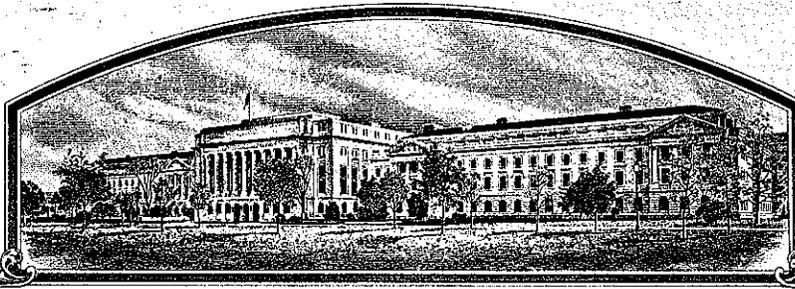


No.

7900044



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 (7 U.S.C. 2321 ET SEQ.)

PEA

'Novella'



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 14th day of June in the year of our Lord one thousand nine hundred and seventy-nine

Attest:

[Signature]
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

[Signature]
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
 OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

INSTRUCTIONS: See Reverse.

1a. TEMPORARY DESIGNATION OF VARIETY Freezer 76079		1b. VARIETY NAME Novella		FOR OFFICIAL USE ONLY PV NUMBER 7900044	
2. KIND NAME Garden Pea		3. GENUS AND SPECIES NAME Pisum sativum		FILING DATE 2-14-79	TIME 9:00 ^(A.M.) P.M.
4. FAMILY NAME (BOTANICAL) Leguminosae		5. DATE OF DETERMINATION Fall, 1976		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 2-14-79 5-12-79
6. NAME OF APPLICANT(S) Rogers Brothers Seed Company		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 1647 Idaho Falls, Idaho 83401		8. TELEPHONE AREA CODE AND NUMBER (208) 522-0143	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware		11. DATE OF INCORPORATION Feb. 25, 1975
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: Mr. Charles Green, Administrative Assistant Rogers Brothers Seed Company P. O. Box 1647, Idaho Falls, Idaho 83401					

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, Novelty Statement.

13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)

13D. Exhibit D, Additional Description of the Variety.

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 NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? FOUNDATION REGISTERED CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? YES NO (If "Yes," give name of countries and dates.)
Plan to apply for Breeders Rights in England in the near future.

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? YES NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? YES NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.
The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) 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 Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

Jan 16, 1979
 (DATE)

Charles Green
 (SIGNATURE OF APPLICANT)
 Charles Green for Rogers Brothers Seed Company

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (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 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a 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) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a 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 his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

NOVELLA
(Fr 76079)
Garden Pea

EXHIBIT A

Origin and Breeding History of the Variety

(Fr 76079), Novella is a midseason maturity freezing pea that was derived from the following hand pollinated crosses:

NYSAES * NYSAES
(Asgrow Mars x Variant Germplasm) (B68-1119)

*NYSAES--New York State Agricultural Experiment Station

Variant Germplasm--A selection from a 1968 release by NYSAES. This release contained seed of five distinctly different plant types of which the leafless (Af genotype) was one.

The final cross of this pedigree was made during the winter of 1970-71 and the following series of selections were subsequently made.

Year	Generation	Plot	Harvested
1971	f-1	712221	Bulked--2½ oz.
1972	f-2	721684	Bulked--1 pound
1973	f-3	731918	Two single plant selections
1974	f-4	741622	One single plant selection
1975	f-5	751451	Four single plant selections
1976	f-6	76079	Bulked 9 oz., four single plant selections

The bulk harvest of 9 oz. of seed from plot 76079 was increased to our present semi-commercial volume. The four single plant selections harvested from Plot 76079 have been increased and evaluated. The first choice selection from these will be increased and used as a replacement seed stock to perpetuate the line. NOVELLA is uniform and stable.

Variant types have consisted of approximately 1.5% 13th node plants in the original selection and 0.5% 13th node plants in the seed stock replacement line. In addition, an occasional taller variant has been noted in the original selection but has not been noted in the replacement line.

NOVELLA
(Fr 76079)
Garden Pea

7900044

EXHIBIT B

Data Indicative of Novelty

7/4
5/30/79
Novella (Fr 76079) is three days later maturing than the most similar ~~Rogers Brothers Seed Company's freezing variety~~ Galaxie and has a four inch shorter vine with the capability of producing a small number (3.5%) of triple pods as compared to only double pods for Galaxie.

However, the characteristic which distinctly differentiates Novella from Galaxie, or, to the best of our knowledge, any other variety which has received U. S. Plant Variety Protection, is the unique semi-leafless vine type of the Af genotype.

