

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Moran 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 *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF **VIALE** BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY **LAW**, THE RIGHT TO **EX-**PORT 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 (54 STAT. 3512 AS AMENDED, 7 U.S.G. 2321 ET SEQ.)

WATERMELON

'Sun Go-h'

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 24th day of March in the year of our Lord one thousand nine hundred and eighty-three.

Attest:

Kenneth D. Egan
Acting
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

John R. Blank

Secretary of Agriculture



GRAIN DIVISION
PLANT VARIETY PROTECTION OFFICE
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20706

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

1a. TEMPORARY DESIGNATION OF VARIETY NCX 1558		1b. VARIETY NAME SUN GOLD None <i>9907 2/23/83</i>		FOR OFFICIAL USE ONLY PV NUMBER 8200061	
2. KIND NAME Watermelon		3. GENUS AND SPECIES NAME Citrullus lanatus		FILING DATE 1/25/82	TIME 1:00 P.M.
4. FAMILY NAME (BOTANICAL) Cucurbi. taceae		5. DATE OF DETERMINATION August 19, 1980		FEE RECEIVED \$ 500.00	DATE 1/25/82
6. NAME OF APPLICANT(S) Mbran Seeds, Inc.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 2508 El Macero, California 95618		\$ 250.00	2/23/83
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 California		6. TELEPHONE AREA CODE AND NUMBER (916) 756 1382	
11. DATE OF INCORPORATION Dec. 29, 1978					

12. Name and mailing address of applicant representative(s), if any, to serve in this application and to receive all papers:
**Robert H. Schroeder
Mbran Seeds, Inc.
P. O. Box 2508
El Macero, California 95618**

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), (2) "Yes," answer 14B and 14C below.) YES NO *wt*

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.

December 3, 1981
(DATE)

Robert H. Schroeder
(SIGNATURE OF APPLICANT)

(DATE) (SIGNATURE OF APPLICANT)

Origin and Breeding History of the Variety.

88/A
2/23/83

SON GOLD
NCX 1558 originated by a cross between an accession (21A x 17C Trans) and NCX 760 (now Char 76), received from Taiwan. The source of the 21A x 17C Trans seed was Albert T.T. Yu. Dr. Yu was a plant breeder for Niagara Seeds at that time. He is now Vice President of Known-You Nursery and Seed Production Co., Ltd., Kaohsiung, Taiwan. This seed was received as accession 87577 in April, 1973. Charleston 76 is a patented cultivar, PV No. 72146.

The original F1 cross was made in the greenhouse in mid 1973. All of the selection work was done at Moran's Research farm near Davis, California beginning in 1975 in F2 survivors from a Fusarium oxysporium screen. Progeny of these F2 selections were screened in 1976 and progeny of these F3's screened in 1977. Self pollinations were made in each of these populations. Subsequent selfs were made in 1978 and 1979 in the F5 and F6. A 12 x 50' cage increase of the F6 self was made in 1980. In 1981 an increase was made near Gilroy at Silva's isolation.

<u>Year</u>	<u>Lot or Plot #</u>	<u>Designation</u>	<u>Location</u>
1973	D1657 D1659	21A x 17C Trans(Ac87577) NCX 760(72-7542-2)	Greenhouse "
1974 Spring	9253	21A/17C Trans/NCX760 F1	Wi 1 t plot
1974 Fall	D2332 Propagated by cuttings.	II	F1 Greenhouse
1975	451-1	"	F2 Wilt plot
1976	1429-1	"	F3 " "
1977	2158-1	II	F4 " "
1978	3390-2	"	F5 Nursery
1979	4219-1	"	F6 Cage
1980	5587	"	F7 "
1981	6764	"	Si lva Isolation

The breeding method is a pedigree system in which fruit are allowed to mature on the vine, are cut and pollinations made on the selected plants. NCX 1558 breeds true and no variants have been found.

8200061

Exhibit B

Novelty Statement

SUN GOLD

384
2/23/83

[NCX 1558] most closely resembles a hybrid from Known-You Nursery and Seed Production Co., called Yellow Baby. Yellow Baby is an F1 hybrid and has smaller fruit, thinner and a more fragile rind. Yellow Baby is susceptible to race 1 Anthracnose. Yellow Baby has lower soluble solids 11.7% vs 12.5% for NCX 1558. NCX 1558 has a larger vine than Yellow Baby. NCX 1558 is open-pollinated.

