No. 7400026

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Ferry-Morse Seed Company

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF seventeen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'McKoy 1100'

PLANT VARIETY PROTECTION OFFICE · U.S. DEPARTMENT OF AGRICULTURE

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 *this* fifth *day of* March *in the year of our Lord one thousand nine hundred and* seventy-six

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(2-12-71)

UNITED STATES DEPARTMENT OF AGRICULTURE
CONSUMER AND MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1. VARIETY NAME OR TEMPORARY DESIGNATION McKoy 1100	2. KIND NAME Soybean	FOR OFFICIAL USE ONLY PVPO NUMBER 7400026
3. GENUS AND SPECIES NAME Glycine Max	4. FAMILY NAME (Botanical) Leguminosae	FILING DATE 10-25-73 / TIME 8:00 A.M.
	5. DATE OF DETERMINATION October 1969	FEE RECEIVED $250 / CHARGES —
6. NAME OF APPLICANT(S) Ferry-Morse Seed Company Donald McKenzie Breeder	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 100 111 Ferry-Morse Way Mountain View, California 94040	8. TELEPHONE AREA CODE AND NUMBER (415) 967-6973
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation	10. STATE OF INCORPORATION California	11. DATE OF INCORPORATION 7 April 1969

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- [X] RJS 12A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52, P.L. 91-577)*
- [X] RJS 12B. Exhibit B, Botanical Description of the Variety
- [X] RJS 12C. Exhibit C, Objective Description of the Variety
- [X] RJS 12D. Exhibit D, Data Indicative of Novelty
- [X] RJS 12E. Exhibit E, Statement of the Basis of Applicant's Ownership

The applicant declares that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable. *(See Section 52, P.L. 91-577).*

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? *(See Section 83(a), P.L. 91-577) (If "Yes," answer 14B and 14C below.)* [ ] YES [X] NO RJS Letter JAN 21, 1974

14B. Does the applicant(s) specify that this variety be limited as to number of generations? [X] YES [ ] NO

14C. If "Yes," to 14B, how many generations of production beyond breeder seed? Four

Applicant is informed that false representation herein can jeopardize protection and result in penalties.

The undersigned applicant(s) of this sexually-reproduced novel plant variety believes that the variety is distinct, uniform, and stable as required in Section 41 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act (P.L. 91-577).

8 October 1973 (DATE) — by FERRY MORSE SEED COMPANY (SIGNATURE OF APPLICANT)

Oct 8, 1973 (DATE) — Donald McKenzie (SIGNATURE OF APPLICANT)

FORM GR-470 (REVERSE)

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and $50.00 fee to U.S. Dept. of Agriculture, Consumer and Marketing Service, Grain Division, Hyattsville, Maryland 20782. Retain one copy for your files. All items on the face of the form are self-explanatory unles noted below.

ITEM

5 Insert the date the applicant determined that he had a new variety.

12a First, give the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. Second, give the details of subsequent stages of selection and multiplication. Third, indicate the type and frequency of variants during reproduction and multiplication and state how these variants may be identified. Fourth, provide evidence on stability.

12b First, give any special characteristics of the seed and of the plant as it passes through the seedling stage, flowering stage and the fruiting stage. Second, describe the mature plant and compare it with a similar commercial variety grown under the same conditions, and indicate the differences.

12c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.

12d Provide complete data indicative of novelty. Seed and plant specimens may be submitted and seeds submitted may be sterile. Where possible, include photographs of plant comparisons, chemical tests, etc.

12e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

RECEIVED
OCT 25 1973
U.S. DEPARTMENT
AMS, G.S. DIV.
PVPO

7400026

EXHIBIT A (Amended)

P.V.P. No. 7400026

ORIGIN AND PLANT BREEDING HISTORY OF SOYBEAN MCKOY 1100

Originated from a single, extremely vigorous, well branched plant containing 366 beans in the fall of 1966 from a 30 acre field (variety unknown) in DeKalb County near Kirkland, Illinois.

Seeds from this selection were hand planted in a garden near DeKalb, Illinois in 1967. Crop was harvested and seed bulked. No selection was made.

In 1968 ten rows were planted using the 1967 seed. Spacing within the row was three inches. No selections were made and the seed was bulk harvested. This experimental variety was called McKoy.

