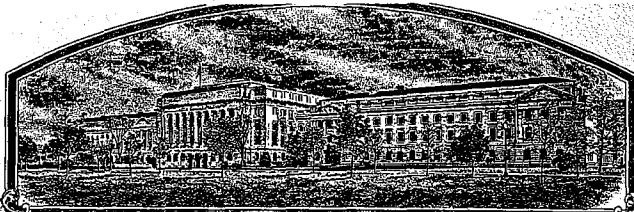


No.

200100212



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Golden's Foundation Seeds U. S. C.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

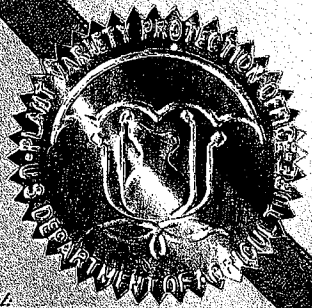
AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS 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.)

CORN, FIELD

'LH239'

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 March, in the year two thousand three.



Attest:

Paul M. Zakow

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

J. E. Green

Secretary of

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

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).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
 (Instructions and information collection burden statement on reverse)

1. NAME OF OWNER Holden's Foundation Seeds L.L.C.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME Ex4461	3. VARIETY NAME LH239
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 503 S. Maplewood Ave. P.O. Box 839 Williamsburg, IA 52361		5. TELEPHONE (include area code) (319) 668-1100	FOR OFFICIAL USE ONLY PVPO NUMBER 20010021 FILING DATE June 5, 2001
		6. FAX (include area code) (319) 668-2453	

7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Limited Liability Company	8. IF INCORPORATED, GIVE STATE OF INCORPORATION Iowa	9. DATE OF INCORPORATION December 1, 1997
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10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Mr. Mark Armstrong Holden's Foundation Seeds L.L.C. 503 S. Maplewood Ave. Williamsburg, IA 52361		FILING AND EXAMINATION FEES: \$ 2705.00 DATE 6/4/01 CERTIFICATION FEE: \$ 320.00 DATE 2/10/03

11. TELEPHONE (include area code) (319) 668-1100	12. FAX (include area code) (319) 668-2453	13. E-MAIL mark.armstrong@holdens.com	14. CROP KIND (Common Name) Corn, Field
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18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse) a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> 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. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,705), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)	19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input type="checkbox"/> YES (if "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (if "no," go to item 22)
	20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED
	21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? IF YES, SPECIFY THE NUMBER 1, 2, 3, etc. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED <i>(If additional explanation is necessary, please use the space indicated on the reverse.)</i>

22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)	23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)
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24. The owners 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 owner(s) is(are) the owner 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.
 Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER 	SIGNATURE OF OWNER
NAME (Please print or type) Dave Westphal	NAME (Please print or type)
CAPACITY OR TITLE Chief Operating Officer	DATE 5/31/01
CAPACITY OR TITLE	DATE

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Complete application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, 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 an approved public repository; (4) check drawn on a U.S. bank for \$2 (\$320 filing fee and \$2,385 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self 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 \$320 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvp.htm>

ITEM

- 18a. 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
- 18b. 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 a 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; and
- (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as complete as possible to describe your variety.
- 18d. 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.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. 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 labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
21. See Section 83 of the Act for the Contents and Term of Plant Variety Protection.
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

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 or owner's representative 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 or any modification of owner's name 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 the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must 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.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 1.4 hours 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

IS&T-470 (2-99) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (6-98) which is obsolete.

Origin and Breeding History of the Inbred

Exhibit A

LH239 was developed from the single cross of LH194 x LH197 by selfing and using the pedigree system of plant breeding. Yield, stalk quality, root quality, disease tolerance, late plant greenness, late plant intactness, ear retention, pollen shedding ability, silking ability and corn borer tolerance were the criteria used to determine the rows from which ears were selected during the development of LH239.

LH194 and LH197, the progenitors of LH239, are both proprietary field corn inbred lines developed by Holden's Foundation Seeds, Inc., of Williamsburg, Iowa. In 1990, Holden's Foundation Seeds, Inc. applied for plant variety protection of LH194. LH194 was awarded certificate #9000125 on May 31, 1991. In November of 1991, Holden's applied for a certificate of Plant Variety Protection for LH197. On April 30, 1992, LH197 was issued certificate #9200020. LH197 is also protected by a utility patent #5,304,715, granted by the United States Patent Office on October 22, 1991.