UNITED STATES DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 LIVESTOCK, POULTRY, GRAIN & SEED DIVISION
 BELTSVILLE, MARYLAND 20706

EXHIBIT c
 (Watermelon)

OBJECTIVE DESCRIPTION OF VARIETY
 WATERMELON (CITRULLUS LANATUS)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S) MDRAN SEEDS, INC. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) Post Office Box 2508 El Macero, California 95618	FOR OFFICIAL USE ONLY PVPO NUMBER 8200061 VARIETY NAME OR TEMPORARY DESIGNATION SUN GOLD NCX 1558 <i>9816 2/23/83</i>
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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 09) when number is either 99 or less or 9 or less.

1. TYPE:

1 OBLONG 2 ROUND LARGE 3 ROUND SMALL (icebox)

2. AREA OF BEST ADAPTATION:

1 SOUTH 2 NORTHEAST/NORTHCENTRAL 3 SOUTHWEST 4 MOST AREAS

3. EMERGENCE TO ANTHESIS:

<input type="text"/>	<input type="text"/>	NO. OF DAYS EARLIER THAN	<input type="text"/>	<input type="checkbox"/>	1 <input type="checkbox"/> CHARLESTONGREY
<input type="text"/>	<input type="text"/>	NO. OF DAYS LATER THAN	<input type="text"/>	<input type="checkbox"/>	2 <input type="checkbox"/> OTHER (Specify) _____

4. POLLINATION TO MATURITY:

<input type="text"/>	<input type="text"/>	NO. OF DAYS EARLIER THAN	<input type="text"/>	<input type="checkbox"/>	1 <input type="checkbox"/> CHARLESTONGREY
<input type="text"/>	<input type="text" value="1"/>	NO. OF DAYS LATER THAN	<input type="text" value="1"/>	<input type="checkbox"/>	2 <input type="checkbox"/> OTHER (Specify) _____

5. PLOIDY:

1 DIPLOID 2 TETRAPLOID 3 TRIPLOID

6. PLANT

<input type="checkbox"/>	Cotyledon:	1 <input type="checkbox"/> FLAT	2 <input type="checkbox"/> FOLDED	<input type="text" value="1"/>	1 <input type="checkbox"/> MONOECIOUS	2 <input type="checkbox"/> ANDROMONOECIOUS			
<input type="text"/>	Number of flowers per plant at first fruit set:	<input type="text"/>	STAMINATE	<input type="text"/>	PISTILLATE	<input type="text"/>	PERFECT	<input type="text" value="6"/>	NO. OF MAIN STEMS AT CROWN

7. STEM:

1 ROUND 2 ANGULAR | MM. DIAMETER AT SECOND NODE |

1 GLABROUS 2 SCABROUS 3 PUBESCENT 4 BRISTLED

| CM. VINE LENGTH ÷ NO. OF INTERNODES (At last harvest) |

8. LEAF:

c | 1 OVATE 2 OBOVATE 3 ROUND c | 1 LONGER THAN WIDE 2 LENGTH-WIDTH EQUAL 3 WIDER THAN LONG

<input type="text" value="1"/>	Dorsal Surface:	} 1 <input type="checkbox"/> SMOOTH 2 <input type="checkbox"/> PUBESCENT	<input type="text" value="1"/>	Color:	1 <input type="checkbox"/> LIGHT GREEN 2 <input type="checkbox"/> GRAY GREEN
<input type="text" value="2"/>	Ventral Surface:		<input type="text" value="1"/>	3 <input type="checkbox"/> MEDIUMGREEN 4 <input type="checkbox"/> DARKGREEN	

9. FLOWER (At first fruit set):

<input type="text"/>	Staminate:	CM. ACROSS	<input type="text"/>	XXXX	CM. ACROSS	<input type="checkbox"/>	Color:	1 <input type="checkbox"/> LEMON YELLOW	2 <input type="checkbox"/> YELLOW 3 <input type="checkbox"/> ORANGE
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10. MATURE FRUIT:

1 = ROUND. 2 = OVAL 3 = CYLINDRICAL CM. LONG CM. DIAMETER AT MIDSECTION

KG. AVERAGE WEIGHT INDEX = LENGTH ÷ DIAMETER X 10

2 1 = SMOOTH 2 = SLIGHTLY GROOVED 3 = DEEPLY GROOVED

c | Color: 1 = SOLID (One color) 2 = STRIPE 3 = MOTTLE/NET

Primary Color: } 1 = YELLOW GREEN (Desert King) 2 = LIGHT GREEN (Charleston Grey) 3 = MEDIUM GREEN (Sugar Baby)

Secondary Color: } 4 = DARK GREEN (Florida Giant) 5 = OTHER (Specify) _____

11. RIND:

1 = TENDER 2 = BRITTLE 3 = TOUGH THICKNESS MM. BLOSSOM END

THICKNESS MM. SIDES

12. FLESH:

2' = CRISP 2 = SOFT 1 = COARSE-FIBROUS 2 = FINE-LITTLE FIBER

Color: 1 = YELLOW 2 = ORANGE 3 = PINK 4 = RED 5 = DARK RED

12.5 REFRACTOMETER % SOLUBLE SOLIDS OF JUICE (Center of fruit) % CHECK VARIETY (Specify) _____

% HOLLOW HEART % PLACENTAL SEPARATION % TRANSVERSE CRACK

13. SEED:

MM. LONG MM. WIDE MM. THICK

INDEX ÷ LENGTH ÷ WIDTH X 10 GM. PER 1000 SEED NO. SEED PER FRUIT

Color: 1 = WHITE 2 = WHITE-TAN TIPPED 3 = WHITE-PINK TIPPED 4 = TAN 5 = GREEN
6 = RED 7 = DARK BROWN 8 = DARK BROWN MOTTLED 9 = BLACK 10 = MOTTLED BLACK

14. DISEASE RESISTANCE: (0 = Untested, 1 = Susceptible, 2 = Resistant)

ANTHRACNOSE (Race) DOWNY MILDEW FUSARIUM WILT GUMMY STEM BLIGHT

SQUASH MOSAIC WATERMELON MOSAIC POWDERY MILDEW CUCUMBER MOSAIC

c | OTHER (Specify) Anthracnose Race 2

15. OTHER RESISTANCE: (0 = Untested, 1 = Susceptible, 2 = Resistant)

c | SUNBURN ROOT KNOT OTHER (Specify) _____

16. NAME A VARIETY THAT MOST CLOSELY RESEMBLES THAT SUBMITTED: Yellow Baby

Days maturity		Fruit shape	<u>Round</u>
Plant vigor		Rind color	<u>Striped</u>
Fruit Size	<u>20 x 20 cm</u>	Flesh quality	

REFERENCES:

1. Frey, K. J. 1966. Plant Breeding - Symposium. 1 ed. Iowa State University Press.
2. Ware, G. W. and McCollum, J. P. 1968. Producing Vegetable Crops. Interstate Printers & Publishers, Inc. Danville, Illinois.
3. Whitaker, T. W. and Davis, G. N. 1962. Cucurbits. Interscience Publishers, Inc. New York.
4. Nickerson's or any recognized color fan should be used to determine the plant colors of the described variety.



Moran Seeds, Inc.

DAVIS RESEARCH CENTER

P. O. BOX 2508 • EL MACERO, CALIFORNIA 95618 • PHONE (916) 756-1382

November 9, 1982

Kenneth H. Evans
Acting Commissioner
Plant Variety Protection Office
National Agricultural Library Building
Beltsville, Maryland 20705

Dear Mr. Evans:

Thank you for the letter, via certified mail, concerning watermelon Plant Variety Protection application # 8200061. We have no intention of abandoning our application for P.V.P. of NCX 1558 watermelon. We have just completed collecting some of the data, specifically with regard to seeds/fruit.

In response to Examiner Bailey's question regarding test data on the Anthracnose race 1 resistance of NCX 1558 vs Yellow Baby, I submit the following:

In a test using an isolate of race 1 Colletotrichum lagenarium and using 3 x 10^4 spores/ml, twenty-four plants of Yellow Baby were inoculated, 0/24 showed a resistant reaction which matched the performance of the susceptible check, Chilean Black Seed which had one plant in ninety-three showing some resistance.

Here is a chart showing data on some common cultivars from that test.

