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 tissue 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, conditioning it for propagation, or stocking it for any of the above purposes, 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, Field

'Hooter'

In testum veritatis, 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 sixteenth day of September, in the year two thousand two.

Attest:

[Signature]

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

[Signature]

Secretary of Agriculture
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

1. NAME OF APPLICANT (the name to appear on the Certificate)
   SEMINIS VEGETABLE SEEDS, INC.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER
   EX 386

3. VARIETY NAME
   Hooter

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)
   37437 State Highway 16
   Woodland, CA 95695
   2700 Camino del Sol
   Oxnard, CA 93030-7967

5. TELEPHONE (Include area code)
   (530)666-0931

6. FAX (Include area code)
   (530)668-0219

7. GENUS AND SPECIES NAME
   Phaseolus vulgaris

8. FAMILY NAME (Botanical)
   Leguminosae

9. CROP KIND NAME (Common name)
   Dry 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
    California

12. DATE OF INCORPORATION
    1996

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVES, IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS
    Thomas Kramer
    Director, Intellectual Resource Protection & Regulatory Affairs
    37437 State Highway 16
    Woodland, CA 95695

14. TELEPHONE (Include area code)
    (530)669-6274

15. FAX (Include area code)
    (530)666-6701

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 (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. Examination Fee ($2,460), made payable to "Treasurer of the United States" (paid 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)
   NO

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
   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?
   NO

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 42, and is eligible to protection under the provisions of Section 42 of the Plant Variety Protection Act.

   Applicant(s) hereby affirm that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))

THOMAS KRAMER

SIGNATURE OF APPLICANT (Owner(s))

THOMAS KRAMER

CAPACITY OR TITLE


DATE 2/24/99

(See reverse for instructions and information collection burden statement)
EXHIBIT A

Origin and Breeding History of Hooter (EX 386) Dry Edible Bean

The cranberry variety Hooter was developed at Asgrow's Western Breeding Station (WBS), Twin Falls, Idaho, by pedigree selection from a cross of Cos7 by Etna. Cos7 is a late maturing, high yield cranberry obtained from the bean program at CIAT, Cali, Colombia.

1-18-90  Planted the cranberry varieties Cos 7 and Etna in the greenhouse at WBS. Crosses made.
6-7-90  Planted F1 in the field at WBS. Allowed to self.
5-30-91  Planted F2 population in the field at WBS; selected individual plants.
9-26-91  Planted F3 line in the greenhouse at WBS; harvested individual plants.
1-30-92  Planted F4 seed in the greenhouse at WBS; harvested individual plants.
6-1-92  Planted F5 seed in the field at WBS; selected individual plants.
5-25-93  Planted F6 line in the field at WBS under the number R93 23781. Observations during the growing season indicated the line was uniform and breeding true. All subsequent increases of Hooter trace to the bulk of this line.
6-5-95  Planted an F6+2 stock of Hooter in the field at WBS; harvested 200 individual plants.
6-6-96  Planted 200 progeny rows in the field at WBS under the number RWE548. Observations during the growing season confirmed Hooter is uniform and breeding true.

Selection criteria at each generation represent a balance of characteristics related to productivity and quality. Hooter was selected for its large spherical seed, excellent color, yield potential, and for adaptation to Michigan and Ontario.

Observations in 1993 and 1996 confirm Hooter is uniform and stable within commercially acceptable limits. As is true with other dry bean varieties a small percentage of off-types can occur within commercially acceptable limits for almost any characteristic during the course of repeated multiplications. No variants are known to occur.
Exhibit B

Novelty Statement Concerning Hooter, EX386, Field Bean

Hooter is a full season, determinate, cranberry variety. To our knowledge the variety most similar to Hooter is Etna. The comparative characteristic that best distinguishes the two includes, but may not be limited to, maturity: over 6 years of trials at Asgrow's Western Breeding Station, Twin Falls Idaho, Hooter averaged 86.66 days to cutting maturity, compared to 82.83 days for Etna (Table). The t-test for the ratio of the mean difference to the standard deviation of the mean difference gives a value of 4.21, 5 d.f., and indicates an average difference of 3.83 days would be expected less than 1% of the time if there had been no real difference between the two.