On the following pages are a summary and description of the development of LH239. Also included are copies of pages from Holden's Foundation Seeds, Inc. nursery books. The rows associated with the development of LH239 have been highlighted.

LH239 has shown uniformity and stability for all traits described in Exhibit C. It has been self-pollinated and ear-rowed a sufficient number of generations, with careful attention to uniformity of plant type to ensure homozygosity and phenotypic stability. The line has been increased three times by hand (Iowa 1996 and 1997, Hawaii 1997) and sibbed once in an isolated production field (Iowa 1999) with continued observations for uniformity. David K. Winwood, the originating plant breeder, has observed LH239 all four generations it has been increased and no variant traits have been observed or are anticipated in LH239.

Please note the enclosed copy of a letter from The Seed Branch indicating there are no conflicts with any other variety named 'LH239'.

200100212

Origin and Breeding History of the Inbred
LH239=Ex4461=LH194 x LH197

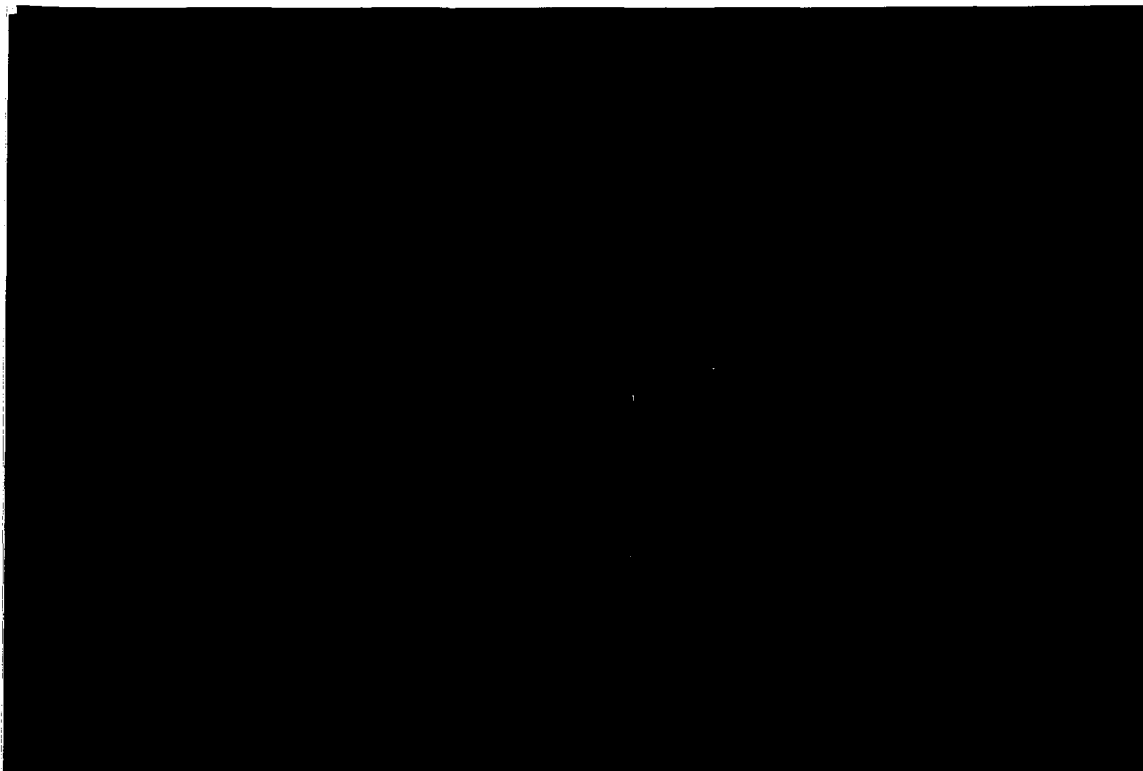
200100212

<u>Field/Row</u>	<u>Pedigree</u>	<u>Location</u>	<u>Year</u>
Frehner	LH239	Iowa	1999
36492-36500	Ex4461	Iowa	1997
23457	Ex4461	Hawaii	1997
14172	LH194 x LH197 @7	Iowa	1996
36676	LH194 x LH197 @6	Iowa	1995
28599	LH194 x LH197 @5	Hawaii	1995
32023	LH194 x LH197 @4	Iowa	1994
6700	LH194 x LH197 @3	Hawaii	1994
13716	LH194 x LH197 @2	Iowa	1993
6973	LH194 x LH197 @1	Iowa	1992
34757	LH194 x LH197	Hawaii	1992
40494	LH197	Iowa	1991
40491	LH194		

Novelty Statement

Exhibit B

LH239 is most similar to LH197. However, the most distinguishing difference is anther color. The anther color of LH239 is light red while the anther color of LH197 is yellow. When using Munsell Color Charts for Plant Tissues as a reference, the anther color of LH239 would be classified as 2.5R 4/6 and the anther color of LH197 would be classified as 2.5Y 8/10. The photograph below illustrates this anther color difference.



