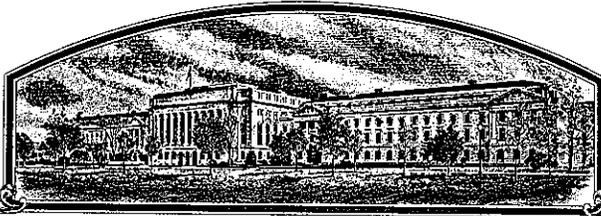


No.

8200169



**THE UNITED STATES OF AMERICA**

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**Canners Seed Corporation**

**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 (T. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA

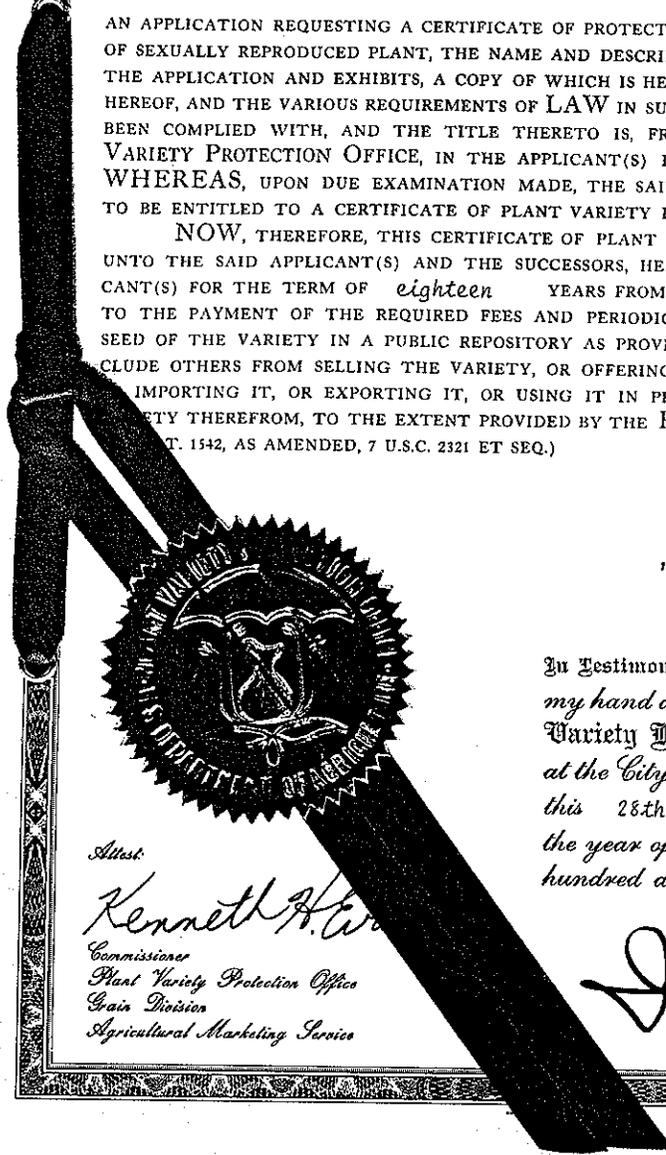
*'77 Early Perfection'*

*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 November in  
the year of our Lord one thousand nine  
hundred and eighty-three.*

*Attest:*

*Kenneth H. ...*  
Commissioner  
Plant Variety Protection Office  
Grain Division  
Agricultural Marketing Service

*John R. Block*  
Secretary of Agriculture



**APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE**

INSTRUCTIONS: See Reverse.

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

1a. TEMPORARY DESIGNATION OF VARIETY		1b. VARIETY NAME <i>77 EARLY PERFECTION</i> 8221 Advanced Early Perfection <i>P/S 12/8/82</i>		FOR OFFICIAL USE ONLY	
2. KIND NAME Processing pea variety for canning.		3. GENUS AND SPECIES NAME <u>Pisum sativum L</u>		PV NUMBER <b>8200189</b>	
4. FAMILY NAME (BOTANICAL) Leguminosae		5. DATE OF DETERMINATION October 1, 1980		FILING DATE 9/1/82	
6. NAME OF APPLICANT(S) Canners Seed Corporation		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P.O. Box 1874 Idaho Falls, Idaho 83401		TIME 10:30 A.M. P.M.	
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		DATE 9/1/82	
11. DATE OF INCORPORATION Feb. 14, 1936		FEE RECEIVED \$ 500.00 \$ 250.00		DATE 11/16/83	
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: Paul H. Deniger, President Canners Seed Corporation P.O. Box 1874, 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.)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?		14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED?	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)			
15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> 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

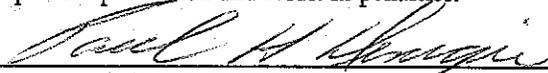
17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

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.

June 25, 1982

(DATE)



(SIGNATURE OF APPLICANT)

June 25, 1982

(DATE)

1

(SIGNATURE OF APPLICANT)

## 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.



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EXHIBIT A

ORIGIN AND BREEDING HISTORY OF THE VARIETY

~~8221 ADVANCED EARLY PERFECTION~~

77 EARLY PERFECTION

This variety is a single plant selection made in an 8221 Early Perfection planting in the summer of 1977. The selection was made for maturity and plant height.

