No. 9600399

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Seminis Vegetable Seeds, Inc.

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.)

LETTUCE

'Seville'

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 April, in the year two thousand three.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions.* FORM APPROVED - OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

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) *(as it is to appear on the Certificate)*
SEMINIS VEGETABLE SEEDS, INC.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER
GX447

3. VARIETY NAME
SEVILLE

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
37437 STATE HIGHWAY 16
WOODLAND, CA 95695

5. TELEPHONE *(include area code)*
916-666-0931

6. FAX *(include area code)*

FOR OFFICIAL USE ONLY

PVPO NUMBER
9600399

FILING DATE
Sept. 19, 1996

7. GENUS AND SPECIES NAME
LACTUCA SATIVA

8. FAMILY NAME *(Botanical)*
COMPOSITAE

9. CROP KIND NAME *(Common name)*
LETTUCE

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
ILLINOIS

12. DATE OF INCORPORATION
1996

FEES RECEIVED
FILING AND EXAMINATION FEE:
$ 2450.00
DATE
Sept. 18, 1996
CERTIFICATION FEE:
$ 320.00
DATE
12/31/2002

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

RWS 8-31-99 ~~KATHY WARD~~ Thomas Kramer

14. TELEPHONE *(include area code)*
916-666-0931

15. FAX *(include area code)*
916-668-0219

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

a. [X] Exhibit A. Origin and Breeding History of the Variety
b. [X] Exhibit B. Statement of Distinctness
c. [X] Exhibit C. Objective Description of the Variety
d. [ ] Exhibit D. Additional Description of the Variety *(Optional)*
e. [ ] Exhibit E. Statement of the Basis of the Applicant's Ownership
f. [ ] Voucher Sample *(2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)*
g. [X] Filing and Examination Fee ($2,450), 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 *(If "yes," answer items 18 and 19 below)* [X] NO *(If "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 BEYOND BREEDER SEED?
[ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?
[X] YES *(If "yes," give names of countries and dates)* [ ] NO
OFFERED FOR SALE IN THE USA SEPTEMBER 23, 1995

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) is(are) 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 42, 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 *(Owner(s))*		SIGNATURE OF APPLICANT *(Owner(s))*	
Kathy Ward			
NAME *(Please print or type)* KATHY WARD		NAME *(Please print or type)*	
CAPACITY OR TITLE VEGETABLE ADMINISTRATION RESEARCH MANAGER	DATE 9/16/96	CAPACITY OR TITLE	DATE

STD-470 (03-96) *(Previous editions are to be destroyed)* *(See reverse for instructions and information collection burden statement)*

9600399

EXHIBIT A
ORIGIN AND BREEDING HISTORY
Revised 10-97

Seville originated from a hand pollinated cross made between Rosalita and Royal Red. The cross was made in 1989, using Rosalita as the female parent and Royal Red as the male parent.

The F_1 seed was planted and harvested in the greenhouse in August, 1989. The progeny was observed and the selfs removed. The seed was harvested in bulk. The F_2 seed was planted at San Juan Bautista, California in April, 1990. The progeny was observed and selections were made based on color, and plant type. The selected plants were allowed to reproduce. Seed was harvested separately from the selected plants and the F_3 seed was planted in Yuma, Arizona in September, 1992. The progeny of the #1 plant selected in the previous generation was observed and selections were made based on color, leaf shape, and plant type. The selected plants were removed from the field and taken to the greenhouse where they were allowed to reproduce. Seed was harvested separately from the selected plants and the F_4 seed was planted in the San Joaquin Valley of California in May, 1993. The progeny of the #2 plant selected in the previous generation was observed and it appeared uniform. The seed was harvested in bulk and the F_5 seed was planted in Yuma, Arizona in September, 1993. The progeny was observed and one selection was made based on color, plant type, and leaf shape. The selected plant was removed from the field and taken to the greenhouse where it was allowed to reproduce. Seed was harvested and the F_6 seed was planted in the San Joaquin Valley of California in May, 1994. The progeny was observed and it appeared uniform. A trialing program began in California and Arizona in 1994.

