

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow 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, 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 OF 1930, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

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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 ninth day of May in the year of our Lord one thousand nine hundred and seventy-seven

Attest:

R. J. Rollins
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

W. B. Bayland
Secretary of Agriculture

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1a. TEMPORARY DESIGNATION OF VARIETY VISION VP-663 4/7 3/15/77	1b. VARIETY NAME	FOR OFFICIAL USE ONLY	
		PV NUMBER	7700010
2. KIND NAME Pea	3. GENUS AND SPECIES NAME Pisum sativum	FILING DATE	TIME
		11-5-76	12:15 P.M.
4. FAMILY NAME (BOTANICAL) Legume	5. DATE OF DETERMINATION 1972	FEE RECEIVED	DATE
		\$ 250.00 \$250.00 \$250.00	11-29-76
6. NAME OF APPLICANT(S) Asgrow Seed Company	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) Kalamazoo, Michigan 49001	8. TELEPHONE AREA CODE AND NUMBER (616) 385-6605	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation	10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware	11. DATE OF INCORPORATION March 22, 1968	

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

John A. Batcha
Asgrow Seed Company
7000 Portage Road
Unit 9630-190-1
Kalamazoo, Michigan 49001

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, Novelty Statement.
- 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- 13D. Exhibit D, Additional Description of the Variety.

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

15. Does the applicant(s) agree to the publication of his/her (their) name(s) and address in the Official Journal? YES NO

16. The applicant(s) declare(s) 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) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) 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 Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

October 26, 1976
(DATE)

John A. Batcha
(SIGNATURE OF APPLICANT)
John A. Batcha

(DATE)

(SIGNATURE OF APPLICANT) 00001

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VISIONEXHIBIT A - Origin and Breeding History of ~~XP-C63~~ PeaKRITER
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The original cross (Wisconsin 715 x Nugget) was made in the summer of 1966. ~~XP-C63~~ was developed by selection within segregating material from this cross. Single vine selections were made each generation until F₇. The line was entered into yield trials in 1972 and a decision was made in the fall of 1972 to start small scale seed increase. In July of 1973 it was determined that the line was unique and breeding true but there was a question regarding its commercial value. After more tests in 1973, and 1974 it was decided that the line had commercial potential and it was designated as ~~XP-C63~~ in January 1975.

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There are no known variants in this line. As a final test of homozygosity approximately 300 single plant progenies were grown and inspected for off types. The progenies were extremely uniform, but any progeny which was questionable in any way was removed from the field. The remaining progenies were then harvested as a bulk and this has become Breeder's Seed of the line. The line is stable and breeding true.

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EXHIBIT B - Novelty statement regarding ~~XP-C63~~ Pea

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~~XP-C63~~ is quite unique as a pea variety. It has an Alaska type seed and a Perfection type plant. The seed is smooth similar to Alaska but the plant is entirely different from Alaska in that the leaf color is medium green whereas Alaska is light green, the plant is medium stocky whereas Alaska is slim, and ~~XP-C63~~ is five days later than normal Alaskas.

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The pods of ~~XP-C63~~ are considerably darker in color, longer and more slender than Alaska pods. The plants of ~~XP-C63~~ are much more stocky and compact than Alaska plants.

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Enclosed are photos of pods. These pictures were taken under the same artificial light and at very close to the same stage of maturity. These photos illustrate the difference in length, color and shape of pods.

The other two photos were taken in the field on July 3, 1974 within a few minutes of each other of plots planted on April 18, 1974. The color is not very good but it is plain that ~~XP-C63~~ plants are darker in color and more stocky than Alaska plants.

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~~XP-C63~~ is practically identical to the Asgrow variety Rally (XP-C60). These two varieties cannot be distinguished in the field by visual observation. However, Rally is wrinkle seeded whereas ~~XP-C63~~ is smooth seeded and there is a corresponding difference in flavor.

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OBJECTIVE DESCRIPTION OF VARIETY

PEA (PISUM SATIVUM)

NAME OF APPLICANT(S)

Asgrow Seed Company

VARIETY NAME OR TEMPORARY DESIGNATION

VISION
XP-663 KRITER

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

Kalamazoo, Michigan 49001

FOR OFFICIAL USE ONLY

PVPO NUMBER

7700010

Place the appropriate number that describes the varietal character 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. TYPE:

1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

Node number of first bloom: No. of days to processing Heat Units

No. of days Earlier than 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

No. of days Later than 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

CM. HIGH

Cm. Shorter than } 1 = ALASKA WR 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

Cm. Taller than } 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

4. VINE:

Habit: 1 = DETERMINATE 2 = INDETERMINATE Stockiness: 1 = SLIM (Alaska) 3 = HEAVY (Alderman)
2 = MEDIUM (Thomas Laxton WR)

Branching: 1 = NONE (Alaska) 2 - 1-2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar)

Internodes: 1 = STRAIGHT 2 = ZIG ZAG NUMBER OF NODES

5. LEAFLETS:

Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman)
4 = OTHER (Specify)

Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 4 = HEAVY 1 = NOT MARBLED 2 = MARBLED (Alaska)

Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

1 = LACKING 2 = PRESENT 1 = NOT CLASPING 2 = CLASPING

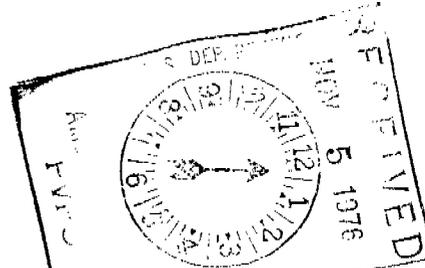
1 = NOT MARBLED 2 = MARBLED Size (Compared with leaflets): 1 = SMALLER 2 = SAME
3 = LARGER

Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

VENATION STANDARD WING KEEL } 1 = WHITE 2 = GREENISH 3 = LAVENDER
4 = PURPLE 5 = RED
6 = OTHER (Specify)

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, National Agricultural Library, Beltsville, Maryland 20705. (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 Give the date the applicant determined that he had a new variety based on (1) the definition in Section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a 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), the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4), evidence of stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one 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 differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form for all characteristics, for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe; such as; plant habit, plant color, disease resistance, etc.
- 14A 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 his affirmative decision after the variety has either been sold and so labeled or published or the certificate has been issued. However, if the applicant specifies "NO", he may change his choice. (See Section 180.15 of the Regulations and Rules of Practice.)

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XP-C63

EXHIBIT D - Additional description of ~~XP-C63~~

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~~XP-C63~~ is a second early smooth seeded canning pea which is very unique in that the plant is not an Alaska type plant but a typical Perfection type plant.

The line is very close to 100% double podded. There are practically no triples and very few single pods under normal conditions. The berry count per pod is very high in that it will average very close to eight seeds per pod and there are many pods containing nine or ten seeds.

Whereas Alaska type pods are light green in color, short, blunt and very tightly filled the pods of ~~XP-C63~~ are medium green in color, longer, not as blunt, and not as tightly filled.

The average sieve size of ~~XP-C63~~ peas at 100 tenderometer is approximately 1.8. This is significantly smaller than practically all canner peas on the market. The variety D-409 from Morrison Seed Co. is a smooth seeded pea with about the same sieve size. However D-409 is a very late pea being at least a week later than ~~XP-C63~~ and is also entirely different from ~~XP-C63~~ in pod and plant type. We are not aware of any other smooth seeded pea with sieve size as small as ~~XP-C63~~.

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