<table>
<thead>
<tr>
<th>Year</th>
<th>Hooter</th>
<th>Etna</th>
<th>D (=Hooter-Etna)</th>
<th>D - D ave</th>
<th>(D - D ave)^2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>97</td>
<td>91</td>
<td>6</td>
<td>2.17</td>
<td>4.709</td>
</tr>
<tr>
<td>1994</td>
<td>82</td>
<td>82</td>
<td>0</td>
<td>3.83</td>
<td>14.669</td>
</tr>
<tr>
<td>1995</td>
<td>90</td>
<td>86</td>
<td>4</td>
<td>0.16</td>
<td>0.026</td>
</tr>
<tr>
<td>1996</td>
<td>81</td>
<td>75</td>
<td>6</td>
<td>2.17</td>
<td>4.709</td>
</tr>
<tr>
<td>1997</td>
<td>88</td>
<td>85</td>
<td>3</td>
<td>0.83</td>
<td>0.689</td>
</tr>
<tr>
<td>1998</td>
<td>82</td>
<td>78</td>
<td>4</td>
<td>0.17</td>
<td>0.029</td>
</tr>
</tbody>
</table>

Average 86.66  82.83  3.83 Total = 24.831

\[ S^2D = \frac{24.831}{5} = 4.966 \]
\[ SD = 2.23 \]
\[ SD ave = 0.91 \]
\[ t = 4.21 \]
U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK AND SEED DIVISION

OBJECTIVE DESCRIPTION OF VARIETY
Dry Edible Bean (Phaseolus vulgaris L.)

NAME OF APPLICANT(S)  EXPERIMENTAL NAME  VARIETY NAME
Seminis Vegetable Seeds, Inc.  EX 386  Hooter

ADDRESS (Street and No. or R.F.D. No., City, State, ZIP)
37437 State Highway 16  Woodland, CA  95695

Provide data for all characters unless indicated as "optional." Place numbers in the boxes for the characters or numerical values which best describe this variety. Measured data should be the mean of an appropriate number of well spaced (15-20 cm) plants. The Royal Horticultural Society or any recognized color standard may be used to determine plant color. Designate the color system used below.

COLOR SYSTEM USED
Royal Horticultural Society

LOCATION OF THE TEST(S) TO EVALUATE THIS VARIETY
Twin Falls, Idaho

1. MARKET CLASS

<table>
<thead>
<tr>
<th>CLASS</th>
<th>CHECK</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Navy (Pea)</td>
</tr>
<tr>
<td>2</td>
<td>Small White</td>
</tr>
<tr>
<td>3</td>
<td>Black</td>
</tr>
<tr>
<td>4</td>
<td>Pinto</td>
</tr>
<tr>
<td>5</td>
<td>Great Northern</td>
</tr>
<tr>
<td>6</td>
<td>Small Red</td>
</tr>
<tr>
<td>7</td>
<td>Pink</td>
</tr>
<tr>
<td>8</td>
<td>Cranberry</td>
</tr>
<tr>
<td>9</td>
<td>Dark Red Kidney</td>
</tr>
<tr>
<td>10</td>
<td>Light Red Kidney</td>
</tr>
<tr>
<td>11</td>
<td>Yellow Eye</td>
</tr>
<tr>
<td>12</td>
<td>Other (specify)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. MATURITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Early (80-90 days); 2 Medium (90-100 days); 3 Late (&gt;100 days)</td>
</tr>
<tr>
<td>Days from planting to harvest maturity</td>
</tr>
<tr>
<td>Heat units from planting to harvest maturity (optional). Specify base temperature used:</td>
</tr>
<tr>
<td>Days from planting to harvest maturity of check variety (use check appropriate to market class shown in item 1)</td>
</tr>
</tbody>
</table>