Table with 4 columns: Cultivar, Resistant, Susceptible, Total. Rows include Charleston Grey, Yellow Baby, NCX 1558, Sugarlee, Fairfax, Crimson Sweet, Chilean Black Seed, and Allsweet (Resistance check).

Kenneth H. Evans

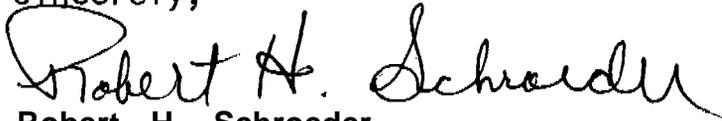
11/9/82

Page 2

Resistance is based on the presence of moderate to severe stem lesions. There were virtually no stem lesions on resistant 1 ines. Inoculation was made twenty-five days after planting in the greenhouse. Following inoculation, plants were placed in a humidity chamber and left in for forty-eight hours.

Please let me know if we need to conduct additional tests or if you need ot-he-r information or data.

Sincerely,

A handwritten signature in cursive script that reads "Robert H. Schroeder". The signature is written in black ink and is positioned above the typed name.

Robert H. Schroeder
Senior Plant Breeder

P

ASSIGNMENT

WHEREAS, Moran Seeds, Inc. ("Moran"), a corporation duly organized and existing under the laws of the State of Delaware is the owner of United States Plant Variety Protection Certificates (the "Certificates"), listed in Exhibit A hereto and Pending United States Plant Variety Protection Applications (the "Applications"), listed in Exhibit B hereto; and

WHEREAS, in accordance with a Technology Transfer Agreement (the "Transfer Agreement") among Celanese Corporation ("Celanese"), Moran Seeds, Inc., Joseph Harris Company, Inc., **CelPril** Industries, Inc., Harris Moran International B.V. ("Sellers"), Virginia Chemicals, Inc., Les Produits Organiques du Santerre-Orsan S.A. ("Orsan"), **HMS Acquisition Inc.**, CP Acquisition Inc., and Exploitiemaatschappij Wolwevershaven B.V., dated January, 1985, and a Purchase Agreement dated December 7, 1985, as amended, among Celanese, Sellers and Orsan, Orsan has purchased from Moran said Certificates and Applications.

NOW, THEREFORE, in accordance with said Transfer Agreement and Purchase Agreement, Moran assigns to Orsan all of its rights, title and interest in and to said Certificates and Applications.

Moran hereby authorizes Orsan to apply for and obtain the recordation of this Assignment. Moran agrees that it shall, without further consideration, promptly and duly cause -to be performed **such** lawful acts and execution of any other documents as Orsan may reasonably request in order for Orsan to obtain the full benefits of th-is Assignment and to permit Orsan to be duly recorded in each office, bureau and tribunal in the appropriate jurisdiction as the registered owner or proprietor of each of the rights hereby assigned. Such instruments and documents shall include, without limitation, such applications, affidavits and other documents for filing in such jurisdictions as Orsan may from time to time reasonably request.

By these presents Orsan does hereby accept this Assignment and authorize the recording thereof with the appropriate authorities aforesaid.

IN WITNESS WHEREOF, the parties have caused this Assignment to be executed by its proper officers thereunto duly authorized this 10th day of **January, 1985.**

MORAN SEEDS, INC.,
Assignor

By: David A. Jenkins
David A. Jenkins
Vice President

LES PRODUITS ORGANIQUES DU
SANTERRE-ORSAN S.A.
Assignee

By: [Signature]
Title: Attorney-in-fact

STATE OF New York
COUNTY OF New York

Before me, a Notary Public, in and for said County, personally appeared David Jenkins who acknowledged that he is Sluc President, of Moran , the corporation which executed the foregoing instrument and who acknowledged he signed said instrument on behalf of said corporation by authority of its Board of Directors* and that said instrument is the free corporate act and deed of said Moran Seeds, Inc.

