secretary of Agriculture



APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1. VARIETY NAME OR TEMPORARY DESIGNINATION 'LAKE SENECA' (Temporary) 2320 R/S		2. KIND NAME Bush Bean		FOR OFFICIAL USE ONLY PVPO NUMBER 7500096	
3. GENUS AND SPECIES NAME Phaseolus vulgaris		4. FAMILY NAME (Botanical) Leguminosae		FILING DATE 6/2/75	
		5. DATE OF DETERMINATION August 1973		TIME 2 P.M.	
				FEE RECEIVED \$ 750	
6. NAME OF APPLICANT(S) Keystone Seed Co.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 1438 Hollister, Calif. 95023		8. TELEPHONE AREA CODE AND NUMBER 408 637-5781	
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  
Keystone Seed Co.  
P. O. Box 1438  
Hollister, Calif. 95023

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- 12A. Exhibit A, Origin and Breeding History of the Variety (See Section 52, P.L. 91-577)
- 12B. Exhibit B, Botanical Description of the Variety
- 12C. Exhibit C, Objective Description of the Variety
- 12D. Exhibit D, Data Indicative of Novelty
- 12E. Exhibit E, Statement of the Basis of Applicant's Ownership

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. (See Section 52, P.L. 91-577).

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), P.L. 91-577) (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  NO

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

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

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 (P.L. 91-577).

May 16, 1975  
(DATE)

Fred Wildo Robert  
(SIGNATURE OF APPLICANT)

Chairman of the Board

1

(DATE)

(SIGNATURE OF APPLICANT)

## APPLICATION FOR PLANT VARIETY PROTECTION

BUSH BEAN VARIETY ~~2320~~ 'LAKE SENECA' RJS

## Exhibit A

## Origin and Breeding History of the Variety

## 'LAKE SENECA'

1. ~~2320~~ originated from a hand pollinated cross between Bush Blue Lake 274 and New York Experiment Station breeding line G103-6-1 and a backcross to Bush Blue Lake 274. The crosses were completed in 1968 and the variety appeared to be stable by the 6th generation.  
  
Beginning with the F-2, selections were made for a vigorous plant of medium bush size with pods concentrated close to the vertical axis from the middle to the upper portion of the plant. From the desired plant type selections were made for straight pods of 12 to 15 cm. in length and having the familiar Blue Lake characteristics. Concomitantly, selections were made for yield potential and seed quality.
2. Pure line selections based on even maturity and yield potential were made in the 5th and 6th generations. From the 5th to the 7th generation, the variety was evaluated in Pennsylvania and Florida as well as in California for plant habit, yield potential and processed quality. Performance and plant habit were similar in all areas, except that in winter plantings in Florida the plant was more spreading.  
  
During the course of selection, the most prevalent off types were plants with a greater spread than desired as well as plants with short curved pods. The frequency of these off types was reduced to less than 1 in 4500 by the 6th generation.

## APPLICATION FOR PLANT VARIETY PROTECTION

BUSH BEAN VARIETY ~~2320~~ 'LAKE SENECA' <sup>Rf3</sup>

## Exhibit B

## Botanical Description of the Variety

Seeds are white, shiny and with a faint vein-like under coat pattern. Around the hilum there is a slight tint of yellow pigment. The seed is relatively large - averaging 46 grams per 100 seeds. In hilar view, the seed is elliptical in shape and in cross-section it is round. From side view, the seed is kidney shaped.

The seedling stage is normal for bush beans. Hypocotyl is green; anthocyanin pigment is absent.

## 'LAKE SENECA'

~~2320~~ is a determinate, erect bush type snapbean which performs best in summer plantings, but also does well in the winter in Florida. It matures 3 days later than Lake Superior and 1 to 2 days earlier than Blue Lake 274.