3. PLANT HABIT

<table>
<thead>
<tr>
<th>TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Ia Bush-determinate, strong and erect stem and branches</td>
</tr>
<tr>
<td>2 = Ib Bush-determinate, weak stem and branches</td>
</tr>
<tr>
<td>3 = IIa Erect growth habit-determinate, guides (runners) short or not developed</td>
</tr>
<tr>
<td>4 = IIb Erect growth habit-determinate, guides medium to long, with no ability to climb</td>
</tr>
<tr>
<td>5 = IIIa Vine-indeterminate, short guides with no ability to climb</td>
</tr>
<tr>
<td>6 = IIIb Vine-indeterminate, long guides with ability to climb</td>
</tr>
<tr>
<td>7 = IVa Indeterminate climbing, pods distributed throughout the plant</td>
</tr>
<tr>
<td>8 = IVb Indeterminate climbing, pods concentrated on the upper part of the plant</td>
</tr>
</tbody>
</table>

Average height of mature plant, in cm.

<table>
<thead>
<tr>
<th>4. LEAFLET MORPHOLOGY (Use terminal leaflet of a fully expanded trifoliate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Smooth; 2 Wrinkled</td>
</tr>
<tr>
<td>1 Dull; 2 Glossy; 3 Semiglossy; 4 Variable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SHAPE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Ovate</td>
</tr>
<tr>
<td>2 = Lanceolate</td>
</tr>
<tr>
<td>3 = Deltoid</td>
</tr>
<tr>
<td>4 = Cordate</td>
</tr>
<tr>
<td>5 = Rhomboid</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>APEX OF LEAFLET:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Acute</td>
</tr>
<tr>
<td>2 = Acumin ate</td>
</tr>
<tr>
<td>3 = Cuspidate</td>
</tr>
<tr>
<td>4 = Obtuse</td>
</tr>
<tr>
<td>5 = Attenuate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BASE OF LEAFLET:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Obtuse</td>
</tr>
<tr>
<td>2 = Oblique</td>
</tr>
<tr>
<td>3 = Cordate</td>
</tr>
<tr>
<td>4 = Cuneate</td>
</tr>
</tbody>
</table>

Average height of check variety, in cm. (use same check as above)

Pod Position: 1 = Low (lower pods touching soil surface) |
| 2 = High (lower pods not touching soil surface) |
| 3 = Scattered (not concentrated high or low) |

Adaptability to machine harvest: 1 = Adapted 2 = Not Adapted

Lodging resistance: 1 = Good 2 = Fair 3 = Poor
5. FLOWER COLOR AND DAYS TO BLOOM

| COLOR OF STANDARD: | 1 = White; 2 = Cream; 3 = Pink; 4 = Blue; 5 = Purple |
| COLOR OF KEEL: | 1 = White; 2 = Cream; 3 = Pink; 4 = Blue; 5 = Purple |
| COLOR OF WINGS: | 1 = White; 2 = Cream; 3 = Pink; 4 = Blue; 5 = Purple |
| Days to 50% bloom | 

6. POD MORPHOLOGY (Green pod morphology optional)

<table>
<thead>
<tr>
<th>Green</th>
<th>Mature</th>
</tr>
</thead>
<tbody>
<tr>
<td>COLOR PATTERN:</td>
<td>1 = Solid; 2 = Striped; 3 = Blotched; 4 = Mottled; 5 = Other</td>
</tr>
<tr>
<td>PRIMARY COLOR:</td>
<td>1 = Purple; 2 = Red; 3 = Green; 4 = Yellow; 5 = Tan; 6 = Brown; 7 = Other</td>
</tr>
<tr>
<td>COLOR MODIFIER:</td>
<td>1 = Light; 2 = Light Medium; 3 = Medium; 4 = Medium Dark; 5 = Dark</td>
</tr>
<tr>
<td>SECONDARY COLOR:</td>
<td>1 = Purple; 2 = Red; 3 = Green; 4 = Yellow; 5 = Tan; 6 = Brown; 7 = Other</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CROSS SECTION SHAPE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Flat; 2 = Pear; 3 = Round; 4 = Figure Eight</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>POD CURVATURE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Straight; 2 = Slightly Curved; 3 = Curved; 4 = Recurved</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>POD BEAK ORIENTATION:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Straight; 2 = Curved Upward; 3 = Curved Downward; 4 = Variable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CONSTRUCTIONS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = None; 2 = Slight; 3 = Deep</td>
</tr>
</tbody>
</table>

