No. 7600026

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Morrison 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

'Sagittarius'

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* 28th *day of* January *in the year of our Lord one thousand nine hundred and* seventy-seven

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 Sagittarius	2. KIND NAME Pea	FOR OFFICIAL USE ONLY PV NUMBER 7600026
3. GENUS AND SPECIES NAME Pisum Sativum	4. FAMILY NAME *(Botanical)* Leguminosae 5. DATE OF DETERMINATION 5/75	FILING DATE 12-16-75 TIME 8 A.M. FEE RECEIVED $ 250.00 $ 250.00 $ 250.00 BALANCE DUE $ — $ — $ —
6. NAME OF APPLICANT(S) Morrison Bros. Seed Co	7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)* E. 7509 Sprague Avenue Spokane, Washington 99213	8. TELEPHONE AREA CODE AND NUMBER 509 - 924-1404
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)* Corporation	10. STATE OF INCORPORATION Washington	11. DATE OF INCORPORATION 1924

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

Morrison Bros. Seed Co., Box 13066, Spokane, Washington 99213

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 [X] 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.

12/9/75
(DATE)

Morrison Bros Seed Co.
(SIGNATURE OF APPLICANT)

Robert E. Kittle Pres
(SIGNATURE OF APPLICANT)

(DATE)

00001

EXHIBIT A

SAGITTARIUS

This freezing type pea was selected from a public variety named Bonus. Bonus was developed and released by Asgrow Seed Company in 1969. We found the original release to be susceptible to Fusarium Oxysporum pisi Race 1.

Thirty single plant selections were made in 1972 as a possible genetic source for multi-pod types. These were advanced two generations and tested for resistance to Fusarium "wilt".

Only one of the selections showed 80 percent or above resistance. The selection number SP-26 was increased to its present quantities.

During the past three generations no variants have been observed which is evidence of varietal stability.

EXHIBIT B

SAGITTARIUS

* (Sagittarius) Comparison to Bonus

SEASON: * 70 days to freezing, first bloom 16th node
72 days to freezing, first bloom 16th node

VINE: *68 cm. tall, dark green, determinate
75 cm. tall dark green, determinate

PODS: * 7 cm long dark green blunt, 1 2 3 podded
6.6 cm long dark green, blunt, 1 2 3 podded

BERRIES: * 5 to 6 peas with a range of sizes from 1s through 7 sieve at 100 tenderometer. Average sieve size 5.09
5 to 7 peas with a range of sizes from 1s through 7 sieve at 100 tenderometer. Average sieve size 4.49

SEED: Wrinkled green; 1600 to 1800 seeds per pound
Wrinkled, green, 2200 seeds per pound

HEAT UNITS:

* Approximately 1470 at 100 tenderometer
Approximately 1550 at 100 tenderometer

DISEASE REACTION:

* RESISTANT to Fusarium Oxsporum S.P. pisi Race 1
Susceptible to Fusarium Oxsporum S.P. pisi Race 1

FORM GR-470 (REVERSE)

RECEIVED
DEC 16 1975

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.

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)
Morrison Bros. Seed Company

ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)*
7509 East Sprague
P.O. Box 13066
Spokane, Washington 99213

VARIETY NAME OR TEMPORARY DESIGNATION
7600026

FOR OFFICIAL USE ONLY

PVPO NUMBER Sagittarius

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: [6 9.5] No. of days to processing [1 4 9 0] Heat Units

[0 0] No. of days *Earlier* than . . . . [5] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[1 4] No. of days *Later* than . . . . [1] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

[0 6 8] CM. HIGH

[2 0] Cm. *Shorter* than . . . . . [5] 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[2 1] Cm. *Taller* than . . . . . [1] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

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

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

[1] Internodes: 1 = STRAIGHT 2 = ZIG ZAG [1 6] 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)

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

EXHIBIT D

SAGITTARIUS

DATA INDICATIVE OF NOVELTY

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

Sagittarius is similar to Bonus in vine appearance and podding characters except, it is (1) an earlier maturity pea by 2 days, (2) it has a lower average ovule count per pod, (3) it produces .60 average sieve larger peas, (4) it's vine height is 7 cm shorter, (5) it's average seed size per pound is 400 peas less, (6) it is resistant to Fusarium Oxysporum S.P. pisi Race 1.

Bonus is, to the best of our knowledge, the variety most similar to Sagittarius.

4.58

EXHIBIT E

SAGITTARIUS

Statement of Applicants Ownership

Morrison Bros. Seed Company of Spokane, Washington, is the employer of the breeder who selected this variety. We also believe that we are the sole, original, and first to develope the Sagittarius variety of peas for which it solicits a Certificate of Protection.