The United States of America

To all to whom these presents shall come:

Del Monte Corporation

Whereas, there has been presented to the Secretary of Agriculture

an application requesting a certificate of protection for an alleged distinct variety of sexually reproduced, or tuber propagated 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 twenty 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 conditioning it for propagation, or stocking it for any of the above purpose, or using it in producing a hybrid or different variety therefrom, to the extent provided by the Plant Variety Protection Act, (84 Stat. 1542, as amended, 7 U.S.C. 2321 et seq.)

Bean, Garden
‘DMC 04-05’

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 tenth day of June, in the year two thousand two.

[Signature]
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[Signature]
Secretary of Agriculture
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)

DEL MONTE CORPORATION

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)

One Market Plaza
San Francisco, CA 94105

7. GENUS AND SPECIES NAME

Phaseolus vulgaris L.

9. CROP KIND NAME (Common name)

Garden Bean

10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)

Corporation

11. IF INCORPORATED, GIVE STATE OF INCORPORATION

New York

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

David J. Brezner, Esq.
Flehr, Hohbach, Test, Albritton and Herbert
Four Embarcadero Center #3400
San Francisco, CA 94111-4187

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

a. ☒ Exhibit A. Origin and Breeding History of the Variety
b. ☒ Exhibit B. Statement of Distinctness
c. ☒ Exhibit C. Objective Description of the Variety
d. ☐ Exhibit D. Additional Description of the Variety
e. ☐ Exhibit E. Statement of the Basis of the Applicant's Ownership
f. ☐ Voucher Sample 12,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository
g. ☐ Filing and Examination Fee (2,420), made payable to "Treasurer of the United States" (Mail to PVPO)

17. DOES THE APPLICANT 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 ("no," go to item 20)

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☐ YES ☒ NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEFORE BREEDER SEED?

☐ FOUNDATION ☒ REGISTERED ☐ CERTIFIED

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) (the owner(s)) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, 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) hereby informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))

Charles D. Sopher

CAPACITY OR TITLE

Director, Agricultural Research and Seed Operations

DATE

2/3/96

(See reverse for instructions and information collection burden statement)
INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed Exhibits A, B, C, E; (3) at least 2,500 viable untreated seeds, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in a public repository prior to issuance of a certificate; (4) check drawn on a U.S. bank for $2,450 ($300 filing fee and $2,150 examination fee), payable to "Treasurer of the United States" [See Section 97.175 of the Regulations and Rules of Practice.] Partial applications will be held in the PVPO for not more than 30 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 1030 Baltimore Blvd., Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are set explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of $300 for issuance of the Certificate.

Plant Variety Protection Office
Telephone: (301) 504-5518

ITEM

16a. 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) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified.

16b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety 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;
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.

16c. Exhibit C forms are available from the PVPO for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.

16d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.

16e. Section 52(4) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. The applicant may be the actual breeder, the employee of the breeder, the owner through purchase or inheritance, etc.

17. 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 this affirmative decision after the variety has been sold and so labelled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See P.L. 103-349 for additional information.)

20. See Sections 41, 42, and 43 of the Act and Section 97.175 of the regulations for eligibility requirements.

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant should check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089.
EXHIBIT A (revised)

ORIGIN AND BREEDING HISTORY

The pedigree trace of ‘DMC 04-05’ is shown in Figure 1.

The initial cross was made in 1983. A modified single seed descent breeding method was used in the development of this variety. A single plant was selected for root rot resistance in the F₄ generation. All lots of ‘DMC 04-05’ can be traced to 86CH0988F₆.

‘DMC 04-05’ was observed in Plover, WI in 1994, 1995, 1996 & 1997. The variety was uniform in each trial and was stable over these 4 generations. Plants with flat pods, a variant in this variety, occurred at less than one percent.
Figure 1. Pedigree trace of 'DMC 04-05'.
The variety name has been submitted to the Seed Branch for name clearance (see enclosed letter).

**Supplement to Exhibit A**

Checklist Item 6a
The following is an additional clarification of 16 varieties/pedigrees listed in the pedigree history.