Sixteen rows were planted in 1969, each row was 40 rods long. One plant in this population was selected which produced 1,146 beans. Seed from this selection was kept separate from the McKoy and named McKoy 1100.

In 1970 the 1,146 beans (McKoy 1100) were planted in a garden and the seed bulk harvested. No selections were made.

In 1971 the original experimental variety, McKoy, was entered in the University of Illinois trial at DeKalb. Twelve rows were planted, each 60 rods long, of the 1970 McKoy 1100 seed. Seed was bulk harvested. No selections made.

In 1972 another bulk increase was made of McKoy 1100 using the 1971 seed. Both McKoy 1100 and the experimental variety McKoy were entered in the University of Illinois trial at DeKalb.

In 1973 McKoy 1100 was again entered in the trials at DeKalb and the 1972 seed again increased.

In 1974 McKoy 1100 was entered in various State Experimental Station trials.

The variety is stable and does not produce segregates or off types.

Amended 2/6/75

EXHIBIT B

BOTANICAL DESCRIPTION OF THE VARIETY

McKoy 1100 is a tall, indeterminate type of soybean in the maturity group II and is similar in plant characteristics to McKoy and Amsoy but has more branching and matures slightly earlier.

The seed is spherical in shape and ~~buff~~ Yellow RJS in color with a ~~buff~~ Yellow RJS colored hilum. One hundred seeds weight approximately 18 grams or similar to the variety Beeson. Cotyledons are ~~green~~ YELLOW RJS. Leaflets are medium in size, dark green in color and ovate. Stems and leaves have pubescence which is gray in color. Secondary branching is evident from leaf axils which produces a bushy plant type. Flower color is light purple. Pod color is brown.

January 24, 1974

FORM GR-470-2
(6-15-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

EXHIBIT C
(Soybean)

OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN *(GLYCINE MAX)*

INSTRUCTIONS: *See Reverse.*

NAME OF APPLICANT(S): Ferry-Morse Seed Company
Donald McKenzie, Breeder

ADDRESS *(Street and No., or R.F.D. No.; City, State, and ZIP Code)*
P. O. Box 100
111 Ferry-Morse Way
Mountain View, California 94040

FOR OFFICIAL USE ONLY
PVPO NUMBER: 7400026
VARIETY NAME OR TEMPORARY DESIGNATION: McKoy 1100

Place the appropriate number that describes the varietal character of this variety in the boxes below.

1. SEED SHAPE: [1] 1 = SPHERICAL 2 = SPHERICAL FLATTENED 3 = ELONGATE 4 = OTHER *(Specify)*

2. SEED COAT COLOR: [1] 1 = YELLOW 2 = GREEN 3 = BROWN 4 = BLACK 5 = OTHER *(Specify)* BUFF
SHADE: [2] 1 = LIGHT 2 = MEDIUM 3 = DARK

3. SEED COAT LUSTER: [1] 1 = DULL 2 = SHINY

4. SEED SIZE [18] GRAMS PER 100 SEEDS

5. HILUM COLOR: [2] 1 = BUFF 2 = YELLOW 3 = BROWN 4 = GRAY 5 = IMPERFECT BLACK 6 = BLACK 7 = OTHER *(Specify)*
SHADE: [2] 1 = LIGHT 2 = MEDIUM 3 = DARK