## 'LAKE SENECA'

~~2320~~ is a vigorous plant with a strong stem structure. Most of the pods are located close to the central axis in the middle and upper portion of the plant. Up to 3 sieve size pods are bumpy and then becoming smooth. The pods have a deep green color and 4 sieve size will range from 14 to 17 centimeters in length. The pods of both varieties are round, but at 6 sieve size there is a slight indentation which could be classified as creaseback. Racemes are usually below foliage. At harvest maturity, 4 sieve size will range from 24 to 35%.

## 'LAKE SENECA'

## 'LAKE SENECA'

Seed development in ~~2320~~ is slower than in Lake Superior. At 6 sieve size ~~2320~~ averages 5.6% seed as compared to 9% for Lake Superior.

## 'LAKE SENECA'

~~2320~~ is resistant to common mosaic, N. Y. 15 virus and to some races of rust.

## 'LAKE SENECA'

The morphology of ~~2320~~ most closely resembles that of Lake Superior, except that:

## 'LAKE SENECA'

1. Spread of ~~2320~~ averages 49 cm. while Lake Superior averages 60 cm.

2. Number of internodes on main stalk between primary leaf and base of terminal inflorescence is 4 for ~~2320~~ <sup>'LAKE SENECA'</sup> and 5 to 7 for Lake Superior.
3. Terminal inflorescence extends above leaves on Lake Superior, but is lower, and within the plant on ~~2320~~ <sup>'LAKE SENECA'</sup> due to the internode below the terminal inflorescence being 2 cm. shorter. See attached photograph, Exhibit 1.
4. The pods of ~~2320~~ <sup>'LAKE SENECA'</sup> are closer to the vertical axis than in Lake Superior. In ~~2320~~ <sup>'LAKE SENECA'</sup> most of the pods are within a 5 cm. radius as compared to 6 cm. for Lake Superior.
5. The leaflets are larger in ~~2320~~ <sup>'LAKE SENECA'</sup> than in Lake Superior. Center leaflet of first trifoliolate leaf of ~~2320~~ <sup>'LAKE SENECA'</sup> measures 16 x 11.5 cm. while that of Lake Superior measures 15 x 9 cm.
6. The first true simple leaf is considerably larger in ~~2320~~ <sup>'LAKE SENECA'</sup>. ~~2320~~ <sup>'LAKE SENECA'</sup> measures 18.5 x 12.0 cm. as compared to 16.0 x 8.0 cm. for Lake Superior. See attached print, Exhibit 2.
7. The fresh pods of ~~2320~~ <sup>'LAKE SENECA'</sup> are comparable in length to Lake Superior. Up to 4 sieve size, pods of both varieties are straight and slightly bumpy. At 5 to 6 sieve size, the pods of ~~2320~~ <sup>'LAKE SENECA'</sup> remain almost straight while those of Lake Superior become slightly curved.

The curvature ratio of 5 sieve Lake Superior averages 0.933 while that of ~~2320~~ <sup>'LAKE SENECA'</sup> averages 0.982. Curvature ratio is taken as the ratio of the length of the cord to the length of the arc formed by the curved pod.

8. The number of marketable pods per plant averages higher for ~~2320~~ <sup>'LAKE SENECA'</sup> than for Lake Superior.

<sup>'LAKE SENECA'</sup> <del>2320</del> at 2" spacing	- 15 per plant
Lake Superior at 2" spacing	- 10 per plant
<sup>'LAKE SENECA'</sup> <del>2320</del> at 4" spacing	- 22 per plant
Lake Superior at 4" spacing	- 18 per plant

'LAKE SENECA' 2320 at 12" spacing - 42 per plant

Lake Superior at 12" spacing - 35 per plant

9. Color of raw pods is the same for <sup>'LAKE SENECA'</sup> 2320 and Lake Superior as measured by spectral reflectance. The dominant wave length for both varieties is at 567 nm. and Y values are the same.

After blanching, the 4 sieve pod color is brighter and more green than Lake Superior. The Y value for <sup>'LAKE SENECA'</sup> 2320 is 11.4 and dominant wave length is at 556 nm., while Lake Superior has a Y value of 14.55 with dominant wave length at 561 nm. The excitation purity of the blanched 4 sieve pod is <sup>'LAKE SENECA'</sup> 33.8% for 2320 and 28.9% for Lake Superior.