1. The pedigree history of ‘K30’ is as follows:

   ![](diagram.png)

2. The origin of ‘OSC 2051’ is not known but the cross using this variety was made in 1961.

3. ‘FM1’ is a Blue Lake pole bean variety from Ferry Morse.

4. ‘A87’ was a cross between ‘04-20’ and ‘22AX1’.

5. ‘04-45’ was a backcross of ‘Tendercrop’ to ‘K30’.

6. ‘58-944-1’ was a line from the Geneva, NY breeding program.

7. ‘M7163’ and ‘X35-3-110-8-2’ were lines from Stanford’s plant explorer, Oliver Norvell.

8. ‘S189’ was a cross made in 1957 and our complete records end in 1958. There are no records indicating the parents of this cross.

9. ‘Rogers Stringless Pole’ was a variety from Rogers Seed Co.

10. ‘P61’ was a cross made in 1955 and our complete records end in 1958. There are no records indicating the parents of this cross.
11. The varieties, ‘322-2159’, ‘Logan 20-30’, and ‘20-12’ were used in crossing prior to 1950. Our complete records end in 1958 and there are no records indicating the origin of these varieties.

12. ‘Florida Belle’ was obtained from Corneli Seed Co., St. Louis, MO. However, it is not clear whether the company developed this variety.

13. ‘R82’ was a cross made in 1956 and our complete records end in 1958. There are no records indicating the parents of this cross.

Checklist Items 8, 10, 11, 13, & 24
Exhibits A, B & E have been revised and are enclosed.

Checklist Item 19
There is an error in Exhibit C. This variety is a type of garden bean.

Checklist Item 26
The following is the requested clarification on ten pedigrees found in the pedigree history of ‘DMC 04-05’.

- PV 9400051 has an error and ‘U38’ should be a cross between ‘K102’ and ‘S56’ as stated in this application for ‘DMC 04-05’.

- PV 9200231 has an error and ‘C177’ should be a cross between ‘04-20’ and ‘Tendercrop’ as stated in this application for ‘DMC 04-05’.

- PV 9300002 has an error and ‘L383’ should be a cross between ‘K242’ and ‘K25’ as stated in this application for ‘DMC 04-05’.

- ‘S104’ is the same pedigree in both applications ‘PV 9200116’ and this application for ‘DMC 04-05’.

- ‘M1’ is a cross between ‘30-12’ and ‘USDA 1831’. ‘USDA 1831’ was named ‘Tendercrop’ (BIC 2:20).

- The pedigree for ‘A87’ is correct in this application for ‘DMC 04-05’. However, I am not certain if ‘22AX1’ is the same as ‘Asgrow 92’. They are both Asgrow varieties.

- PV 9200116’ has an error and ‘C178’ should be a cross between ‘A87’ and ‘Tendercrop’ as stated in this application for ‘DMC 04-05’.
• 'R53' is the same pedigree in both applications 'PV 9200047' and this application for 'DMC 04-05'.

• 'X225' is a cross between 'N43' and 'Prosser 5-8'. 'Prosser 5-8' and 'Prosser 8' are names for the same USDA variety.

• PV 9200201' has an error and 'C161' should be a cross between 'A262' and 'B97' as stated in this application for 'DMC 04-05'.
EXHIBIT B (revised)

NOVELTY STATEMENT

‘DMC 04-05’ is a Blue Lake bean variety that is most similar to ‘DMC 04-04’ and ‘DMC 04-88’. The following traits distinguish ‘DMC 04-05’.

- ‘DMC 04-05’ averages 14.5 cm pod length for 6 sieve pods while ‘DMC 04-04’ averages 17.8 cm (Table 1).

- ‘DMC 04-05’ has resistance to Aphanomyces root rot while ‘DMC 04-04’ is susceptible (Table 2).

- ‘DMC 04-05’ has softer pod texture than ‘DMC 04-88’ (Table 3).

- ‘DMC 04-05’ has creaseback pods while ‘DMC 04-88’ does not.

