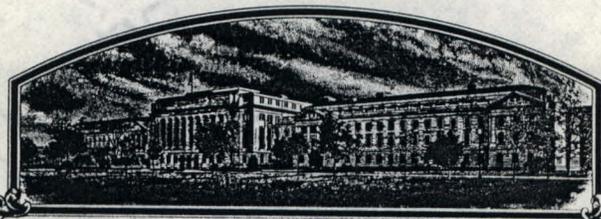


No.

8900158



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

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

PEA

'Karisma'

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 30th day of September in the year of our Lord one thousand nine hundred and ninety-one.

Attest

Kenneth A. Cross
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Ed Madison
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE

FORM APPROVED: OMB NO. 0581-0055

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

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).

1. NAME OF APPLICANT(S) Asgrow Seed Company		2. TEMPORARY DESIGNATION XP-F214	3. VARIETY NAME Karisma
4. ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) Unit 9620-190-46 Kalamazoo, MI 49001		5. PHONE (Include area code) (616) 385-6605	FOR OFFICIAL USE ONLY PVPO NUMBER 8900158
6. GENUS AND SPECIES NAME Pisum sativum	7. FAMILY NAME (Botanical) Leguminosae		FILING DATE April 13, 1989 TIME 11:00 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.
8. KIND NAME Garden Pea	9. DATE OF DETERMINATION July, 1987		AMOUNT FOR FILING \$ 1800.00 DATE April 13, 1989
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation			AMOUNT FOR CERTIFICATE \$ 200.00 DATE August 16, 1991
11. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware			12. DATE OF INCORPORATION March 22, 1968

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS
~~John A. Batcha~~ Kathy L. Ward
 Unit 9620-190-46 9652-190-18 AAA 17 Sept 1991
 Asgrow Seed Company
 Kalamazoo, MI 49001
 PHONE (Include area code): (616) 384-2353 AAA 17 Sept 1991 / 385-6605

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

- a. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- b. Exhibit B, Novelty Statement.
- c. Exhibit C, Objective Description of Variety (Request form from Plant Variety Protection Office.)
- d. Exhibit D, Additional Description of Variety.
- e. Exhibit E, Statement of the Basis of Applicant's Ownership.

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

19. HAS THE VARIETY BEEN RELEASED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?
 Offered for sale in U.S. May 19, 1988
 also offered for sale outside U.S. 1988
 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 <i>John A. Batcha</i>	DATE April 13, 1989
SIGNATURE OF APPLICANT	DATE

EXHIBIT A

Origin and Breeding History of XP-F214 Garden Pea

XP-F214 was developed at Asgrow's Western Breeding Station (WBS), Twin Falls, Idaho, by backcrossing afila foliage into the variety Dual:

- 10-1-82 Dual and Stampede planted in the greenhouse; crosses made.
- 1-17-83 BC₀ and Dual planted in the greenhouse; crosses made.
- 4-27-83 BC₁ planted in the greenhouse; allowed to self.
- 7-20-83 BC₁S₁ and Dual planted in the greenhouse; selected afila plants and crossed them to Dual.
- 12-8-83 BC₂ and Dual planted in the greenhouses; crosses made.
- 6-8-84 BC₃ planted in the greenhouse; allowed to self.
- 8-27-84 BC₃S₁ and Dual planted in the greenhouse; selected afila plants and crossed them to Dual.
- 12-11-84 BC₄ and Dual planted in the greenhouse; crosses made.
- 3-25-85 BC₅ planted in the greenhouse; allowed to self.
- 6-21-85 BC₅S₁ and Dual planted in the greenhouse; selected afila plants and crossed them to Dual.
- 9-9-85 BC₆ and Dual planted in the greenhouse; crosses made.
- 1-3-86 BC₇ planted in the greenhouse; allowed to self.
- 4-4-86 BC₇S₁ planted in the field at WBS; selected afila plants.
- 8-21-86 BC₇S₂ planted in the greenhouse; harvested as individual plants.
- 12-86 BC₇S₃ planted in the field at an Asgrow breeding station at Del Ray Beach, Florida. Harvested by progeny.
- 4-17-87 BC₇S₃₊₁ progenies planted in the field at WBS under the number F87949. Four of the 32 progenies planted appeared to be early in maturity and were removed; observations on the remainder indicated they were uniform and breeding true. All subsequent increases of XP-F214 trace to the bulk of F87949.
- 4-7-88 Planted a sample from the bulk of F87949 in the field at WBS. Observations during the growing season confirmed the line was uniform and breeding true.

Asgrow Seed Company
PVP Application
Garden Pea, XP-F214 (Karisma)
April 11, 1989

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EXHIBIT B

Novelty Statement Concerning XP-F214 Garden Pea

XP-F214 is a medium-sieve, full-season, freezer variety with the afila foliage mutation; leaflets are modified and borne as tendrils.

To our knowledge the variety that most closely resembles F214 is Dual. Comparative characteristics that best distinguish the two include, but may not be limited to, foliage type; Dual has normal foliage, whereas F14 has afila foliage.

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Garden Pea, XP-F214 (Karisma)
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EXHIBIT 'E'

STATEMENT OF THE BASIS OF APPLICANT'S OWNERSHIP

XP-F214 (Karisma) was originated and developed by John D. Atkin and David M. Webster Asgrow Plant Breeders. By agreement between employee and Asgrow Seed Company, all rights to any invention, discovery, or development made by an employee are assigned to the Company. No rights to such invention, discovery, or development are retained by the employee.