6. COTYLEDON COLOR: [1] 1 = YELLOW 2 = GREEN

7. LEAFLET SIZE *(See Reverse)*: [2] 1 = SMALL 2 = MEDIUM 3 = LARGE

8. LEAFLET SHAPE: [1] 1 = OVATE 2 = OBLONG 3 = LANCEOLATE 4 = ELLIPTICAL 5 = OTHER *(Specify)*

9. LEAF COLOR *(See reverse)*: [3] 1 = LIGHT GREEN 2 = MEDIUM GREEN 3 = DARK GREEN

10. FLOWER COLOR: [3] 1 = WHITE 2 = PURPLE 3 = OTHER *(Specify)* LIGHT PUR. PLE

11. POD COLOR: [2] 1 = TAN 2 = BROWN 3 = BLACK

12. POD SET: [1] 1 = SCATTERED 2 = CONCENTRATED

13. PLANT PUBESCENCE COLOR: [1] 1 = GRAY 2 = BROWN 3 = OTHER *(Specify)*
SHADE: [2] 1 = LIGHT 2 = MEDIUM 3 = DARK

14. PLANT TYPES *(See Reverse)*: [2] 1 = SLENDER 2 = BUSHY 3 = INTERMEDIATE

15. PLANT HABIT: [2] 1 = DETERMINATE 2 = INDETERMINATE 3 = OTHER *(Specify)*

16. HYPOCOTYL COLOR: [2] 1 = GREEN 2 = PURPLE

17. SEED PROTEIN: [ ] 1 = A 2 = B

18. NUMBER OF DAYS TO FLOWERING *(Place a zero in first box (e.g. 0 9) when days are 9 or less.)* [3 2]

19. MATURITY GROUP: [4] 1 = 00 2 = 0 3 = I 4 = II 5 = III 6 = IV 7 = V 8 = VI 9 = VII 10 = VIII

20. SIZE OF 10 DAY OLD SEEDLING GROWN UNDER CONSTANT LIGHT *(Growth Chamber)* AT 25° C. *(Place a zero in first box (e.g. 0 2) when size is 9 mm. or less.)*
[0 4 8] MM. LENGTH OF SEEDLING [2 3] MM. LENGTH OF COTYLEDON [1 3] MM. WIDTH OF COTYLEDON

21. DISEASE: *(Enter 0 - Not Tested; 1 Susceptible; 2 Resistant)*

[0] BACTERIAL PUSTULE	[0] SOYBEAN CYST	[0] DOWNY MILDEW	[0] PURPLE STAIN	[0] POD AND STEM BLIGHT	[0] ROOT KNOT
[0] FROGEYE	[0] STEM CANKER	[1] PHYTOPHTHORA	[0] BROWN STEM ROT	[0] TARGET SPOT	[0] BROWN SPOT
[0] BUD BLIGHT	[0] WILDFIRE	[0] RHIZOCTONIA ROT	[0] OTHER *(Specify)*		

January 24, 1974

EXHIBIT D (Amended)

P.V.P. No. 7400026

DATA INDICATIVE OF NOVELTY

McKoy 1100 is most similar to Beeson.

McKoy 1100 matures at approximately the same time as Beeson. It differs from Beeson in foliage color. McKoy 1100 is darker than Beeson.

Royal Horticultural Society Color Chart readings are:

McKoy 1100	Page 187	0960
Beeson	Page 187	0960/1

McKoy 1100 differs from Beeson in its reaction to Phytophthora. Beeson is resistant to Race 1, whereas McKoy 1100 is susceptible.

Amended 7/5/75

EXHIBIT "E"

Plant Variety Protection Application

No.: 7400026

ASSIGNMENT

I, DONALD MCKENZIE, agree and hereby do transfer and assign to FERRY-MORSE SEED COMPANY all of my rights, title and interest in and to that certain variety namely, SOYBEAN - MCKOY 1100 for which application for Plant Variety Protection Certificate has been filed. This agreement shall be binding on my administrators, successors and assigns.

In Witness Whereof, I have executed this agreement this 5th day of October, 19 73.

BREEDER

Donald McKenzie

Donald McKenzie

January 24, 1974

ASSIGNMENT OF INTELLECTUAL PROPERTY

WHEREAS, HARRIS MORAN SEED COMPANY, a corporation duly organized and existing under the laws of the State of Maryland, having its principal place of business at 4511 Willow Road, Suite 3, Pleasanton, California 94588 ("**Assignor**"), has, pursuant to that certain Bill of Sale and Assignment dated as of June 30, 1997, transferred to FERRY-MORSE SEED COMPANY (CALIFORNIA), a corporation duly organized and existing under the laws of the State of California, having its principal place of business at 555 Codoni Avenue, P.O. Box 4938, Modesto, California 95352-4938 ("**Assignee**"), all of the intellectual property Assignor had adopted, used and was using as of the effective date of this Assignment, including without limitation, the intellectual property represented by the United States Plant Variety Protection Certificates of Assignor identified on Schedule A hereto (collectively, the "**Property**"); and

WHEREAS, on the date hereof, Assignee has changed its name to "Harris Moran Seed Company";

NOW, THEREFORE, effective by this instrument as of the close of business on June 30, 1997, and for good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee any and all right, title and interest worldwide in and to the Property and any and all recordations thereof, including, but not limited to, the use of the Property in any manner, all benefit of any and all prior use of the Property, and any and all rights to initiate claims or proceedings for past, present or future infringements of Assignor's rights, title and interest in and to the Property.