Additional increases were made in 1995, 1996, and 1997. The variety is stable and uniform with no variants or off-types noted in the four generations noted.

9600399

EXHIBIT B
NOVELTY STATEMENT
Revised 10-97

Seville most closely resembles Majestic Red but differs in several ways. Seville is a darker red color, having a 187A on the RHS Colour Chart, compared to 183A, for Majestic Red. The midrib is red on Seville, as opposed to white on Majestic Red.

#13
The difference between 183A and 187A on the RHS Colour Chart is a big difference. The 187A is a very dark red color, compared to the lighter red color of 183A.

The color chart is designed to show color differences, which it clearly does between Seville and Majestic Red.

#15
Seville differs from the parents, Rosalita and Royal Red, in the following ways. Royal Red is a redleaf, whereas Seville is a Romaine. I am not familiar with Rosalita.

EXHIBIT C

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK AND SEED DIVISION

OBJECTIVE DESCRIPTION OF VARIETY
LETTUCE *Lactuca sativa*

E OF APPLICANT (S)

RESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

FOR OFFICIAL USE ONLY

PVPO NUMBER 9600399

VARIETY NAME
SEVILLE

EXPERIMENTAL DESIGNATION
GX447

numbers in the boxes for the characters which best describe this variety. Measured data should be the mean of an appropriate number (at least 10) of well ed plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

ocation of the test area is:
YUMA, ARIZONA

Color System Used:
RHS

LANT TYPE: *(See list of suggested check varieties page 4.)*

[0][4]
01=Cutting/Leaf
02=Butterhead
03=Bibb
04=Cos or Romaine
05=Great Lakes Group
06=Vanguard Group
07=Imperial Group
08=Eastern (Ithaca) Group
09=Stem
10=Latin
11=OTHER

EED:

COLOR: [1]
1=White (Silver Gray)
2=Black (Gray Brown)
3=Brown (Amber)

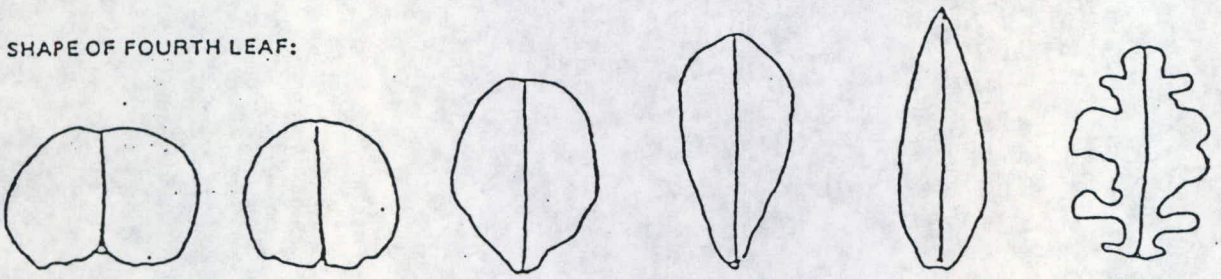
LIGHT DORMANCY: [1]
1=Light Required
2=Light Not Required

HEAT DORMANCY: [1]
1=Susceptible
2=Not Susceptible

OTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions.

[2] SHAPE OF COTYLEDONS: 1=Broad 2=Intermediate 3=Spatulate

[4] SHAPE OF FOURTH LEAF:



1 2 3 4 5 6

[1][9] LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

[1] APICAL MARGIN:
[3] BASAL MARGIN:
1=Entire
2=Crenate/Gnawed
3=Finely Dentate
4=Moderately Dentate
5=Coarsely Dentate
6=Incised
7=Lobed
8=OTHER *(specify)*

[1] UNDULATION: 1=Flat 2=Slight 3=Medium 4=Marked

[ ] GREEN COLOR: 1=Yellow Green 2=Light Green 3=Medium Green 4=Dark Green 5=Blue Green 6=Silver Green 7=Gray Green

ANTHOCYANIN:

[4] DISTRIBUTION: 1=Absent 2=Margin Only 3=Spotted 4=Throughout 5=OTHER *(specify)*

[3] CONCENTRATION: 1=Light 2=Moderate 3=Intense

[2] ROLLING: 1=Absent 2=Present

[2] CUPPING: 1=Uncupped 2=Slight 3=Markedly

[1] REFLEXING: 1=None 2=Apical Margin 3=Lateral Margins

9600399

. MATURE LEAVES *(observe harvest-mature outer leaves)*:

NOTE: Provide color photo of harvest-mature leaves which accurately shows color and margin characteristics.

MARGIN:

1	INCISION DEPTH: *(deepest penetration of the margin)*	1-Absent/Shallow (Dark Green Boston)	2-Moderate (Vanguard)	3-Deep (Great Lakes 659)
2	INDENTATION: *(finest divisions of the margin)*	1-Entire (Dark Green Boston) 2-Shallowly Dentate (Great Lakes 65)	3-Deeply Dentate (Great Lakes 659) 4-Crenate (Vanguard)	5-OTHER *(specify)*
1	UNDULATION OF THE APICAL MARGIN:	1-Absent/Slight (Dark Green Boston)	2-Moderate (Vanguard)	3-Strong (Great Lakes 659)
	GREEN COLOR:	1-Very Light Green (Bibb) 2-Light Green (Minetto)	3-Medium Green (Great Lakes) 4-Dark Green (Vanguard)	5-Very Dark Green 6-OTHER

ANTHOCYANIN *(grown at or below 10 C)*:

4	DISTRIBUTION:	1-Absent 2-Margin Only (Big Boston)	3-Spotted (Calif. Cream Butter) 4-Throughout (Prize Head)	5-OTHER *(specify)*
3	CONCENTRATION:	1-Light (Iceberg)	2-Moderate (Prize Head)	3-Intense (Ruby)
2	SIZE:	1-Small	2-Medium	3-Large
3	GLOSSINESS:	1-Dull (Vanguard)	2-Moderate (Salinas)	3-Glossy (Great Lakes)
2	BLISTERING:	1-Absent/Slight (Salinas)	2-Moderate (Vanguard)	3-Strong (Prize Head)
2	LEAF THICKNESS:	1-Thin	2-Intermediate	3-Thick
2	TRICHOMES:	1-Absent (smooth)	2-Present (spiny)	

. PLANT *(at market stage. Choose a comparison variety appropriate for this type.)*: NOT APPLICABLE

SPREAD OF FRAME LEAVES:
cm This Variety cm _____ *(specify comparison variety)*

HEAD DIAMETER *(market trimmed with single cap leaf)*:
cm This Variety cm _____ *(specify comparison variety)*

	HEAD SHAPE:	1-Flattened 2-Slightly Flattened	3-Spherical 4-Elongate	5-Non-Heading 6-OTHER
	HEAD SIZE CLASS:	1-Small	2-Medium	3-Large
	HEAD COUNT PER CARTON			
	HEAD WEIGHT: g This Variety	g _____ *(specify comparison variety)*		
	HEAD FIRMNESS:	1-Loose 2-Moderate	3-Firm 4-Very Firm	

. BUTT *(bottom of market-trimmed head)*: NOT APPLICABLE

	SHAPE:	1-Slightly Concave	2-Flat	3-Rounded
	MIDRIB:	1-Flattened (Salinas)	2-Moderately Raised	3-Prominently Raised (Great Lakes 659)

. CORE *(stem of market-trimmed head)*: NOT APPLICABLE

mm Diameter at base of head

Ratio of head diameter/core diameter

Core height from base of head to apex:
mm This Variety mm _____ *(specify comparison variety)*

. BOLTING *(Give First Water Date* 4-28-96 *)*: NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

Number of days from First Water Date to seed stalk emergence *(summer conditions)*:
5 7 This Variety 6 7 RED EYE COS *(specify comparison variety)*

