

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pillsbury - Green Giant

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 *eighteen* 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, 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. THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED IN THE SAID APPLICATION AS THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

'265'

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 19th day of August in
the year of our Lord one thousand nine
hundred and eighty-two.

Attest:

Kenneth A. E.
Acting
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

John R. Block
Secretary of Agriculture



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 265		1b. VARIETY NAME 265		FOR OFFICIAL USE ONLY	
				PV NUMBER 8100003	
2. KIND NAME Pea		3. GENUS AND SPECIES NAME Pisum Sativum		FILING DATE 10/17/80	TIME 2:00 P.M.
4. FAMILY NAME (BOTANICAL) Leguminosae		5. DATE OF DETERMINATION August, 1977		FEE RECEIVED \$ 500.00	DATE 10/17/80
				\$ 250.00	6/8/82
6. NAME OF APPLICANT(S) Green Giant Company		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) Ag Research Dept. Le Sueur, MN 56058		8. TELEPHONE AREA CODE AND NUMBER 612-665-3515	
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
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: T. P. Reiling Green Giant Company Le Sueur, MN 56058					

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.)
 1st 810325

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.

10-9-80

(DATE)

10/19/80

(DATE)

T. P. Reiling Green Giant
 (SIGNATURE OF APPLICANT)

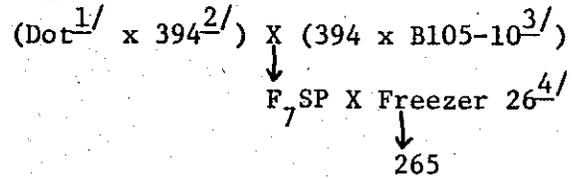
James T. Bart
 (SIGNATURE OF APPLICANT)

(SIGNATURE OF APPLICANT)

Director, Ag Res

Variety 26513A - Exhibit A

Genealogy



Variety Sources:

- 1) Dot - Rogers Brothers Seed Company
- 2) 394 - Green Giant Variety
- 3) B105-10 - Oregon State University Release
- 4) Freezer 26 - Pureline Seed Company

'265' 13A (3): The type of variant that exists is an occasional 13 node (vs. the standard 11 node) slightly taller vine type. It is present in very low numbers, i.e., 3 to 5 in an acre.

'265' 13B (4): Uniformity is depicted by good stability through six generations of increase and an equal number of plot and row comparisons.

Amended by photocopy - 1E7 820609

Exhibit b - revised

"265" is less similar to Juneau than "260". Accordingly, "265" is 8.8 inches shorter at total height, 4.4 inches shorter at height to first bloom, 311 seed smaller per 100 grams and 4.5 days later when compared to Juneau. The following table lists these differences.

	<u>Juneau</u>	<u>265</u>
Days to 50% bloom	29	33.5
Nodes to 1st Bloom	8.5	10.9*
Height to 1st Bloom (In.)	18.2	13.8*
Total Height (In.)	28.0	19.2**
Average Seed/Pod	6.8	4.6*
Pods/Node	1.0	1.9 N.S.
Average Seed/100 gms.	556	867

*Significant at .05 and, **-.01 level.

The above comparison contained six replications (pots) with four plants per pot. A growth chamber was utilized because of greater precision and repeatability for comparative purposes.

In the original statement in Exhibit c, 265 was stated as "tend toward dimpling without true smoothness". I would think this would cover your seed character concern.

TPReiling:car
3/18/82

"265" is most similar to Juneau. However, 265 is 3-4 days later to first bloom and is shorter and more determinate (71.1 vs. 48.8 cm) than Juneau.



Amended by photocopy - J67 820609

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705
OBJECTIVE DESCRIPTION OF VARIETY
PEA (PISUM SATIVUM)

EXHIBIT C
(Pea)

NAME OF APPLICANT(S) Green Giant Company	VARIETY NAME OR TEMPORARY DESIGNATION 265
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 1100 N. Fourth Street Le Sueur, MN 56058	FOR OFFICIAL USE ONLY PVPO NUMBER 8100003

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) 3 = HEAVY (Alderman)
2 = MEDIUM (Thomas Laxton WR)

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:

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 1 = NOT MARBLED 2 = MARBLED (Alaska)
4 = HEAVY

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

6. STIPULES:

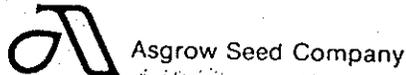
1 = LACKING 2 = PRESENT 1 = NOT CLASPING 2 = CLASPING

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)



81-3

July 22, 1982

Mr. Kenneth H. Evans, Acting Commissioner
Plant Variety Protection Office
National Agricultural Library Building
Beltsville, Maryland 20705

Pea - 265
\$5 paid

Dear Mr. Evans:

This letter is a follow up of our recent telephone conversation.

Asgrow would like to obtain photocopies of selected PVP applications for those varieties for which protection is granted. We are interested in receiving applications for the following crops:

- | | | |
|-------------|-------------|-----------|
| Garden Bean | Watermelon | Pepper |
| Dry Bean | Broccoli | Corn |
| Lettuce | Cabbage | Cucumber |
| Onion | Carrot | Eggplant |
| Parsley | Cauliflower | Muskmelon |
| Tomato | Pea | Squash |
| | | Soybean |

We are interested in applications approved in 1980, 1981 and those granted thus far in 1982.

Exclude the following copies:

1. Do not send photocopies of any Asgrow applications.
2. Do not send a photocopy of the actual certificate.
3. Do not send photocopies of applications issued in 1981 for soybeans and dry beans. Your office has sent these already.

Could you please advise me the cost of the above information and I will send you a check.

For the future, we would be interested in receiving copies of applications for the above species. Again, exclude Asgrow applications and the actual certificate itself. Could you arrange to have this done routinely, perhaps each month or each quarter, and we would reimburse your office.

Very truly yours,

John A. Batcha

NOTE: In regards to this request made by your Company, the following attached list of Issued Certificates have been photocopied for you. Upon receipt of your check for \$1,363 the photocopies will be mailed to you. Your patience is appreciated in the delay, caused by the reduced PVP staff and the magnitude of this order. Thank you.

Secretary
PVP Office
Jan. 19, 1983



United States
Department of
Agriculture

Agricultural
Marketing
Service

Livestock, Meat,
Grain, and
Seed Division

National Agricultural
Library Building
Beltsville, MD. 20705

December 3, 1982

056 001 03
SUBJECT: Seed Sample of Protected Variety
Certificate No. 8100003
Kind and Variety -- Pea and '265'
Breeder -- Green Giant Company

TO : National Seed Storage Laboratory
Fort Collins, CO 80521

Attached is the above-identified sample and an Objective Description of Variety form in accordance with our Memorandum of Understanding and as agreed upon during my visit with Dr. Louis Bass on June 12, 1972.

One copy of this duplicate form showing the result of your germination test on 100 seeds of pure seed of this sample should be returned to this Office. Return of the duplicate form will serve as acknowledgement of receipt of the sample.

Germination: *98* % Date: *4/83*

Sincerely,

Kenneth H. Evans

Kenneth H. Evans
Acting Commissioner
Plant Variety Protection Office
(TEL. 301/344-2518)

OK - RJS 6/22/83

Attachment

In duplicate



The Agricultural Marketing Service
is an agency of the
United States Department of Agriculture

PS-1167

176461