Table 1. ‘DMC 04-05’ compared to ‘DMC 04-04’ for pod length of 6-sieve pods.

<table>
<thead>
<tr>
<th></th>
<th>Pod Length (cm)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1994</td>
</tr>
<tr>
<td>DMC 04-04</td>
<td>18.0</td>
</tr>
<tr>
<td>DMC 04-05</td>
<td>14.7</td>
</tr>
<tr>
<td>LSD_{0.05}</td>
<td>1.2</td>
</tr>
<tr>
<td>CV</td>
<td>4.6</td>
</tr>
</tbody>
</table>
Table 2. ‘DMC 04-05 compared to ‘DMC 04-04’ for Aphanomyces root rot resistance.

<table>
<thead>
<tr>
<th></th>
<th>Aphanomyces root rot rating&lt;sup&gt;(e)&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1990</td>
</tr>
<tr>
<td>DMC 04-04</td>
<td>9.0</td>
</tr>
<tr>
<td>DMC 04-05</td>
<td>1.0</td>
</tr>
<tr>
<td>LSD&lt;sub&gt;(0.05)&lt;/sub&gt;</td>
<td>2.3</td>
</tr>
<tr>
<td>CV</td>
<td>32.0</td>
</tr>
</tbody>
</table>

<sup>(e)</sup>Ratings are based on a scale of 1 to 9 with 1 = resistant and 9 = totally susceptible.

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Table 3. ‘DMC 04-05’ compared to ‘DMC 04-88’ for pod texture of 5-sieve pods.

<table>
<thead>
<tr>
<th></th>
<th>Texture&lt;sup&gt;(e)&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>DMC 04-05</td>
<td>6.39</td>
</tr>
<tr>
<td>DMC 04-88</td>
<td>7.28</td>
</tr>
<tr>
<td>LSD&lt;sub&gt;(0.05)&lt;/sub&gt;</td>
<td>0.58</td>
</tr>
<tr>
<td>CV</td>
<td>5.94</td>
</tr>
</tbody>
</table>

<sup>(e)</sup>Pod texture is the average force required to puncture a 5-sieve pod (measured in lb/sq in).
## OBJECTIVE DESCRIPTION OF VARIETY

**BEAN (Phaseolus vulgaris L.)**

<table>
<thead>
<tr>
<th>FOR OFFICIAL USE ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>PVPO NUMBER</td>
</tr>
<tr>
<td>VARIETY NAME OR TEMPORARY DESIGNATION</td>
</tr>
</tbody>
</table>

### Name of Applicant(s)
- DEL MONTE CORPORATION
- One Market Plaza
- San Francisco, CA 94105

#### Place numbers in the boxes (e.g. 089) for the characters that best describe this variety. Measured data should be for SPACED PLANTS. Ranges may also be given. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: _________________________________. Please answer questions appropriate for your variety if the information is available.

### 1. TYPE:
- 2 = Garden  (Field or dry-edible)
- 2 = Garden

### 2. MARKET MATURITY:
- 2083 Days to edible pods
- 3074 Days to dry seeds
- 81 Days to green shells
- 2665 Heat units to green shells

### 3. PLANT:
- 1 = Determinate
- 2 = Indeterminate

<table>
<thead>
<tr>
<th>cm height</th>
<th>43.7</th>
</tr>
</thead>
<tbody>
<tr>
<td>cm shorter than</td>
<td>1</td>
</tr>
<tr>
<td>Same as</td>
<td></td>
</tr>
<tr>
<td>cm taller than</td>
<td>8</td>
</tr>
<tr>
<td>cm spread</td>
<td>28.9</td>
</tr>
<tr>
<td>cm narrower than</td>
<td>1</td>
</tr>
<tr>
<td>Same as</td>
<td></td>
</tr>
<tr>
<td>cm wider than</td>
<td>2.0</td>
</tr>
<tr>
<td>width same as</td>
<td>7</td>
</tr>
<tr>
<td>1 = Main stalk: brittle 2 = wiry</td>
<td></td>
</tr>
<tr>
<td>1 = Stout 2 = Thin</td>
<td></td>
</tr>
</tbody>
</table>