Dated: as of June 30, 1997

HARRIS MORAN SEED COMPANY

By: _____
Philip Ashcraft, President

NEWY01A:171511:1:09/26/97
26757-1

A490370

ENDORSED
FILED
In the office of the Secretary of State
of the State of California

JUN 30 1997

BILL JONES, Secretary of State

CERTIFICATE OF AMENDMENT

OF THE

ARTICLES OF INCORPORATION

OF

FERRY-MORSE SEED COMPANY (CALIFORNIA)

(a California corporation)

To the Secretary of State
State of California

Pursuant to the provisions of the General Corporation Law of the State of California, the undersigned officers of FERRY-MORSE SEED COMPANY (CALIFORNIA), a California corporation (the "**Corporation**"), do hereby certify as follows:

1. The name of the Corporation is Ferry-Morse Seed Company (California).

2. Article One of the Corporation's Articles of Incorporation, which relates to the name of the Corporation, is hereby amended in its entirety to read as follows:

   One. The name of this Corporation is:
   HARRIS MORAN SEED COMPANY.

3. The amendment herein provided for has been approved by the Corporation's Board of Directors.

4. The amendment herein provided for was approved by the written consent of the Corporation's sole shareholder in accordance with the provisions of Section 902 of the California General Corporation Law. The total number of outstanding shares of the corporation is 5,000.

IN WITNESS WHEREOF, each of the undersigned does hereby declare under the penalty of perjury that he or she signed the foregoing Certificate of Amendment as of June 30,

1997, in the Town of Modesto, State of California, in the official capacity set forth beneath his or her signature and that the statements set forth in this certificate are true of his or her own knowledge.

Yves Queste, President

Helen Andritsakis, Secretary

NEWY01A:163794:1:06/25/97
26757-1

A493976

State of California

SECRETARY OF STATE

OFFICE OF THE SECRETARY OF STATE

V13

2 PAGES

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this

JUN 30 1997

THE GREAT SEAL OF THE STATE OF CALIFORNIA

EUREKA

Bill Jones

Secretary of State

SEC/STATE FORM CE-107 (REV. 4/97)

97 35085

FORM GR-470-2 (REVERSE) 7400026

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant shape	AMSOY	Petiole angle	—
Leaf shape	AMSOY 71	Seed size	BEESOM
Leaf color	BEESOM	Seed shape	AMSOY
Leaf surface	—	Seedling pigmentation	—

23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY:

VARIETY	NO. OF DAYS TO MATURITY	LODGING SCORE	PLANT HEIGHT	LEAF SIZE		CONTENT		AVERAGE NO. OF PODS PER PLANT	IODINE NO.
				Width	Length	Protein	Oil		
Submitted	140	2.4	43.2	2½	3½	37.2	24.0%	79	
Name of similar variety Amsoy 71	142	2.3	43.2	2½	3½	39.6	22.5	71	

INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for completing this form:

1. Scott, Walter O. and Samuel R. Aldrich, 1970, Modern Soybean Production, The Farmer Quarterly.
2. Norman, A. G., 1963, The Soybean: Genetics, Breeding, Physiology, Nutrition, Management.
3. McKie, J. W., and K. L. Anderson, 1970, The Soybean Book.

LEAF COLOR: Nickerson's or any recognized color fan may be used to determine the leaf color of the described variety. The following Soybean varieties may be used as a guide to identify the colors listed on the form.

COLOR	VARIETY
Light Green	"Ada"
Medium Green	"Wilkin"
Dark Green	"Swift"

LEAF SIZE: The following varieties may be used as a guide to identify the relative size leaves.

SIZE	VARIETY
Small	"Amsoy"
Medium	"Bonus"
Large	"Anoka"

PLANT TYPE: The following varieties may be used as a guide to identify the plant type.

TYPE	VARIETY
Slender	"Vansoy"
Intermediate	"Wirth"
Bushy	"Adelphia"

FEP 51974