8221 Early Perfection (Pea application #7500104) was developed from a cross made in 1958 between Geneva 1 and Cannors Seed Corporation #3019 Early Perfection.

The single plant selection was increased and evaluated for performance from 1978 - 1980. It's outstanding characters are shorter stature, earlier maturity, and higher yield potential.

It has had one year (1981) of commercial evaluation on a limited trial basis with the results substantiating those of ours. This pure line is very uniform with no known variants or rogues.

EXHIBIT B

NOVELTY STATEMENT

~~8221 Advanced Early Perfection~~

'77 EARLY PERFECTION'

'77 EARLY PERFECTION'

~~8221 Advanced Early Perfection~~ is of the general wrinkled canner perfection type pea. It most closely resembles 8221 Early Perfection, which is a well-known commercial pea variety developed and marketed by Cannors Seed Corporation.

Table I entitled "A Comparison of ~~8221 Advanced Early Perfection~~ and 8221 Early Perfection" details character comparison of the two varieties which may be used to differentiate them. The most notable differences are in plant height, total node, and 1st podded node. ~~8221 Advanced~~ is more determinate in character and

this is reflected in its shorter stature, fewer nodes, and lower node of first bloom. The bloom dates are approximately the same, however because of the more determinate habit of ~~8221 Advanced Early Perfection~~, the canning stage is reached one to two days earlier than the original 8221 Early Perfection.

In addition to these data, Table II compares the yield potential of the two varieties as evaluated by Cannors Seed as well as a cooperating commercial company. The data are indicative in all cases of the increased yield potential of the ~~8221 Advanced Early Perfection~~. The greater yield potential is due largely to the more determinate character which renders the crop more uniform and allows a greater percentage of the potential crop to be harvested at the proper canning stage.

ADDENDUM TO EXHIBIT B

8200169

'77 EARLY PERFECTION'  
~~8221-Advanced Early Perfection~~

R/S 12/8/82

'77 EARLY PERFECTION'

TABLE I. A COMPARISON OF ~~8221-ADVANCED EARLY PERFECTION~~ AND 8221 EARLY PERFECTION  
 (in 1980 and 1981 Cannors Seed Corporation wire trials)

CHARACTER			
	PLANT HT. Inches	TOTAL NODE NO.	1st PODDED NODE
8221 Early Perf.			
MEAN	24.3	14.0	11.2
STAN. DEV.	2.4	6.8	1.0
<del>8221-Advanced</del> '77 EARLY PERFECTION'			
MEAN	21.8	12.6	10.3
STAN. DEV.	1.4	1.0	1.3

'77 EARLY PERFECTION'

TABLE II. YIELD COMPARISON OF ~~8221-ADVANCED EARLY PERFECTION~~ AND 8221 EARLY PERFECTION

	'77 EARLY PERFECTION' <del>8221 A.E.P.</del>	8221 EARLY PERFECTION <del>8221 E.P.</del>
1981 Cannors Seed Wire Trials	206.4 gm/plot	128.9 gm./plot
STAN. DEV.	35	31
1981 Cannors Seed Fresh Test	38.1 pounds/plot	22.6 pounds/plot
1981 Libby, McNeill & Libby Replicated Trial. (Janesville, Wisconsin)	4451 pound/acre	3692 pound/acre





8200169



**nunhems**

Nunhems Seed Corporation  
P.O. Box 18  
221 E. Main St.  
Lewisville, ID 83431  
Phone: 208-754-8666  
Fax: 208-754-8669

12 December, 1995

Plant Variety Protection Office  
NAL Building Room 500  
10301 Baltimore Blvd.  
Beltsville, MD 20705-2351

Attention: Marsha Stanton, Ph D

Dear Dr. Stanton:

Please be advised that Nunhems Seed Corporation will be liquidated effective 31 December, 1995.

This being the case; we wish to transfer the following PVP registrations to our parent company in Holland. The following is the new assignee:

Nunhems Zaden B.V.  
P.O. Box 4005  
6080AA Haelen  
The Netherlands  
Attention: Lex Welles

The varieties to be assigned are as follows:

PVP Registration #	Variety	Kind	Year of Expiration
8200169	77 EP	Pea	2001
9300078	Scepter	Pea	2013
9300079	Captain	Pea	2013
8700051	9000 F	Pea	2005
8900230	Applause	Pea	2010
9300076	Point	Pea	2013
8900222	Ava	Pea	2010
9400082 (Pending)	Targhee	Pea	
7800059	9888 F	Pea	1996
9100213	Modus	Bean	2010
9100212	Fesca	Bean	2010

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Our understanding is that the fee for transfer of ownership is \$25.00 per variety. Enclosed please find our check in the amount of \$275.00.

Please cancel PVP rights on the following registrations effective 31 December, 1995.

8000065, 7600015, 7500104, 7500090, 8000064, 7800060,  
7600013, 7600016, 7800061, 8900224, 8900225, 8900223,

Yours truly,

Hank Mende  
Director of Administration