

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

## Goldsmith Seeds, Inc.

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 (STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

MARIGOLD

"Aztec Gold"

*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 eighth day of April in the year of our Lord one thousand nine hundred and seventy-five*



Attest:

*J. J. Rollins*

Commissioner  
Plant Variety Protection Office  
Grain Division  
Agricultural Marketing Service

*Earl L. Buttz*

Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1. VARIETY NAME OR TEMPORARY DESIGNATION <b>Aztec Gold</b>	2. KIND NAME <b>Marigold</b>	FOR OFFICIAL USE ONLY	
		PV NUMBER <b>7400049</b>	
3. GENUS AND SPECIES NAME <b><u>Tagetes erecta</u></b>	4. FAMILY NAME (Botanical) <b><u>Compositae</u></b>	FILING DATE <b>1-2-74</b>	TIME <b>11</b> <small>A.M. P.M.</small>
		FEE RECEIVED \$ <b>250.00</b>	BALANCE DUE \$ <b>-</b>
	5. DATE OF DETERMINATION <b>March 1973</b>	\$ <b>250</b>	\$ <b>-</b>
		\$ <b>250</b>	\$ <b>-</b>
6. NAME OF APPLICANT(S) <b>Goldsmith Seeds, Inc.</b>	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) <b>P.O. Box 1349 2280 Hecker Pass Hwy Gilroy, CA 95020</b>	8. TELEPHONE AREA CODE AND NUMBER <b>408-842-8278</b>	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) <b>Corporation</b>	10. STATE OF INCORPORATION <b>California</b>	11. DATE OF INCORPORATION <b>March 31, 1964</b>	

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

**Glenn A. Goldsmith  
Goldsmith Seeds, Inc.  
P.O. Box 1349  
Gilroy, CA 95020**

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- 13B. Exhibit B, Botanical Description of the Variety
- 13C. Exhibit C, Objective Description of the Variety
- 13D. Exhibit D, Data Indicative of Novelty
- 13E. Exhibit E, Statement of the Basis of Applicant's Ownership

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). (If "Yes," answer 14B and 14C below.)  YES  NO

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

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

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.

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.

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

**December 26, 1973**

(DATE)

*Glenn A. Goldsmith*

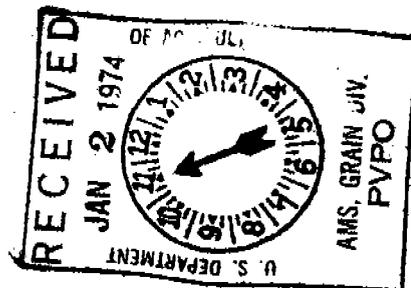
(SIGNATURE OF APPLICANT)

1

(DATE)

(SIGNATURE OF APPLICANT)

## INSTRUCTIONS



GENERAL: Send an original copy of the application, exhibits and \$250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, 6525 Belcrest Road, Hyattsville, Maryland 20782. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

## ITEM

- 5 Insert the date the applicant determined that he had a new variety based on the definition in Section 41 (a) of the Act and decision is made to increase the seed.
- 13a 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.
- 13b 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.
- 13c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.
- 13d Provide complete data indicative of novelty. Seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty may be submitted. Seeds submitted may be sterile.
- 13e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

## MARIGOLD AZTEC GOLD

## Exhibit A: Origin and Breeding History

A series of crosses were made between Marigold Spun Gold and Crackerjack Mixture in 1962. Single line selections were made for five generations. Characters selected for were dwarf determinate growth habit, large flower size, doubleness and crested centers. A number of similar appearing individual plants of various colors were massed together in 1966. Individual plants were then selected from this population and selfed for three generations. During this selection process a golden yellow flower color, doubleness of ray flowers and a good full crested center of quilled disc flowers were selected for. Populations of about 35 plants were grown from individual plant selections in the last generation of selfing. The best population was selected and seed harvested from this population was used to grow a  $\frac{1}{4}$  acre increase block (approx. 4500 plants). Seed harvested from this block was used for stock seed to produce approximately  $1\frac{1}{2}$  acres of seed during the 1973 crop year (planted in March 1973, harvested September 1973).