Sworn before me at New York this 10th day of January, 1985

Alex C. Lengyel
NOTARY PUBLIC

(Notary Public)

My Commission Expires:

ALEX C. LENGYEL
Notary Public, State of New York
COMM. EXPIRES: March 20, 1986

United States Plant Variety Protection Certificates

<u>Cert. No.</u>	<u>Date Issued</u>	<u>Kind</u>	<u>Variety Name</u>	<u>Owner</u>
7200145	10/30/74	Garden Bean	Gem	Moran Seeds, Inc.
7200146	11/15/74	Watermelon	Charleston 76	Moran Seeds, Inc.
7400013	5/9/74	Lettuce	Calmaria	Moran Seeds, Inc.
7400014	6/19/74	Lettuce	Cal K-60	Moran Seeds, Inc.
7400071	6/19/74	Lettuce	Cabrillo	Moran Seeds, Inc.
7600032	9/15/77	Lettuce	Vanagara	Moran Seeds, Inc.
7600039	12/8/77	Lettuce	Morangold	Moran Seeds, Inc.
7800028	5/31/79	Muskmelon	Valley Gold	Moran Seeds, Inc.
7900038	1/14/82	Garden Bean	Blue Duet	Moran Seeds, Inc.
7900039	7/15/82	Snapbean	Score	Moran Seeds, Inc.
7900066	11/27/79	Cauliflower	Snowball 123	Moran Seeds, Inc.
8000020	7/31/80	Muskmelon	Top Net	Moran Seeds, Inc.
8000082	12/10/81	Lettuce	Delmar	Moran Seeds, Inc.
8200019	10/28/82	Onion	OMO M	Moran Seeds, Inc. Oshita, Inc.
8200061	3/24/83	Watermelon	Sun Gold	Moran Seeds, Inc.
8200104	10/28/82	Tomato	Advantage	Moran Seeds, Inc.
8200105	11/26/82	Tomato	Moran 3053	Moran Seeds, Inc.
8200027	4/23/83	Lettuce	El Toro	Moran Seeds, Inc.
8100172	9/29/83	Lettuce	Van Mor	Moran Seeds, Inc.
8300113	8/31/84	Muskmelon	Top Net SR	Moran Seeds, Inc.

Pending United States Plant Variety Protection Applications

<u>Application No.</u>	<u>Filing Date</u>	<u>Kind</u>	<u>Variety Name</u>	<u>Owner</u>
8100167	9/9/81	Lettuce	Yuma	Moran Seeds, Inc.
8300155	7/18/83	Celery	Bishop	Moran Seeds, Inc.
8300156	7/18/83	Celery	Deacon	Moran Seeds, Inc.
8300172	9/1/83	Tomato	Diego	Moran Seeds, Inc.
8400013	12/1/83	Lettuce	Greenfield	Moran Seeds, Inc.

DEED OF ASSIGNMENT

WHEREAS, Les Produits Organiques du Santerre - ORSAN (S. A.), a French corporation having a place of business at 16 rue Ballus, 75009 Paris, France (hereinafter referred to as "ASSIGNOR") owns and is using the Plant Variety Protection Certificates listed on the attached Exhibit for the indicated varieties which were awarded to ASSIGNOR by the Secretary of Agriculture on the indicated dates upon applications filed with the United States Plant Variety Protection Office; and

WHEREAS, Arisix (S.A.), a French corporation having a place of business at 61 rue des Belles Feuilles, 75116 Paris, France,

(hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to the said varieties and Plant Variety Protection Certificates;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title and interest in and to the said varieties and said Plant Variety Protection Certificates in the United States including reissues, and including the right to enforce such rights against any past, present or future violation thereof, the said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any right, title and interest assigned and transferred hereby.

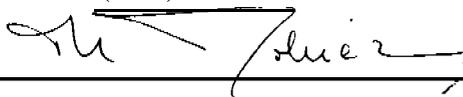
ASSIGNOR further agrees that it will, without charge to said ASSIGNEE, but at ASSIGNEE'S expense, cooperate with ASSIGNEE in the assignment of said Certificates and the perfection of all rights thereto, execute, verify, acknowledge and deliver all such further papers and instruments of assignment and transfer

thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain the listed Certificates and to vest title thereto in said ASSIGNEE or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, an authorized representative of ASSIGNOR has hereunto signed its name to this assignment on the date indicated below.

Les Produits Organiques du Santerre
- ORSAN (S.A.)