6. FLOWERS:

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

3 Racemes: 1 = LONG 2 = MEDIUM 3 = SHORT 7 NUMBER FLOWERS PER RACEME

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

2 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 VARIGATED (Horticultural)  
7 = OTHER (Specify) \_\_\_\_\_

15 CM. LENGTH 09 MM. WIDTH (Between sutures) 09 MM. THICKNESS 10 WIDTH THICKNESS x 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  
1 Pod flesh: 1 = LIGHT 2 = DARK 1 Pod flesh: 1 = FIRM 2 = WATERY  
12 MM. SPUR LENGTH 2 Suture string: 1 = PRESENT 2 = ABSENT  
2 Fiber: 1 = NONE 2 = SPARSE 3 = CONSIDERABLE 2 Seed development: 1 = SLOW 2 = MEDIUM 3 = FAST  
5 NUMBER OF SEEDS PER POD 32 NUMBER PODS PER PLANT (Once over harvest)  
22 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 1 1 = SHINY 2 = DULL  
1 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  
1 Secondary color location: 1 = HILAR RING 2 = HILAR SURFACE  
3 = STROPHIOLE 4 = MICROPYLE  
5 = SIDES 6 = DORSAL 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 3 Side view: 1 = OVAL 2 = ROUND  
3 = KIDNEY 4 = TRUNCATE ENDS  
2 Cross section: 1 = ELLIPTICAL 2 = OVAL 46 GM. WEIGHT PER 100 SEEDS  
3 = CORDATE 4 = ROUND  
2 Classification: 1 = PEA 2 = MEDIUM 3 = MARROW 4 = KIDNEY 5 = PINTO  
07 MM. WIDTH (Dorsal to ventral) 06 MM. THICKNESS (Side to side)  
15 MM. LENGTH 011 WIDTH THICKNESS x 10 7

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

FLOWERS       STEMS       PODS       SEEDS       LEAVES

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

<input checked="" type="checkbox"/> RUST ( <i>Specify race</i> ) <u>Some, but not specified</u>	<input type="checkbox"/> ANGULAR LEAF SPOT
<input type="checkbox"/> BACTERIAL WILT	<input checked="" type="checkbox"/> COMMON BEAN MOSAIC
<input type="checkbox"/> ANTHRACNOSE	<input checked="" type="checkbox"/> YELLOW BEAN MOSAIC
<input type="checkbox"/> SOUTHERN BEAN MOSAIC	<input checked="" type="checkbox"/> FUSARIUM ROOT ROT
<input type="checkbox"/> CURLY TOP	<input checked="" 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 ( <i>Specify</i> ) _____

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 ( <i>Specify</i> ) _____

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.

7500096

APPLICATION FOR PLANT VARIETY PROTECTION

BUSH BEAN VARIETY ~~2320~~ 'LAKE SENECA' N.S.

Exhibit D

Data Indicative of Novelty

Novelty is based on the unique combination of the following characteristics:

'LAKE SENECA'

2320 most closely resembles Lake Superior, except it (1) matures 3 days later, (2) has slower seed development, (3) more narrow plant, (4) fewer and shorter internodes to terminal inflorescence, (5) pods more concentrated and closer to central axis, (6) larger leaves, (7) straighter pods, (8) higher potential yield, (9) deeper green pod color after blanch.

7500096

APPLICATION FOR PLANT VARIETY PROTECTION

BUSH BEAN VARIETY ~~2320~~ 'LAKE SENECA' R/S

Exhibit E

Statement of Applicant's Ownership

Keystone Seed Co., Hollister, California, believes it is the sole, original and first breeder of the ~~2320~~ 'LAKE SENECA' variety of bush bean for which it solicits a certificate of protection.