OBJECTIVE DESCRIPTION OF VARIETY
PEA (*PISUM SATIVUM*)

NAME OF APPLICANT(S) ROGERS BROTHERS SEED COMPANY		VARIETY NAME OR TEMPORARY DESIGNATION Novella (Fr 76079)
ADDRESS (Street and No. or R. F. D. No., City, State, and ZIP Code) P. O. Box 1647 Idaho Falls, Idaho 83401		FOR OFFICIAL USE ONLY PVPO NUMBER 7900044

Place the appropriate number that describes the varietal character 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:

1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

Node number of first bloom: No. of days to processing Heat Units

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

No. of days Later than 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

CM. HIGH

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

Cm. Taller than 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

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

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

Internodes: 1 = STRAIGHT 2 = ZIG ZAG NUMBER OF NODES

5. LEAFLETS: None

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

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

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

6. STIPULES:

1 = LACKING 2 = PRESENT 1 = NOT CLASPING 2 = CLASPING

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

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

7. FLOWER COLOR:

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

8. PODS:

1 Shape: 1 = STRAIGHT 2 = SLIGHTLY 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
 4 Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE
 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____
 0 7 CM. LENGTH 1 1 MM. WIDTH (Between sutures) 0 7 NO. SEEDS PER POD

9. SEEDS (95-100 Tenderometer):

2 Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____
 Seive: % 0 3 1 0 1 5 2 7 3 0 1 2 0 3 0 0 4 1 9 AVERAGE

SEEDS (Dry, Mature):

1 Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED
 3 Surface: 1 = SMOOTH 2 = DIMPLED 2 Surface: 1 = SHINY 2 = DULL
 3 = WRINKLED
 2 Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED
 4 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
 2 Secondary Color: { 10 = GRAY 11 = BLACK
 2 Hilum Floor Color: 1 = WHITE 2 = TAN 2 Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE
 3 = BLACK

2 0 GRAMS PER 100 SEEDS

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

2 FUSARIUM WILT Race #1 0 NEAR-WILT 0 DOWNY MILDEW
 0 ASCOCHYTA BLIGHT 1 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)

0 APHIDS OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	None Known	Fresh Seed Color	Galaxie
Leaf Color	No leaves	Mature Seed Color	Thomas Laxton
Pod Color	Galaxie	Seed Shape	Galaxie
Pod Shape	Galaxie	Plant Habit	None Known

COMMENTS:

NOVELLA
(Fr 76079)
Garden Pea

7900044

EXHIBIT ^D ~~7/5~~ 4/5/79

Botanical Description of the Variety

Novella (Fr 76079) is a midseason sweet type freezing pea variety which reaches prime table stage in 86 days at Twin Falls, Idaho (compared to 83 days for the freezing variety Galaxie). The fresh peas at optimum table stage have an average sieve size of 4.19 and the color intensity is comparable to the variety Galaxie.

Novella (Fr 76079) has the uniqueness of a vine which has conventional stipules but no leaflets. The leaflets are replaced by a proliferation of stipules which are thicker than those of the conventional pea (Af genotype).

The vine of Novella (Fr 76079) is determinate with a fasciated stem which concentrates the pod set near the top of the plant. Novella (Fr 76079) sets an average of 42% double pods and 3.5% triple pods per node.

The yields of Novella (Fr 76079) have been very good with reports from various cooperative trials that have been as much as 120% of the yield of Dark Skin Perfection.



United States
Department of
Agriculture

Agricultural
Research
Service

Northern Plains Area
National Seed
Storage Laboratory

1111 South Mason Street
Fort Collins, CO 80521-4500
Telephone: 970 495-3200
Fax: 970 221-1427

February 14, 1997

Marian R. Minnifield, Secretary
Plant Variety Protection Office
NAL Building, Room 500
10301 Baltimore Boulevard
Beltsville, Maryland 20705-2351

Subject: Expired PVPO's; disposition of

1. The following expired PVPO's have been transferred to the NPGS. Our records have been changed accordingly.

Serial Number		PVP Number
101862	01	PVP 7800029
102219	01	PVP 7800010
102675	01	PVP 7800088
102676	01	PVP 7400011
103506	01	PVP 7800084
103507	01	PVP 7900016
103508	01	PVP 7800082
103840	01	PVP 7900017
103842	01	PVP 7900067
104549	01	PVP 7700106
104551	01	PVP 7100046
314988	01	PVP 9500276
101863	01	PVP 7800026
102222	01	PVP 7800078
102226	01	PVP 7800091
101854	01	PVP 7200134
102214	01	PVP 7605014
102216	01	PVP 7900011
102217	01	PVP 7800095
102218	01	PVP 7800093
102220	01	PVP 7800097
102221	01	PVP 7800042

97 FEB 25 10 16 AM '97
USDA



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Department of
Agriculture

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1111 South Mason Street
Fort Collins, CO 80521-4500
Telephone: 970 495-3200
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102673	01	PVP 7800059
103502	01	PVP 7800096
103503	01	PVP 7800074
103509	01	PVP 7900044 ✓
103510	01	PVP 7900047
103838	01	PVP 7500042
103843	01	PVP 7300101
101859	01	PVP 7200132
102227	01	PVP 7700085
103511	02	PVP 7800028
103839	01	PVP 7900049
103845	01	PVP 7900048
104548	02	PVP 7800057
104550	01	PVP 7800024

97 FEB 25 10 16 AM '97
USDA

Sincerely,

GENE KEYS