Date: 11/11/95



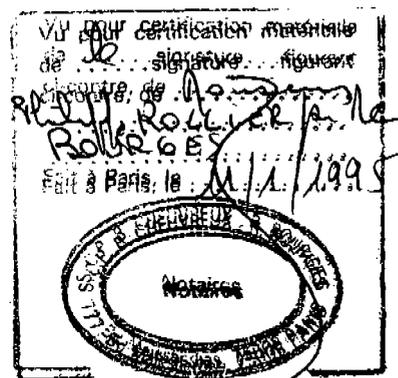
PHILIPPE ROLLIER
Print Name

PRESIDENT
Print Title

On this date, _____ 1993, before me, the undersigned notary public, personally appeared the above-named assignor, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

(Notaire)

Seal/Stamp



DEED OF ASSIGNMENT

WHEREAS, Arisix (S. A.), a French corporation having a place of business at 6 1 rue des Belles Feuilles, 75 116 Paris, France (hereinafter referred to as "ASSIGNOR") owns and is using the Plant Variety Protection Certificates listed on the attached Exhibit for the indicated varieties which were awarded to ASSIGNOR by the Secretary of Agriculture on the indicated dates upon applications filed with the United States Plant Variety Protection Office; and

WHEREAS, Clause (S. A.), a French corporation having a place of business at 1 Avenue Lucien Clause, 91221 Bretigny sur ORGE Cedex, France,

(hereinafter referred to as "ASSIGNEE") is desirous of acquiring the entire right, title and interest in and to the said varieties and Plant Variety Protection Certificates;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, receipt of which is hereby acknowledged, ASSIGNOR has sold, assigned and transferred, and by these presents does sell, assign and transfer unto said ASSIGNEE, and ASSIGNEE'S successors and assigns, all right, title and interest in and to the said varieties and said Plant Variety Protection Certificates in the United States including reissues, and including the right to enforce such rights against any past, present or future violation thereof, the said interest to be held and enjoyed by said ASSIGNEE as fully and exclusively as it would have been and enjoyed by said ASSIGNOR had this assignment and transfer not been made, to the full end and term of any right, title and interest assigned and transferred hereby.

ASSIGNOR further agrees that it will, without charge to said ASSIGNEE, but at ASSIGNEE'S expense, cooperate with ASSIGNEE in the assignment of said Certificates and the perfection of all rights thereto, execute, verify, acknowledge and deliver all such further papers and instruments of assignment and transfer

thereof, and will perform such other acts as ASSIGNEE lawfully may request, to obtain or maintain the listed Certificates and to vest title thereto in said ASSIGNEE or ASSIGNEE's successors and assigns.

IN TESTIMONY WHEREOF, an authorized representative of ASSIGNOR has hereunto signed its name to this assignment on the date indicated below.

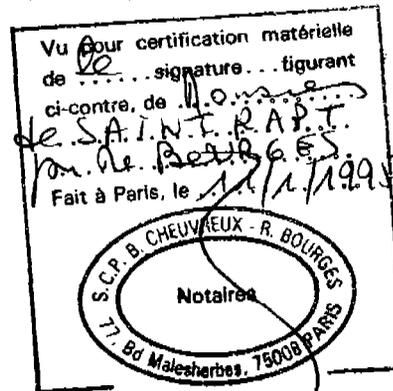
Date: 11/1/95

Arisix (S.A.)
[Signature]
P DE SAINT RAPT
Print Name
PRESIDENT
Print Title

On this date, _____ 1993, before me, the undersigned notary public, personally appeared the above-named assignor, known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

(Notaire)

Seal/Stamp



EXHIBIT

Certif. #	Date Status Begins	Crop	Variety Name
7600032	09/15/77	Lettuce	Vanagara
7600039	12/08/77	Lettuce	Morangold
7605018	09/28/77	Marigold	Cabaret Orange
7800028	05/31/79	Muskmelon	Valley Gold
7800033	12/21/78	Radish	Fancy Red
7800086	01/25/79	Lettuce	Deep Red
7900038	01/14/82	Garden Bean	Blue Duet
7900039	07/15/82	Garden Bean	Score
7900066	11/27/79	Cauliflower	Snowball 123
8000020	07/31/80	Muskmelon	Top Net
8000082	12/10/81	Lettuce	Delmar
8100167	3/29/85	Lettuce	Yuma
8100172	09/29/83	Lettuce	Van Mor
8200027	04/23/83	Lettuce	El Toro
8200045	09/23/82	Turnip	Royal Gem
8200061	03/24/83	Watermelon	Sun Gold
8200068	12/30/82	Egg Plant	Little Fingers
8200104	10/28/82	Tomato	Advantage
8200105	11/26/82	Tomato	Moran 3053
8300024	12/30/83	Radish	Red King
8300113	08/31/84	Muskmelon	Top Net SR
8300155	02/22/85	Celery	Bishop
8300156	01/25/85	Celery	Deacon
8300172	11/29/85	Tomato	Harris Morgan 3075
8400013	2/19/88	Lettuce	Greenfield
8600032	03/11/88	Tomato	Murrieta II