| Average number of seeds per pod | 1.5 |

7. SEED COLOR

| PRIMARY COLOR: | 1 = White; 2 = Yellow; 3 = Buff; 4 = Tan; 5 = Brown; 6 = Pink; 7 = Red; 8 = Purple; 9 = Blue; 10 = Black; 11 = Other |
| SECONDARY COLOR: | 1 = White; 2 = Yellow; 3 = Buff; 4 = Tan; 5 = Brown; 6 = Pink; 7 = Red; 8 = Purple; 9 = Blue; 10 = Black; 11 = Other |

<table>
<thead>
<tr>
<th>COLOR PATTERN:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Solid; 2 = Splashed; 3 = Mottled; 4 = Striped; 5 = Flecked; 6 = Dotted</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>HILAR RING COLOR:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = White; 2 = Yellow; 3 = Buff; 4 = Tan; 5 = Brown; 6 = Pink; 7 = Red; 8 = Purple; 9 = Blue; 10 = Black; 11 = Other</td>
</tr>
</tbody>
</table>

8. SEED SHAPE AND WEIGHT

<table>
<thead>
<tr>
<th>SHAPE OF SEED TAKEN FROM MIDDLE OF POD:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = Round; 2 = Oval; 3 = Cuboid; 4 = Kidney; 5 = Truncate Fastigiate</td>
</tr>
</tbody>
</table>

| Dry seed weight in g/100g seeds (adjusted to 12% moisture) | 4.8 |
5. FLOWER COLOR AND DAYS TO BLOOM

<table>
<thead>
<tr>
<th>COLOR OF STANDARD</th>
<th>COLOR OF KEEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = White; 2 = Cream; 3 = Pink; 4 = Blue; 5 = Purple</td>
<td>1 = White; 2 = Cream; 3 = Pink; 4 = Blue; 5 = Purple</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COLOR OF WINGS</th>
<th>Days to 50% bloom</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = White; 2 = Cream; 3 = Pink; 4 = Blue; 5 = Purple</td>
<td>4 5</td>
</tr>
</tbody>
</table>

6. POD MORPHOLOGY (Green pod morphology optional)

<table>
<thead>
<tr>
<th>GREEN</th>
<th>MATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>

COLOR PATTERN: 1 = Solid; 2 = Striped; 3 = Blotched; 4 = Mottled; 5 = Other

PRIMARY COLOR: 1 = Purple; 2 = Red; 3 = Green; 4 = Yellow; 5 = Tan; 6 = Brown; 7 = Other

COLOR MODIFIER: 1 = Light; 2 = Light Medium; 3 = Medium; 4 = Medium Dark; 5 = Dark

SECONDARY COLOR: 1 = Purple; 2 = Red; 3 = Green; 4 = Yellow; 5 = Tan; 6 = Brown; 7 = Other

CROSS SECTION SHAPE: 1 = Flat; 2 = Pear; 3 = Round; 4 = Figure Eight

POD CURVATURE: 1 = Straight; 2 = Slightly Curved; 3 = Curved; 4 = Recurved

POD BEAK ORIENTATION: 1 = Straight; 2 = Curved Upward; 3 = Curved Downward; 4 = Variable

CONSTRUCTIONS: 1 = None; 2 = Slight; 3 = Deep

Average number of seeds per pod

7. SEED COLOR

<table>
<thead>
<tr>
<th>PRIMARY COLOR</th>
<th>SECONDARY COLOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 = White; 2 = Yellow; 3 = Buff; 4 = Tan; 5 = Brown; 6 = Pink; 7 = Red; 8 = Purple; 9 = Blue; 10 = Black; 11 = Other</td>
<td>1 = White; 2 = Yellow; 3 = Buff; 4 = Tan; 5 = Brown; 6 = Pink; 7 = Red; 8 = Purple; 9 = Blue; 10 = Black; 11 = Other</td>
</tr>
</tbody>
</table>