The 35 plant population grown from the last generation of selfing was completely uniform with no variants. The increase block from this population was also uniform. The production field grown from the stock seed of the increase block was uniform also. Hence the uniformity and stability of this variety has been established.

## MARIGOLD AZTEC GOLD

Exhibit <sup>B</sup> ~~Data Indicative of Novelty~~ R/S

1. Very early flowering. Aztec Gold flowers much earlier than most other Tagetes erecta varieties. It is even earlier than Spun Gold. This early flowering characteristic is determined mainly by its lack of response to photoperiod. Most African Marigolds have flowering delay under daylengths of 13 hours or more.
2. Determinate growth habit. After the initial flower is formed on the apical tip of the main stem, the secondary branches become dominant resulting in a bushy growth habit. Each secondary branch also terminates in a flower with tertiary branches, etc. Similar to Spun Gold in growth habit and shape.
3. Unique flower form. Although flowers are basically of a carnation type, they have a full crested center which is typical of chrysanthemum type. Ray flowers are similar to Crackerjack. Disc flowers are similar to Spun Gold.
4. Foliage color. Foliage is a light grayish-green (137B shading to 137A, C & D\*). It is a distinctly lighter color than most African Marigolds.

\*Royal Horticultural Society Colour Chart

OBJECTIVE DESCRIPTION OF VARIETY  
MARIGOLD (TAGETE)

INSTRUCTIONS - See Reverse.

NAME OF APPLICANT(S)

Goldsmith Seeds, Inc.

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

P.O. Box 1349  
Gilroy, CA 95020

FOR OFFICIAL USE ONLY

PVPO NUMBER

7400049

VARIETY NAME OR TEMPORARY DESIGNATION

AZTEC Gold

Place the appropriate number that describes the varietal character of this variety in the boxes below.  
Place a zero in first box (e.g.  or ) when number is either 99 or less or 9 or less.

1. SPECIES TYPE:

- 1 = ERECTA (African)    2 = PATULA (French)    3 = TENUIFOLIA (Signata)    4 = LUCIDA (Sweet)  
5 = OTHER (Specify)

2. PLOIDY:

- 1 = DIPLOID (n = )    2 = TRIPLOID (n = \_\_\_\_\_)    3 = TETRAPLOID (n = \_\_\_\_\_)

3. PLANT TYPE/HABIT:

- 1 = EXTRA DWARF (Miniature, petite) < 20 CM.    2 = DWARF 25-35 CM.    3 = SEMIDWARF 40-55 CM.    4 = TALL > 60 CM.

- 1 = ERECT    2 = SEMIERECT    3 = DECUMBENT

- 1 = COMPACT    2 = LAX

- Flowering:    1 = LONG SEASON    2 = SHORT SEASON

4. LEAF (Middle of first flowering branch):

- Type:    1 = SIMPLE    2 = COMPOUND

- Leaflet:    1 = OVATE    2 = LANCEOLATE    3 = ELLIPTIC    4 = FILIFORM

- Margin:    1 = ENTIRE    2 = CRENATE    3 = SERRATE    4 = DENTATE    5 = INCISED

CM. LONG

MM. WIDE

- Anthocyanin pigment in petioles:    1 = ABSENT    2 = PRESENT

- Glands:    1 = PUNCTATE    2 = LARGE DOTS

- Glands:    1 = BASAL    2 = APICAL    3 = evenly

- Odor:    1 = NONE    2 = MILD FRAGRANCE    3 = STRONG FRAGRANCE    4 = MILD "MARIGOLD"    5 = STRONG "MARIGOLD"

5. STEM:

- 1 = STRAIGHT    2 = ZIGZAG

- 1 = BRITTLE    2 = FLEXIBLE

- Anthocyanin:    1 = ABSENT    2 = ALONG VEINS ONLY    3 = SOLID COLORATION

CM. FROM BASE OF STEM TO INVOLUCRE OF TERMINAL FLOWER

CM. FROM BASE OF MAIN STEM TO AXIL OF TOP BRANCH

CM. FROM AXIL OF TOP BRANCH TO INVOLUCRE OF TERMINAL FLOWER

NO. OF INTERNODES BELOW FIRST BRANCH

NO. OF FIRST ORDER BRANCHES (from main stem)