4	BOLTING CLASS:	1-Very Slow 2-Slow	3-Medium 4-Rapid	5-Very Rapid

Height of mature seed stalk:
1 0 9 cm This Variety 1 0 7 cm RED EYE COS *(specify comparison variety)*

5

FORM LS-470.1 BOLTING

9600399

Spread of Bolter Plant *(at widest point)*:

[5][1] cm This Variety [4][5] cm RED EYE COS *(specify comparison variety)*

[2] BOLTER LEAVES: 1=Straight 2=Curved

[1] MARGIN: 1=Entire 2=Dentate

[2] COLOR: 1=Light Green 2=Medium Green 3=Dark Green

BOLTER HABIT:

[2] TERMINAL INFLORESCENCE: 1=Absent 2=Present

[2] LATERAL SHOOTS: *(above head)* 1=Absent 2=Present

[1] BASAL SIDE SHOOTS: 1=Absent 2=Present

9. MATURITY *(earliness of harvest-mature head formation)*: NOT APPLICABLE

NOTE: Complete this section for at least one season.

SEASON	Applic. 1/ # of days	Check 1/ # of days	CHECK VARIETY 2/
Spring			
Summer			
Fall			
Winter			

Give planting date(s), and location(s):

Spring _____

Summer _____

Fall _____

Winter _____

1/ First water date to harvest. 2/ Fill in check variety name on the appropriate line.

10. ADAPTATION:

PRIMARY REGIONS OF ADAPTION *(tested and proven adapted)*: (0=Not tested 1=Not Adapted 2=Adapted)

[2] Southwest *(Calif., Ariz. desert)* [2] West Coast [0] Northeast

[0] Northcentral [0] Southeast [ ] OTHER _____

SEASON:

[2] Spring (area SOUTHWEST) [2] Fall (area WEST COAST)

[2] Summer (area WEST COAST) [2] Winter (area SOUTHWEST)

[0] GREENHOUSE: 0=Not tested 1=Not Adapted 2=Adapted

[1] SOIL TYPE: 1=Mineral 2=Organic 3=Both

6

9600399

DISEASES AND STRESS REACTIONS (0=Not tested; 1=Susceptible; 2=Intermediate; 3=Resistant; 4=Highly resistant; 5=Tolerant):

VIRUS

- [0] Big Vein
- [0] Lettuce Mosaic
- [0] Cucumber Mosaic
- [0] Broad Bean Wilt
- [0] Turnip Mosaic
- [0] Beet Western Yellows
- [0] Lett. Infectious Yellows
- [ ] Other Virus _____

FUNGAL/BACTERIAL

- [0] Corky Root Rot (Pythium Root Rot)
- [0] Downy Mildew (Races _____)
- [0] Powdery Mildew
- [0] Sclerotinia Rot
- [0] Bacterial Soft Rot (Pseudomonas spp. & others)
- [0] Botrytis (Gray Mold)
- [ ] OTHER _____

INSECTS

- [0] Cabbage Loopers
- [0] Root Aphids
- [0] Green Peach Aphid
- [ ] Other Insect _____

PHYSIOLOGICAL/STRESS

- [0] Tipburn
- [0] Heat
- [0] Drought
- [0] Cold
- [0] Salt
- [0] Brown Rib (Rib Discoloration, Rib Blight)
- [0] OTHER _____

POST HARVEST

- [0] Pink Rib
- [0] Russet Spotting
- [0] Rusty Brown Discoloration
- [0] Internal Rib Necrosis (Blackheart, Gray Rib, Gray Streak)
- [0] Brown Stain

BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

COMMENTS:

SUGGESTED CHECK VARIETIES

TYPE	CHECK VARIETY
1) CUTTING/LEAF	SALAD BOWL
2) BUTTERHEAD	DARK GREEN BOSTON
3) BIBB	BIBB
4) COS, OR ROMAINE	PARRIS ISLAND
5) GREAT LAKES GROUP	GREAT LAKES 659-700
6) VANGUARD GROUP	VANGUARD
7) IMPERIAL GROUP	VIVA
8) EASTERN GROUP	ITHACA
9) STEM	CELTUCE
10) LATIN	MATCHLESS

Exhibit D
'Seville'

9600399

Table: Main morphological differences between lettuce varieties 'Seville' (9600399) and 'Rosalita' (PVP 8900002).

