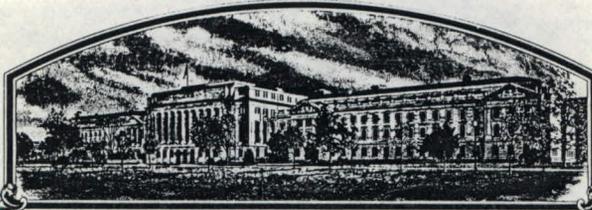


No.

8900065



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pure Line Seeds, Inc.

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

PEA

'Sun-Up'

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, D. C. this 29th day of March in the year of our Lord one thousand nine hundred and ninety-one.

Attest:

Kenneth H. Evans
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Ed Madigan
Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 WAREHOUSE & SEED DIVISION

FORM APPROVED: OMB NO. 0581-0055

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

1. NAME OF APPLICANT(S) Pure Line Seeds, Inc.		2. TEMPORARY DESIGNATION	3. VARIETY NAME Sun-Up
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) P.O. Box 8866 Moscow, Idaho 83843		5. PHONE (Include area code) 208-882-4422	FOR OFFICIAL USE ONLY PVPO NUMBER 8900065
6. GENUS AND SPECIES NAME Pisum sativum	7. FAMILY NAME (Botanical) Leguminasae		FILING DATE Dec. 30, 1988 TIME 10:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.
8. KIND NAME Pea	9. DATE OF DETERMINATION July 1986		FEE RECEIVED AMOUNT FOR FILING \$ 1800.00 DATE Dec. 27, 1988 AMOUNT FOR CERTIFICATE \$ 200.00 DATE 1948 Feb. 4, 1991
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation			12. DATE OF INCORPORATION 1948
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Washington			
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Richard S. Lowe Pure Line Seeds, Inc. Box 8866 Moscow, Idaho			PHONE (Include area code): 208-882-4422

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

a. <input checked="" type="checkbox"/> Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)	c. <input checked="" type="checkbox"/> Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
b. <input checked="" type="checkbox"/> Exhibit B, Novelty Statement	d. <input type="checkbox"/> Exhibit D, Additional Description of the Variety
e. <input checked="" type="checkbox"/> Exhibit E	

15. 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) of the Plant Variety Protection Act.)
 Yes No Yes (If "Yes," answer items 16 and 17 below) No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
 Yes No

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?
 Foundation Registered Certified

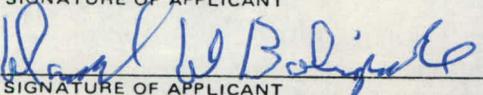
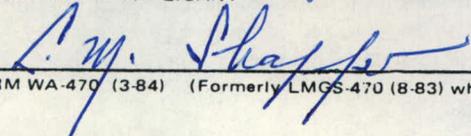
18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?
 Yes (If "Yes," give date)
 No

19. HAS THE VARIETY BEEN OFFERED FOR SALE OR MARKETED IN THE U.S. OR OTHER COUNTRIES?
 Yes (If "Yes," give names of countries and dates)
 No

20. The applicant(s) declare(s) that a viable sample of basic seeds 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 Protection Act.

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

SIGNATURE OF APPLICANT 	DATE 20 Dec 88
SIGNATURE OF APPLICANT 	DATE 12/20/88

INSTRUCTIONS

General: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$1,800 fee (\$200 filing fee and \$1,600 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Warehouse 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

- 9 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.
- 14a 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.
- 14b 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 are clear differences; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 14d 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.
- 15 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.)
- 16 See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

*** Please send untreated seed. We have no facilities for handling seed that has been treated.

Exhibit A

Origin and Breeding History of the Variety

1. Sun-up originated during the fall of 1979 from a hand pollinated, hybridization using the pedigree method between an early selection of Sundance (female) and PL-108-1-2 (male).
2. Subsequent generations (F_2 - F_8) were selected for plant type, podding habit and earliness. In the F_8 generation a single plant was selected for seed stock increase. Increasing has continued to date. Sun-Up is now in the F_{15} generation.
3. This variety was stabilized in the 8th generation. Field observations have indicated a uniform and stable variety since that time.

Exhibit B

Data Indicative of Novelty

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

Sun-Up is a double and triple podding freezer variety most closely resembling the variety Arctic, but differs by having double and triple slightly curved pointed pods while Arctic has single and double, blunt, straight pods.

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*)

NAME OF APPLICANT(S) Pure Line Seeds, Inc.	VARIETY NAME OR TEMPORARY DESIGNATION Sun-Up (Fr. 165)
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) Box 8866 Moscow, Idaho 83843	FOR OFFICIAL USE ONLY PVPO NUMBER 8900065

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:

JMS
7/3/90

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 } (63 cm)
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) Arctic

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)

8. PODS:

2 Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED 1 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
 5 Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE
 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____
 8 CM. LENGTH 1 4 MM. WIDTH (Between sutures) 8 NO. SEEDS PER POD

9. SEEDS (95-100 Tenderometer):

2 Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____
 Seive: %

1	2
---	---

2	8
---	---

3	1	6
---	---	---

4	3	1
---	---	---

5	3	0
---	---	---

6	1	0
---	---	---

7		
---	--	--

8		
---	--	--

AVERAGE	4	0	0
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 SEEDS (Dry, Mature):
 2 Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED
 3 Surface: 1 = SMOOTH 2 = DIMPLED 3 = WRINKLED 2 Surface: 1 = SHINY 2 = DULL
 1 Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED
 2 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
 1 Secondary Color: 10 = GRAY 11 = BLACK
 2 Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK 1 Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE
 2 4 GRAMS PER 100 SEEDS

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

<input type="checkbox"/> 2 FUSARIUM WILT	<input type="checkbox"/> 0 NEAR-WILT	<input type="checkbox"/> 0 DOWNY MILDEW
<input type="checkbox"/> 0 ASCOCHYTA BLIGHT	<input type="checkbox"/> 1 POWDERY MILDEW	<input type="checkbox"/> 0 BACTERIAL BLIGHT
<input type="checkbox"/> 0 MOSAIC	<input type="checkbox"/> 0 PEA ENATION MOSAIC	<input type="checkbox"/> 0 YELLOW BEAN MOSAIC
<input type="checkbox"/> OTHER (Specify) _____		

11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

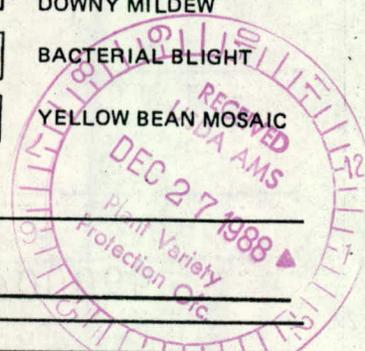
0 APHIDS OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	Sundance	Fresh Seed Color	Sundance
Leaf Color	Sundance	Mature Seed Color	Sundance
Pod Color	Sundance	Seed Shape	Sundance
Pod Shape	Sundance	Plant Habit	Arctic

COMMENTS:

Sun-Up vine and podding habit most closely resembles Sundance. Plant height and maturity most closely resembles Arctic.



8900065

Exhibit E

Statement of Ownership

Pure Line Seeds, Inc., claims to be the sole developer and owner
of Sun-Up.

Gilbert bond
25% cotton