6. FLOWER:

- Type:    1 = CARNATION    2 = CHRYSANTHEMUM    3 = OTHER

- 1 = SINGLES    2 = DOUBLES

- Silhouette:    1 = FLATTENED    2 = ROSETTE    3 = GLOBULAR

- Odor:    1 = NONE    2 = MILD FRAGRANCE    3 = STRONG FRAGRANCE    4 = MILD "MARIGOLD"    5 = STRONG "MARIGOLD"

6. FLOWER: (Continued)

2 Ray: 1 = FLATTENED 2 = CURLED/TWISTED (*Fantastic*)

1 Apices: 1 = ENTIRE 2 = LOBED 3 = NOTCHED

1 SURFACE - Dorsal: }  
 1 SURFACE - Ventral: } 1 = GLABROUS 2 = PUBESCENT 3 = PUBESCENT ON APICE ONLY

2 LUSTER - Dorsal: }  
 1 LUSTER - Ventral: } 1 = SHINY 2 = DULL

1 PATTERN - Dorsal: } 1 = SOLID 2 = SPOTTED 3 = STRIPED  
 1 PATTERN - Ventral: } 4 = PICOTEE 5 = OTHER (*Specify*) \_\_\_\_\_

1 Color: 1 = SOLID 2 = BICOLOR (*Specify colors*): Primary Golden Yellow 6B shading to 6A & C  
 State color standards used: Royal Horticultural Society

SIZE (Use outer row of first matured flower):  MM. LONG  MM. WIDE

3 Disc: 1 = ABSENT 2 = PRESENT, COVERED 3 = PRESENT, UNCOVERED

2 Type: 1 = NOT QUILLED 2 = QUILLED

7. DISEASE RESISTANCE (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

<input type="checkbox"/> 0 ROOT-ROT ( <i>Phytophthora</i> )	<input type="checkbox"/> 0 VIRUS YELLOWS
<input type="checkbox"/> 0 GREY MOLD ( <i>Botrytis</i> )	<input type="checkbox"/> 0 FUSARIUM WILT
<input type="checkbox"/> 0 STEM ROT ( <i>Sclerotinia</i> )	<input type="checkbox"/> 0 WITCHES BROOM

8. INDICATE A VARIETY THAT MOST NEARLY RESEMBLE THAT SUBMITTED

CHARACTER	VARIETY	CHARACTER	VARIETY
Plant shape	<b>Spun Gold</b>	Flower size	<b>Yellow Supreme</b>
Plant size	<b>Spun Gold</b>	Flower shape	<b>Unique</b>
Foliage		Flower color	

~~Overall appearance - Golden Age~~ INSTRUCTIONS  
*Rfs*

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

- (a) Bailey, L. H., 1949, Manual of Cultivated Plants, MacMillan.
- (b) Royal Horticulture Society, 1965, Dictionary of Gardening, Oxford.
- (c) Wyman, Donald, 1971, Wyman's Gardening Encyclopedia, MacMillan.

COLOR: Nickerson's or any recognized color fan may be used to determine the colors.

7400049

MARIGOLD AZTEC GOLD  
PV #7400049

Exhibit D. Data Indicative of Novelty

"Aztec Gold" is most similar to "Aztec Orange" and "Aztec Yellow", which were released simultaneously. These varieties can be differentiated on the basis of flower color. As a group, they differ from all other marigolds on the basis of a combination of the following characteristics:

(1) Earlier flowering than "Spun Gold"; (2) Growth habit and shape similar to "Spun Gold", (3) Flower heads basically carnation type but with full crested center typical of the chrysanthemum type; and (4) Foliage is distinctly lighter color than most African Marigolds, slightly lighter even than "Spun Gold".

MARIGOLD AZTEC GOLD

Exhibit E: Statement of Applicant's Ownership

Goldsmith Seeds, Inc., Gilroy, California believes it is the sole, original and first breeder of the Aztec Gold variety of African Marigold for which it solicits a certificate of protection.