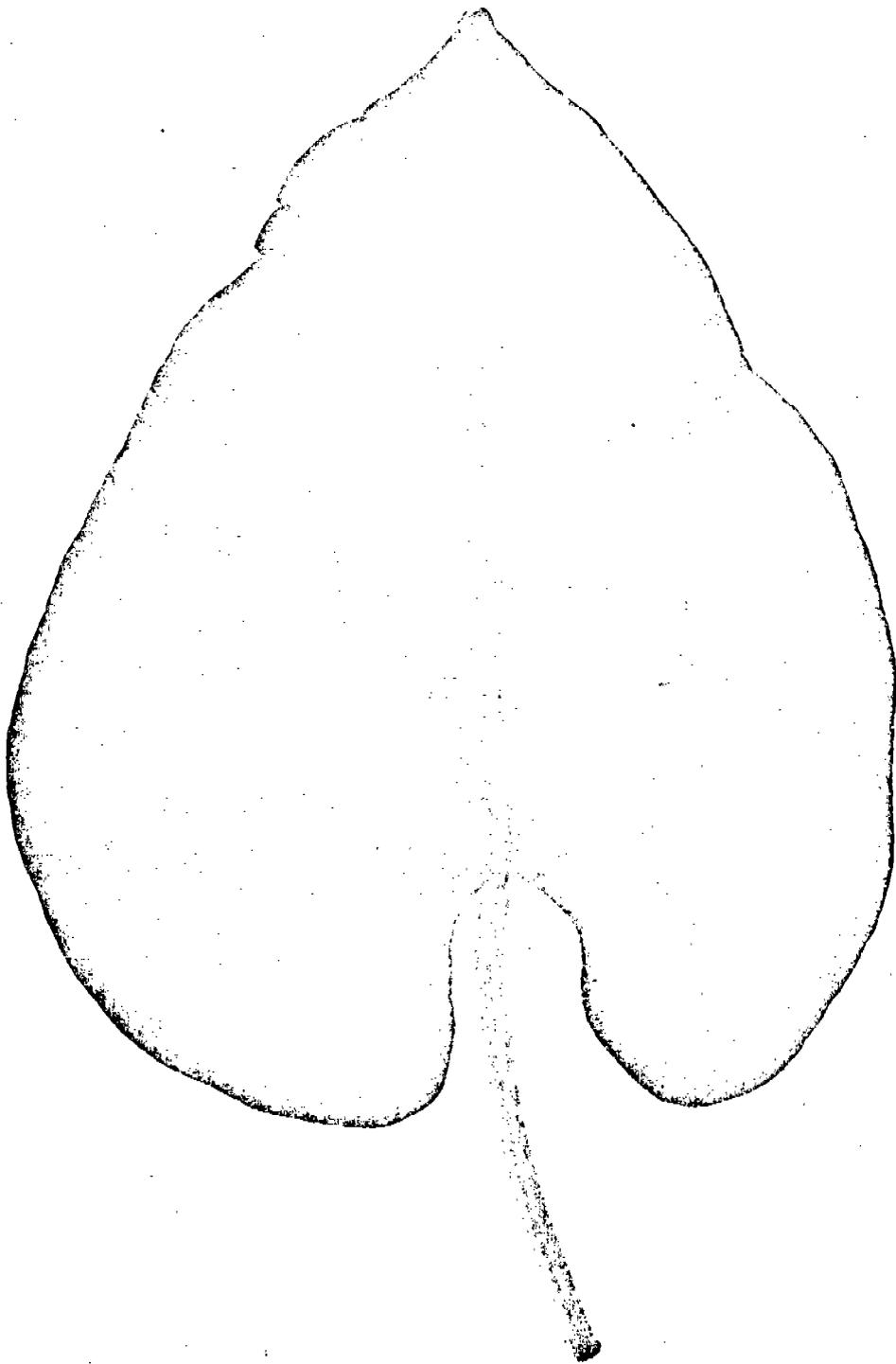
7500096



Exhibit 1

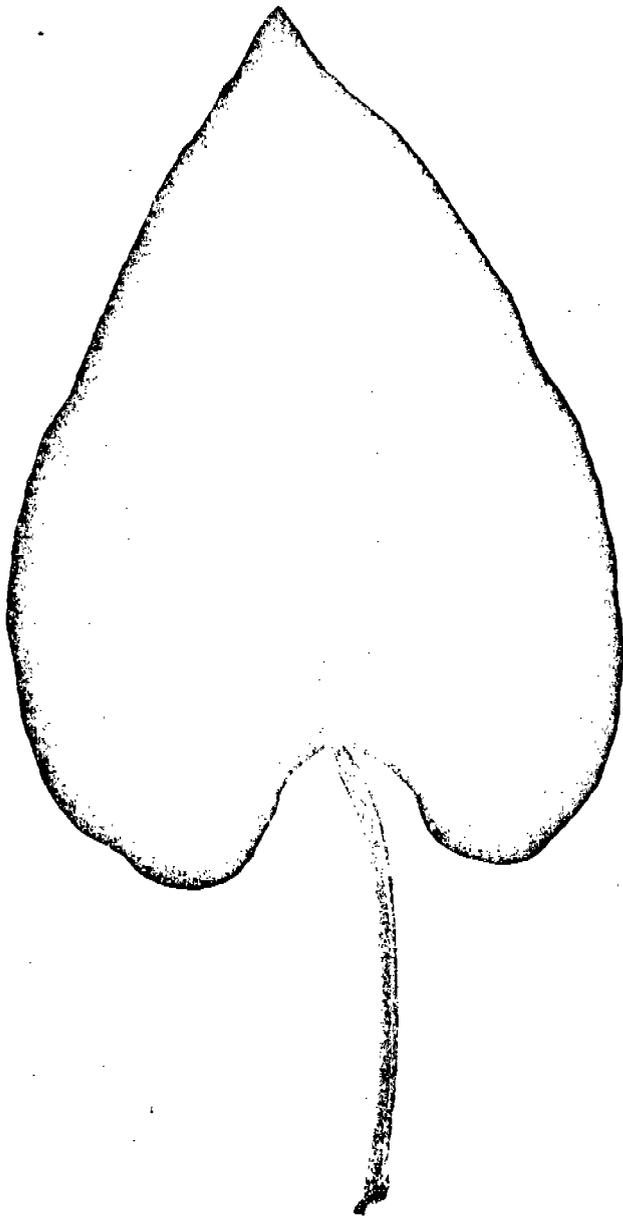
Showing shorter terminal raceme on ~~2320~~  
'LAKE SENECA' *RF*

7500096



Primary leaf of 2320 - Actual size  
'LAKE SENECA'  
Exhibit 2

7500096



Primary leaf of Lake Superior - Actual size

Exhibit 2

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

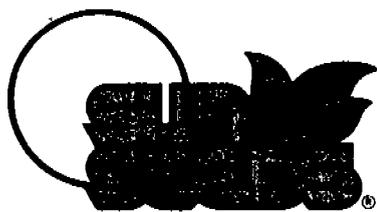
By: Murray Colman  
 Title: Executive Vice President

COMMONWEALTH OF MASSACHUSETTS )

County of Suffolk )

On this 30<sup>th</sup> day of April, 1986, before me appeared William J. 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: 11/30/90



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

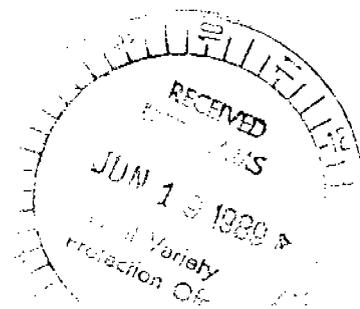
enc: Check  
Copy of Correspondence from K.H. Evans

7500096

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 Sun's 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
<b>Peas</b>				
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		
<b>Beans</b>				
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