Expired
Expired
Expired

PLANT VARIETY PROTECTION REGISTRATION ASSIGNMENTS

Clause, S.A. to Harris Moran Seed Company

WHEREAS, Clause, S.A. (“Assignor”), a corporation organized and existing under the laws of France, has sold and transferred assets, including plant variety protection registrations, to Harris Moran Seed Company (“Assignee”), a corporation organized and existing under the laws of the State of Maryland;

WHEREAS, Assignor, is the owner of the following plant variety protection registrations:

<u>VARIETY NAME</u>	<u>Registration No.</u>	<u>Issue Date</u>
BLUE DUET	790003 8	01/14/82
SCORE	790003 9	07/15/82
TOP NET SR	8300113	08/31/84
TOP NET	8000020	07/31/80
SNOWBALL 123	7900066	11/27/79
BISHOP	8300155	02/22/85
DEACON	8300156	01/25/85
LITTLE FINGERS	8200068	12/30/82
EL TORO MI	8200027	04/28/83
DELMAR MI	8000082	12/10/81
GREENFIELD MI	8400013	02/19/88
VAN MOR MI	8100172	03/29/83
YUMA MI	8100167	03/29/85

RED KING	8300024	12/30/83
MORAN 3053	8200105	11/26/82
ADVANTAGE	8200 104	10/28/82
HARRIS MORAN 3075	8300172	11/29/85
ROYAL GEM	8200045	09/23/82
SUN GOLD	820006 1	03/24/83

WHEREAS, Assignor is desirous of selling and Assignee is desirous of acquiring the aforesaid plant variety protection registrations of Assignor.

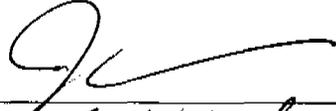
NOW THEREFORE, for \$10.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor, by these presents sells, assigns and transfers to Assignee, its successors and assigns, all right title and interest **in** and to the above-referenced plant variety protection registrations, to be held and enjoyed by said Assignee, as fully as the same would have been enjoyed by said Assignor, had this assignment not been made.

Assignor also assigns and transfers to Assignee, any and all causes of action, claims, demands, or other rights occasioned from or because of any and all past infringement of any of the above referenced plant variety protection registrations.

Assignor **further** agrees that upon request, it **will** execute any and all documents necessary to vest all rights, title and interest in and to the above-referenced plant variety protection registrations

IN WITNESS **WHEREOF**, said Assignor, has affixed its signature hereto this 22 day of January, 1997.

CLAUSE, S.A.

By: 
Name: John W. Fowler
Title: Chairman

ASSIGNMENT OF INTELLECTUAL PROPERTY

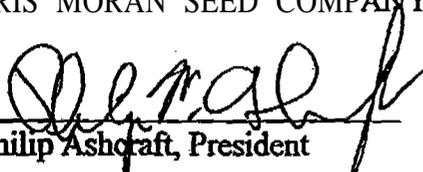
WHEREAS, **HARRIS MORAN SEED COMPANY**, a **corporation** duly organized and **existing** under the laws of the State of Maryland, having its principal place of business at 45 11 **Willow Road, Suite 3, Pleasanton, California 94588** (“Assignor”), has, pursuant to that certain **Bill of Sale and Assignment** 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

CERTIFICATE OF AMENDMENT
OF THE
ARTICLES OF INCORPORATION

OF

FERRY-MORSE SEED COMPANY (CALIFORNIA)
(a California corporation)

1430010

ENDORSED
FILED

In the office of the Secretary of State
of the State of California

JUN 30 1997

Bill Jones
BILL JONES, Secretary of State

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, 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
Yves Queste, President

Helen Andritsakis
Helen Andritsakis, Secretary

State of California

SECRETARY OF STATE



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 1907



Secretary of State