COLOR PATTERN: 1 = Solid; 2 = Splashed; 3 = Mottled; 4 = Stripped; 5 = Flecked; 6 = Dotted

HILAR RING: 1 = Absent; 2 = Present

HILAR RING COLOR: 1 = White; 2 = Yellow; 3 = Buff; 4 = Tan; 5 = Brown; 6 = Pink; 7 = Red; 8 = Purple; 9 = Blue; 10 = Black; 11 = Other

8. SEED SHAPE AND WEIGHT

SHAPE OF SEED TAKEN FROM MIDDLE OF POD: 1 = Round; 2 = Oval; 3 = Cuboid; 4 = Kidney; 5 = Truncate Fastigate

Dry seed weight in g/100g seeds (adjusted to 12% moisture)
9. ANTHOCYANIN PIGMENTATION

<table>
<thead>
<tr>
<th>1 = ABSENT</th>
<th>2 = PRESENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flowers</td>
<td>2 Pods</td>
</tr>
<tr>
<td>2 Leaves</td>
<td>1 Stems</td>
</tr>
<tr>
<td>1 Pedioles</td>
<td></td>
</tr>
</tbody>
</table>

10. KNOWN DISEASE REACTION

DISEASES - COMMON NAME: Anthracnose, Rust, Powdery mildew, Fusarium root rot, Pythium root rot, Rhizoctonia root rot, Pythium wilt, Sclerotinia white mold, Angular leaf spot, Bacterial wilt, Halo blight, Fuscos blight, Common bacterial blight, Red node virus, Pod mottle virus, Bean common mosaic virus, Bean yellow mosaic virus, Curly top virus, Bacterial brown spot, Bean southern mosaic virus, Other (specify) 

REACTION: 1 = Susceptible; 2 = Resistant; 3 = Tolerant; 4 = Avoidance

(Give the common name (CN), scientific name (SN), and race(s), where applicable)

- **DISEASE:** CN Bean Common Mosaic ; SN __________________ ; Race(s) 'I' gene resistance to all races
- **DISEASE:** CN Anthracnose ; SN Colletotrichum ; Race(s) resistant/moderately resistant to alpha, delta, gamma

11. KNOWN INSECT/NAMATODE RESISTANCE

PESTS - COMMON NAME: Aphids, Bean pod weevil, Bruchid beetle, Corn earworm, Flea beetle, Leaf hopper, Lesion nematode, Lygus Mexican bean beetle, Root knot nematode, Corn seed maggot, Spider mites, Thrips, Weevils, Western bean cutworm, Other (specify)

REACTION: 1 = Susceptible; 2 = Resistant; 3 = Tolerant; 4 = Avoidance

(Give the common name (CN), scientific name (SN), and biotype, where applicable)

- **PEST:** CN __________________ ; SN __________________ ; Biotype __________________
- **PEST:** CN __________________ ; SN __________________ ; Biotype __________________
- **PEST:** CN __________________ ; SN __________________ ; Biotype __________________

12. KNOWN PHYSIOLOGICAL STRESS REACTION

1 = Susceptible; 2 = Resistant; 3 = Tolerant; 4 = Avoidance

Nutrient toxicity or deficiency (specify nutrient)

Other

13. COMMENTS

FORM LS-470-61 (9-86)
**EXHIBIT E**
**STATEMENT OF THE BASIS OF OWNERSHIP**

1. **NAME OF APPLICANT(S):**
   SEMINIS VEGETABLE SEEDS, INC.

2. **TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER:**
   EX 386

3. **VARIETY NAME:**
   Hooter

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):**
   (530)666-0931

6. **FAX (Include area code):**
   (530)668-0219

7. **PVPO NUMBER:**
   9900244

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?**
   If no, give name of country
   - [X] YES  [ ] NO

10. **Is the applicant the original owner?**
    - [X] YES  [ ] NO
    If no, please answer the following:
    a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?
       - [ ] YES  [X] NO
       If no, give name of country
    b. If original rights to variety were owned by a company, is the original owner(s) a U.S. based company?
       - [ ] YES  [X] NO
       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 owner, both the original owner and the applicant must meet one of the above criteria.

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

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection 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.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

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