United States Department of Agriculture, Agricultural Marketing Service
Science Division, Plant Variety Protection Office
National Agricultural Library Building, Room 500
Beltsville, MD 20705

OBJECTIVE DESCRIPTION OF VARIETY
CORN (*Zea mays* L.)

Name of Applicant(s) Holden's Foundation Seeds, L.L.C.	Variety Seed Source Iowa 1998	Variety Name or Temporary Designation LH239																														
Address (Street & No., or R.F.D. No., City, State, Zip Code and Country) 503 South Maplewood Avenue Williamsburg, IA 52361		FOR OFFICIAL USE PVPO Number 200100212																														
Place the appropriate number that describes the varietal characters typical of this inbred variety in the spaces below. Right justify whole numbers by adding leading zeroes if necessary. Completeness should be striven for to establish an adequate variety description. Traits designated by a '*' are considered necessary for an adequate variety description and must be completed.																																
<p>COLOR CHOICES (Use in conjunction with Munsell color code to describe all color choices; describe #25 and #26 in Comments section):</p> <table style="width:100%; border: none;"> <tr> <td>01=Light Green</td> <td>06=Pale Yellow</td> <td>11=Pink</td> <td>16=Pale Purple</td> <td>21=Buff</td> </tr> <tr> <td>02=Medium Green</td> <td>07=Yellow</td> <td>12=Light Red</td> <td>17=Purple</td> <td>22=Tan</td> </tr> <tr> <td>03=Dark Green</td> <td>08=Yellow-Orange</td> <td>13=Cherry Red</td> <td>18=Colorless</td> <td>23=Brown</td> </tr> <tr> <td>04=Very Dark Green</td> <td>09=Salmon</td> <td>14=Red</td> <td>19=White</td> <td>24=Bronze</td> </tr> <tr> <td>05=Green-Yellow</td> <td>10=Pink-Orange</td> <td>15=Red & White</td> <td>20=White Capped</td> <td>25=Variegated (Describe)</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td>26=Other (Describe)</td> </tr> </table>			01=Light Green	06=Pale Yellow	11=Pink	16=Pale Purple	21=Buff	02=Medium Green	07=Yellow	12=Light Red	17=Purple	22=Tan	03=Dark Green	08=Yellow-Orange	13=Cherry Red	18=Colorless	23=Brown	04=Very Dark Green	09=Salmon	14=Red	19=White	24=Bronze	05=Green-Yellow	10=Pink-Orange	15=Red & White	20=White Capped	25=Variegated (Describe)					26=Other (Describe)
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<p>STANDARD INBRED CHOICES (Use the most similar (in background and maturity) of these to make comparisons based on grow-out trial data):</p> <table style="width:100%; border: none;"> <tr> <td style="vertical-align: top;"> <p>Yellow Dent Families:</p> <table style="border: none;"> <tr><td>Family</td><td>Members</td></tr> <tr><td>B14</td><td>CM105, A632, B64, B68</td></tr> <tr><td>B37</td><td>B37, B76, H84</td></tr> <tr><td>B73</td><td>N192, A679, B73, NC268</td></tr> <tr><td>C103</td><td>Mo17, Va102, Va35, A682</td></tr> <tr><td>Oh43</td><td>A619, MS71, H99, Va26</td></tr> <tr><td>WF9</td><td>W64A, A554, A654, Pa91</td></tr> </table> </td> <td style="vertical-align: top;"> <p>Yellow Dent (Unrelated):</p> <p>Co109, ND246, Oh7, T232 W117, W153R W182BN</p> <p>White Dent:</p> <p>CI66, H105, Ky228</p> </td> <td style="vertical-align: top;"> <p>Sweet Corn:</p> <p>C13, Iowa5125, P39, 2132</p> <p>Popcorn:</p> <p>SG1533, 4722, HP301, HP7211</p> <p>Pipecorn:</p> <p>Mo15W, Mo16W, Mo24W</p> </td> </tr> </table>			<p>Yellow Dent Families:</p> <table style="border: none;"> <tr><td>Family</td><td>Members</td></tr> <tr><td>B14</td><td>CM105, A632, B64, B68</td></tr> <tr><td>B37</td><td>B37, B76, H84</td></tr> <tr><td>B73</td><td>N192, A679, B73, NC268</td></tr> <tr><td>C103</td><td>Mo17, Va102, Va35, A682</td></tr> <tr><td>Oh43</td><td>A619, MS71, H99, Va26</td></tr> <tr><td>WF9</td><td>W64A, A554, A654, Pa91</td></tr> </table>	Family	Members	B14	CM105, A632, B64, B68	B37	B37, B76, H84	B73	N192, A679, B73, NC268	C103	Mo17, Va102, Va35, A682	Oh43	A619, MS71, H99, Va26	WF9	W64A, A554, A654, Pa91	<p>Yellow Dent (Unrelated):</p> <p>Co109, ND246, Oh7, T232 W117, W153R W182BN</p> <p>White Dent:</p> <p>CI66, H105, Ky228</p>	<p>Sweet Corn:</p> <p>C13, Iowa5125, P39, 2132</p> <p>Popcorn:</p> <p>SG1533, 4722, HP301, HP7211</p> <p>Pipecorn:</p> <p>Mo15W, Mo16W, Mo24W</p>													
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1. TYPE: (describe intermediate types in Comments section) * <u>2</u> 1=Sweet 2=Dent 3=Flint 4=Flour 5=Pop 6=Ornamental 7=Pipecorn	Standard Inbred Name <u>B73</u> <u>2</u>																															
2. REGION WHERE DEVELOPED IN THE U.S.A.: * <u>2</u> 1=Northwest 2=Northcentral 3=Northeast 4=Southeast 5=Southcentral 6=Southwest 7=Other _____	Standard Seed Source <u>Iowa State Univ.</u> <u>2</u>																															
3. MATURITY (In Region Best Adaptability; show Heat Unit formula in "Comments" section):	DAYS HEAT UNITS																															
* <u>73</u> <u>1484.5</u> From emergence to 50% of plants in silk	<u>75</u> <u>1540.5</u>																															
* <u>72</u> <u>1460.5</u> From emergence to 50% of plants in pollen	<u>73</u> <u>1484.5</u>																															
_____ From 10% to 90% pollen shed	_____	_____																														
(*) _____ From 50% silk to optimum edible quality	_____	_____																														
_____ From 50% silk to harvest at 25% moisture	_____	_____																														
4. PLANT:	Standard Deviation Sample Size	Standard Deviation Sample Size																														
* <u>221.4</u> cm Plant Height (to tassel tip)	<u>5.85</u> <u>50</u>	<u>198.3</u> <u>8.50</u> <u>50</u>																														
* <u>74.4</u> cm Ear Height (to base of top ear node)	<u>5.24</u> <u>50</u>	<u>99.9</u> <u>5.21</u> <u>50</u>																														
<u>12.9</u> cm Length of Top Ear Internode	<u>1.35</u> <u>50</u>	<u>9.9</u> <u>1.07</u> <u>50</u>																														
<u>0.0</u> Average Number of Tillers	<u>0.0</u> <u>50</u>	<u>0.0</u> <u>0.0</u> <u>50</u>																														
* <u>1.0</u> Average Number of Ears per Stalk	<u>0.0</u> <u>50</u>	<u>1.7</u> <u>.40</u> <u>50</u>																														
<u>2</u> Anthocyanin of Brace Roots: 1=Absent 2=Faint 3=Moderate 4=Dark	<u>3</u>																															
Application Variety Data	Page 1	Standard Inbred Data																														