### Additional Information:
- Changed on 3-9-98
- MAH 3-13-98
- 1 = Tendercrop
- 3 = Kinghorn Wax
- 5 = Michelite 62
- 7 = Bush Blue Lake 290
- 2 = Kentucky Wonder
- 4 = White Kidney
- 6 = Dwarf Horticultural
- 8 = Other (specify below)
- DMC 04-34
3. PLANT: (Cont'd)

2 Pod position: 1 = low    2 = high    3 = scattered

4 Bush form (illustrated below):

1 = spherical bush form    2 = stem bush form    3 = wide bush form    4 = high bush form
5 = other (specify)

4. LEAVES:

2 1 = smooth    2 = wrinkled    1 = dull    2 = glossy

2 Size: 1 = small (Earliwax)    2 = medium    3 = large (Tendercrop)

3 Color: 1 = light green (as light or lighter than Bountiful)    2 = medium green

3 = dark green (as dark or darker than Bush Blue Lake 290)

5. FLOWERS:

1 Color: 1 = white    2 = cream    3 = pink    4 = lilac    5 = purple    6 = Other (specify)

4 1 Days to 50% bloom

6. FRESH PODS: (Edible maturity, average for 20 pods)

2 Exterior color: 1 = light green (as light or lighter than Bountiful)

2 = medium green

3 = dark green (as dark or darker than Bush Blue Lake 290)

4 = light yellow (Brittlewax)

5 = golden yellow (Cherokee Wax)

6 = green-red variegated (Horticultural)

7 = other (specify)

% Sieve size distribution at optimum maturity for non-flat pods

Note:

1 = 4.76 mm to 6.76 mm
2 = 5.76 mm to 7.34 mm
3 = 7.34 mm to 8.34 mm
4 = 8.34 mm to 9.53 mm
5 = 9.53 mm to 10.72 mm
6 = 10.72 mm or larger

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.1</td>
<td>0.7</td>
<td>13.2</td>
<td>29.5</td>
<td>28.2</td>
<td>28.2</td>
</tr>
</tbody>
</table>

3 sieve 1.1 cm length 8.0 mm width 8.5 mm thickness

4 sieve 1.8 cm length 9.0 mm width 9.5 mm thickness

5 sieve 1.7 cm length 9.9 mm width 10.8 mm thickness

6 sieve 1.6 cm length 10.7 mm width 11.7 mm thickness
6. FRESH PODS: (Cont'd)

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Cross section pod shape: 1 = flat 2 = oval 3 = round 4 = heart</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Creaseback: 1 = present 2 = absent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Pubescence: 1 = none 2 = sparse 3 = considerable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Spur: 1 = straight 2 = slightly curved 3 = curved</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Constrictions: 1 = none 2 = slight 3 = deep</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Pod flesh: 1 = light 2 = medium 3 = dark</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>mm spur length</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Fiber: 1 = none 2 = sparse 3 = considerable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Number of seeds per pod</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Surface: 1 = smooth 2 = rough</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Suture string: 1 = present 2 = absent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Seed development (Snap Bean): 1 = slow 2 = medium 3 = fast</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Machine harvest: 1 = adapted 2 = not adapted</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 3 | Pod flavor: (1) Standard (Tendercrop)  
  (2) Mild Blue Lake (BBL 274)  
  (3) Strong Blue Lake (Pole FM1)  
  (4) Mild Romano (Roma)  
  (5) Strong Romano (Pole Romano)  
  (6) Other (specify) |

7. SEED COAT COLOR:

<p>| | | | | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>1 = Monochrome 2 = Polychrome</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>1 = shiny 2 = dull</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Primary color: 1 = white 2 = yellow 3 = buff 4 = tan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Secondary color: 5 = brown 6 = pink 7 = red 8 = purple</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>9 = blue 10 = black 11 = other (specify)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Color Pattern: 1 = none 2 = splashed 3 = mottled 4 = striped 5 = flecked 6 = dotted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Secondary color location: 1 = hilar ring 2 = ventral surface</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 = sides 4 = dorsal surface</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5 = not restricted to any area 6 = combination of location (specify below)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hilar ring on colored seeds: 1 = absent 2 = narrow 3 = butterfly shaped</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. SEED SHAPE AND SIZE:

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hilum view: 1 = elliptical 2 = oval 3 = round</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Cross section: 1 = elliptical 2 = oval 3 = cordate 4 = round</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Side view: 1 = oval to oblong 2 = round 3 = reniform</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
8. SEED SHAPE AND SIZE: (Cont’d)
   2 = truncate ends  2 = rounded ends
   27.3 gm/100 seed
   7.0 gm/100 seed lighter than ............... [ ]
   gm/100 seed same as ......................... [ ]
   7.0 gm/100 seed heavier than ............... [ ]
   comparison variety from page one

9. ANTHOCYANIN: (1 = absent  2 = present)
   1 Flowers  1 Stems  1 Pods  1 Seeds  1 Leaves

10. DISEASE RESISTANCE (0 = not tested  1 = susceptible  2 = resistant):

   0 Anthracnose (specify race below)
   0 Rust (specify race below)
   0 Powdery mildew
   0 Fusarium root rot
   0 Pythium root rot
   1 Rhizoctonia root rot
   0 Pythium wilt
   0 Angular leaf spot
   0 Bacterial wilt
   0 Halo blight (specify race below)

   0 Fuscosus blight
   0 Red node virus
   0 Pod mottle virus
   0 Bean common mosaic virus (specify strain below)
   [ ] Mosaic mottle
   [ ] Black root
   0 Bean yellow mosaic virus
   1 Curly top
   2 Other (specify below)
      Aphanomyces root rot
   2 Bacterial brown spot
   1 White mold

11. INSECT RESISTANCE: (0 = not tested  1 = susceptible  2 = resistant)

   0 Aphids
   0 Leaf hopper
   0 Lygus
   0 Pod borer

   0 Root knot nematode
   0 Seed corn maggot
   0 Thrips
   0 Weavils
   [ ] Other (specify below)

12. PHYSIOLOGICAL RESISTANCE: (0 = not tested  1 = susceptible  2 = resistant)

   2 Heat  0 Cold  0 Drought  0 Air pollution

13. COMMENTS:

FORM LPGS-470-12 (2-79)
**STATEMENT OF THE BASIS OF OWNERSHIP**

<table>
<thead>
<tr>
<th>1. NAME OF APPLICANT(S)</th>
<th>DEL MONTE CORPORATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)</td>
<td>One Market Plaza San Francisco, CA 94105</td>
</tr>
<tr>
<td>2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER</td>
<td>DMC 04-05</td>
</tr>
<tr>
<td>5. TELEPHONE (Include area code)</td>
<td>415-247-3000</td>
</tr>
<tr>
<td>6. FAX (Include area code)</td>
<td>415-247-3565</td>
</tr>
<tr>
<td>7. PVPO NUMBER</td>
<td>9600181</td>
</tr>
</tbody>
</table>

8. Does the applicant own all rights to the variety? *Mark an "X" in appropriate block. If no, please explain.*

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

10. Is the applicant the original breeder? If no, please answer the following:

- a. If original rights to variety were owned by individual(s):
  - Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country

- b. If original rights to variety were owned by a company:
  - Is the original breeder(s) U.S. based company? If no, give name of country

11. Additional explanation on ownership (If needed, use reverse for extra space):

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.
EXHIBIT E

STATEMENT OF OWNERSHIP

The bean variety, 'DMC 04-05', was developed by the combined efforts of Don T. Caine, Vicki J. Pierce, and Roger A. Schmitt, who were all employed by Del Monte when they developed this variety.

By agreement between employee and Del Monte Corporation, all rights to any invention, discovery, or development made by an employee while employed by Del Monte Corporation are assigned to Del Monte. No rights to such invention, discovery, or development are retained by the employee.