Characteristic	Seville	Rosalita
Plant type	Cos or Romaine	Cos or Romaine
Seed color	White	White
Light Dormancy	Light required	Not required
Heat dormancy	Susceptible	Not susceptible
Cotyledon shape	Intermediate	Spatulate
4th leaf shape	4	Elongated
Length/Width Index 4th leaf	9	22 [30]
Apical Margin	Entire	Entire
Basal Margin	Finely dentate	Entire
Undulation	Flat	Slight
Anthocyanin distribution	Throughout	Throughout
Anthocyanin concentration	Intense	Intense
Rolling	Present	Absent
Cupping	Slight	Uncupped
Reflexing	None	None
Margin: Incision depth	Absent or shallow	Absent or shallow
Margin: indentation	Shallowly dentate	Entire
Undul of Apical Margin	Absent/slight	Absent/slight
Anthocyanin distribution	Throughout	Present
Anthocyanin concentration	Intense	Intense
Size	Medium	Large
Glossiness	Glossy	Glossy
Blistering	Moderate	Moderate
Leaf thickness	Intermediate	Intermediate
Trichomes	Present	Absent
Bolting Class	Rapid	123 [091 Parris Island]
Lateral Shoots	Present	Present
Basal side shoots	Absent	Present

9600399

TABLE 1. Comparison of lettuce varieties 'Seville' and 'Majestic Red' for the RHS-color of the mature leaf. Data were obtained in Yuma, Arizona on a 12-17-99 planting

	COLOR	COLOR
PLANT #	SEVILLE	MAJESTIC RED
1	187A	183A
2	187A	183A
3	187A	183A
4	187A	183A
5	187A	183A
6	187A	183A
7	187A	183A
8	187A	183A
9	187A	183A
10	187A	183A
11	187A	183A
12	187A	183A
13	187A	183A
14	187A	183A
15	187A	183A
16	187A	183A
17	187A	183A
18	187A	183A
19	187A	183A
20	187A	183A
21	187A	183A
22	187A	183A
23	187A	183A
24	187A	183A
25	187A	183A

9600399

TABLE 2. Comparison of lettuce varieties 'Seville' and 'Majestic Red' for plant height. Data were obtained in Yuma, Arizona on a 12-17-99 planting

PLANT #	PLANT HEIGHT SEVILLE	PLANT HEIGHT MAJESTIC RED
1	42	29
2	42	30
3	40	32
4	41	31
5	39	30
6	39	30
7	38	29
8	42	32
9	41	32
10	39	28
11	41	29
12	40	30
13	42	29
14	41	30
15	39	31
16	38	31
17	42	32
18	40	33
19	39	32
20	40	30
21	40	31
22	39	32
23	38	31
24	40	31
25	40	32
	40.3 inches	30.7 inches

jfb 20 September 2002

GX447

Mature leaf

Seville

20 day old

GX447

Majestic Red

Mature leaf compare to Majestic Red

Mature leaf When Grown for Seed

9600399

REPRODUCE LOCALLY. *Include form number and date on all reproductions.* FORM APPROVED - OMB NO. 0581-0055 EXPIRES: 12-31-96

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

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1. NAME OF APPLICANT(S)	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
Seminis Vegetable Seeds, Inc.	GX447	Seville

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*	5. TELEPHONE *(include area code)*	6. FAX *(include area code)*
37437 State Highway 16 Woodland, CA 95695	916-666-0931	916-668-0219
	7. PVPO NUMBER 9600399	

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

9. Is the applicant (individual or company) a U.S. national or U.S. based company? [X] YES [ ] NO
If no, give name of country _____

10. Is the applicant the original breeder? If no, please answer the following: [X] YES [ ] NO

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 _____

[ ] YES [ ] NO

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 explantion 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.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.