6

Application Variety Data			Standard Inbred Data		
5. LEAF:			6. TASSEL:		
	Standard Deviation	Sample Size		Standard Deviation	Sample Size
* <u>8.2</u> cm Width of Ear Node Leaf	<u>.40</u>	<u>50</u>	<u>8</u>	<u>1.39</u>	<u>50</u>
* <u>8.0.7</u> cm Length of Ear Node Leaf	<u>3.05</u>	<u>50</u>	<u>1.4</u>	<u>6.58</u>	<u>50</u>
* <u>6</u> Number of leaves above top ear	<u>.47</u>	<u>50</u>	<u>3.6.4</u>	<u>6.52</u>	<u>50</u>
<u>2.7</u> degrees Leaf Angle (measure from 2nd leaf above ear at anthesis to stalk above leaf)	<u>4.62</u>	<u>50</u>	<u>6</u>		
* <u>0.2</u> Leaf Color (Munsell code <u>5GY 4/4</u>)			<u>1.6</u> (Munsell code <u>5RP 5/4</u>)		
<u>6</u> Leaf Sheath Pubescence (Rate on scale from 1=none to 9=like peach fuzz)			<u>0.2</u> (Munsell code <u>5GY 5/6</u>)		
<u>3</u> Marginal Waves (Rate on scale from 1=none to 9=many)			<u>1</u>		
<u>2</u> Longitudinal Creases (Rate on scale from 1=none to 9=many)			<u>3</u>		
* <u>9</u> Number of Primary Lateral Branches	<u>1.23</u>	<u>50</u>	<u>1.6</u> (Munsell code <u>5RP 5/4</u>)		
<u>2.7</u> Branch Angle from Central Spike	<u>4.62</u>	<u>50</u>	<u>0.2</u> (Munsell code <u>5GY 5/6</u>)		
* <u>4.7.5</u> cm Tassel Length (from top leaf collar to tassel tip)	<u>2.40</u>	<u>50</u>	<u>1</u>		
<u>6</u> Pollen Shed (Rate on scale from 0=male sterile to 9=heavy shed)					
<u>1.2</u> Anther Color (Munsell code <u>2.5R 4/6</u>)					
<u>0.2</u> Glume Color (Munsell code <u>7.5GY 5/6</u>)					
<u>1</u> Bar Glumes (Glume Bands): 1=Absent 2=Present					
7a. EAR (Unhusked Data):			7b. EAR (Husked Ear Data):		
* <u>1.4</u> Silk Color (3 days after emergence) (Munsell code <u>5R 3/6</u>)			* <u>1.7.5</u> cm Ear Length	<u>1.98</u>	<u>50</u>
<u>0.1</u> Fresh Husk Color (25 days after 50% silking) (Munsell code <u>5GY 6/8</u>)			* <u>4.2.2</u> mm Ear Diameter at mid-point	<u>2.50</u>	<u>50</u>
<u>2.1</u> Dry Husk Color (65 days after 50% Silking) (Munsell code <u>7.5YR 7/4</u>)			<u>8.5.3</u> gm Ear Weight	<u>7.01</u>	<u>50</u>
* <u>1</u> Position of Ear at Dry Husk Stage: 1=Upright 2=Horizontal 3=Pendent			* <u>1.6</u> Number of Kernel Rows	<u>1.09</u>	<u>50</u>
<u>5</u> Husk Tightness (Rate on scale from 1=very loose to 9=very tight)			<u>2</u> Kernel Rows: 1=Indistinct 2=Distinct		
<u>2</u> Husk Extension (at harvest): 1=Short (ears exposed) 2=Medium (<8 cm) 3=Long (8-10 cm beyond ear tip) 4=Very Long (>10 cm)			<u>1</u> Row Alignment: 1=Straight 2=Slightly Curved 3=Spiral		
			<u>1.1.9</u> cm Shank Length	<u>2.47</u>	<u>50</u>
			<u>1</u> Ear Taper: 1=Slight 2=Average 3=Extreme		
Application Variety Data			Standard Inbred Data		

Note: Use chart on first page to choose color codes for color traits.

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Application Variety Data			Standard Inbred Data		
	Standard Deviation	Sample Size		Standard Deviation	Sample Size
8. KERNEL (Dried):					
<u>9.9</u> mm Kernel Length	<u>1.00</u>	<u>50</u>	<u>10.5</u>	<u>.90</u>	<u>50</u>
<u>9.0</u> mm Kernel Width	<u>.70</u>	<u>50</u>	<u>8.1</u>	<u>.50</u>	<u>50</u>
<u>6.2</u> mm Kernel Thickness	<u>.80</u>	<u>50</u>	<u>5.0</u>	<u>.90</u>	<u>50</u>
<u>70.7</u> % Round Kernels (Shape Grade)	<u>5.15</u>	<u>15</u>	<u>35.9</u>	<u>6.34</u>	<u>50</u>
<u>1</u> Aleurone Color Pattern: 1=Homozygous 2=Segregating _____			<u>1</u>		
(*) <u>1.9</u> Aleurone Color (Munsell code <u>2.5Y 8/2</u>)			<u>1.9</u> (Munsell code <u>2.5Y 8/2</u>)		
* <u>0.7</u> Hard Endosperm Color (Munsell code <u>2.5Y 8/10</u>)			<u>0.7</u> (Munsell code <u>2.5Y 5/6</u>)		
* <u>0.3</u> Endosperm Type: 1=Sweet (su1) 2=Extra Sweet (sh2) 3=Normal Starch 4=High Amylose Starch 5=Waxy Starch 6=High Protein 7=High Lysine 8=Super Sweet (se) 9=High Oil 10=Other _____			<u>0.3</u>		
<u>31.1</u> gm Weight per 100 Kernels (unsized sample)	<u>.34</u>	<u>15</u>	<u>23.4</u>	<u>.45</u>	<u>15</u>
9. COB:	Standard Deviation	Sample Size		Standard Deviation	Sample Size
* <u>3.3.5</u> mm Cob Diameter at mid-point	<u>1.40</u>	<u>50</u>	<u>3.2.7</u>	<u>2.10</u>	<u>50</u>
<u>1.4</u> Cob Color (Munsell code <u>5R 4/6</u>)			<u>1.4</u> (Munsell code <u>10R 5/6</u>)		
10. DISEASE RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant): leave blank if not tested; leave Race or Strain Options blank if polygenic):					
A. Leaf Blights, Wilts, and Local Infection Diseases					
___ Anthracnose Leaf Blight (<i>Colletotrichum graminicola</i>)			---		
___ Common Rust (<i>Puccinia sorghi</i>)			---		
___ Common Smut (<i>Ustilago maydis</i>)			---		
___ Eyespot (<i>Kabatiella zeae</i>)			---		
___ Goss's Wilt (<i>Clavibacter michiganense</i> spp. <i>nebraskense</i>)			---		
___ Gray Leaf Spot (<i>Cercospora zeae-maydis</i>)			---		
___ Helminthosporium Leaf Spot (<i>Bipolaris zeicola</i>) Race _____			---	Race _____	
___ Northern Leaf Blight (<i>Exserohilum turcicum</i>) Race _____			---	Race _____	
___ Southern Leaf Blight (<i>Bipolaris maydis</i>) Race _____			---	Race _____	
___ Southern Rust (<i>Puccinia polysora</i>)			---		
___ Stewart's Wilt (<i>Erwinia stewartii</i>)			---		
___ Other (Specify) _____			---		
B. Systemic Diseases					
___ Corn Lethal Necrosis (MCMV and MDMV)			---		
___ Head Smut (<i>Sphacelotheca reiliana</i>)			---		
___ Maize Chlorotic Dwarf Virus (MCDV)			---		
___ Maize Chlorotic Mottle Virus (MCMV)			---		
___ Maize Dwarf Mosaic Virus (MDMV) Strain _____			---	Strain _____	
___ Sorghum Downy Mildew of Corn (<i>Peronosclerospora sorghi</i>)			---		
___ Other (Specify) _____			---		
C. Stalk Rots					
___ Anthracnose Stalk Rot (<i>Colletotrichum graminicola</i>)			---		
___ Diplodia Stalk Rot (<i>Stenocarpella maydis</i>)			---		
___ Fusarium Stalk Rot (<i>Fusarium moniliforme</i>)			---		
___ Gibberella Stalk Rot (<i>Gibberella zeae</i>)			---		
___ Other (Specify) _____			---		
D. Ear and Kernel Rots					
___ Aspergillus Ear and Kernel Rot (<i>Aspergillus flavus</i>)			---		
___ Diplodia Ear Rot (<i>Stenocarpella maydis</i>)			---		
___ Fusarium Ear and Kernel Rot (<i>Fusarium moniliforme</i>)			---		
___ Gibberella Ear Rot (<i>Gibberella zeae</i>)			---		
___ Other (Specify) _____			---		

Application Variety Data	Page 4	Standard Inbred Data
11. INSECT RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant); leave blank if not tested):		
___ Banks Grass Mite (<i>Oligonychus pratensis</i>) ___ Corn Earworm (<i>Helicoverpa zea</i>) ___ Leaf-Feeding ___ Silk Feeding : ___ mg larval wt. ___ Ear Damage ___ Corn Leaf Aphid (<i>Rhopalosiphum maidis</i>) ___ Corn Sap Beetle (<i>Carpophilus dimidiatus</i>) ___ European Corn Borer (<i>Ostrinia nubilalis</i>) ___ 1st Generation (Typically Whorl Leaf Feeding) ___ 2nd Generation (Typically Leaf Sheath-Collar Feeding) ___ Stalk Tunneling : ___ cm tunneled/plant ___ Fall Armyworm (<i>Spodoptera frugiperda</i>) ___ Leaf-Feeding ___ Silk-Feeding : ___ mg larval wt. ___ Maize Weevil (<i>Sitophilus zeamaze</i>) ___ Northern Rootworm (<i>Diabrotica barberi</i>) ___ Southern Rootworm (<i>Diabrotica undecimpunctata</i>) ___ Southwestern Corn Borer (<i>Diatraea grandiosella</i>) ___ Leaf Feeding ___ Stalk Tunneling : ___ cm tunneled/plant ___ Two-spotted Spider Mite (<i>Tetranychus urticae</i>) ___ Western Rootworm (<i>Diabrotica virgifera virgifera</i>) ___ Other (Specify) _____	Standard Deviation Sample Size	Standard Deviation Sample Size

12. AGRONOMIC TRAITS:	
<u>7</u> Stay Green (at 65 days after anthesis) (Rate on a scale from 1=worst to 9=excellent.)	<u>5</u>
___ <u>0.0</u> % Dropped Ears (at 65 days after anthesis)	___ <u>0.0</u>
___ <u>0.0</u> % Pre-anthesis Brittle Snapping	___ <u>0.0</u>
___ <u>0.0</u> % Pre-anthesis Root Lodging	___ <u>0.0</u>
___ <u>0.0</u> % Post-anthesis Root Lodging (at 65 days after anthesis)	___ <u>0.0</u>
___ ___ Kg/ha Yield of Inbred Per Se (at 12-13% grain moisture)	___ ___

13. MOLECULAR MARKERS: (0=data unavailable; 1=data available but not supplied; 2=data supplied)

0 Isozymes 0 RFLP's 0 RAPD's

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 Stringfield, G.H. Maize Inbred Lines of Ohio. Ohio A.E.S., Bul. 831. 1959.
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COMMENTS (eg. state how heat units were calculated, standard inbred seed source, and/or where data was collected. Continue in Exhibit D):

$$GDD = \frac{T_{max} + T_{min}}{2} - 50^{\circ} F$$

$$T_{max} \leq 86^{\circ} F$$

$$T_{min} \geq 50^{\circ} F$$

Additional Description of the Inbred

Exhibit D

LH239 is a medium late season field corn inbred line that is best adapted to the southern regions of the corn belt especially the southwestern corn belt. LH239 flowers approximately one day earlier than LH195. LH239 is a B73 type inbred with good seed parent capabilities. It contributes very high yield potential, good standability and very good grain quality to its hybrids. Hybrids containing LH239 have higher harvest moistures than comparable LH195 crosses.

I believe a hard rain that occurred after planting and before emergence of the seed caused the environmental influences that may have contributed to the variability in the descriptive traits of LH239. This rain formed a crust on the soil that made it difficult for the seedlings to emerge. This incident resulted in the reduction of plant population and gaps between plants in the row that caused them to be uneven and also varied the emergence of the remaining seedlings causing those plants to be uneven.

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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

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).

**EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S) Holden's Foundation Seeds, L.L.C.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER Ex4461	3. VARIETY NAME LH239
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 503 S. Maplewood Avenue PO Box 839 Williamsburg, IA 52361	5. TELEPHONE (include area code) (319)668-1100	6. FAX (include area code) (319)668-2453
7. PVPO NUMBER 200100212		

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

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

10. Is the applicant the original owner? 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 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 NO If no, give name of country _____

11. Additional explanation on ownership (If needed, use reverse for extra space):
This inbred for which plant variety protection is applied for was developed by David K. Winwool an employee of Holden's Foundation Seeds, L.L.C. An agreement between the employee and Holden's Foundation Seeds, L.L.C. assigns all rights to any invention, discovery or development made by the employee while employed by Holden's Foundation Seeds, L.L.C. to the company with no right of any kind retained by the employee.

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.

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