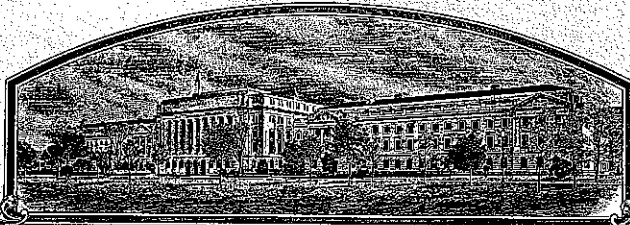


No.

200000191



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Western Plant Breeders, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

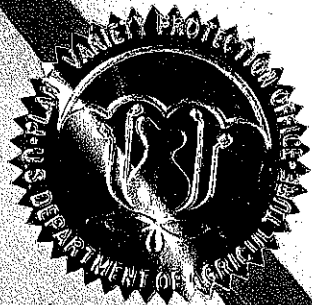
Secretary of Agriculture

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 EXPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (34 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Hank'



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 eighth day of May, in the year of our Lord two thousand one.

Attest:

Alank Post

Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

W. E. Kern

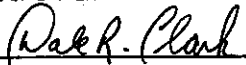

Secretary of Agriculture

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 Western Plant Breeders, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME BZ 992-322	3. VARIETY NAME Hank
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 8111 Timberline Drive Bozeman, MT 59718		5. TELEPHONE (include area code) 406-587-1218	FOR OFFICIAL USE ONLY PVPO NUMBER 200000191 FILING DATE MARCH 14, 2000
		6. FAX (include area code) 406-586-8247	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation	8. IF INCORPORATED, GIVE STATE OF INCORPORATION Arizona	9. DATE OF INCORPORATION Aug. 24, 1990	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Dr. Dale R. Clark Western Plant Breeders, Inc. 8111 Timberline Drive Bozeman, MT 59718			FILING AND EXAMINATION FEES: \$ 2450.00 DATE 3-14-2000 CERTIFICATION FEE: \$ 320.00 DATE 4/30/01
11. TELEPHONE (Include area code) 406-587-1218	12. FAX (Include area code) 406-586-8247	13. E_MAIL dclark@westbred.com	14. CROP KIND (Common Name) wheat
15. GENUS AND SPECIES NAME OF CROP Triticum aestivum		16. FAMILY NAME (Botanical) Poaceae	17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
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 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 (\$2,450), 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 GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
		21. IF "YES" TO ITEM 20, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
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, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
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) Dale R. Clark		NAME (Please print or type) Dan R. Biggerstaff	
CAPACITY OR TITLE Barley and Wheat Breeder	DATE March 13, 2000	CAPACITY OR TITLE V.P./General Manager	DATE March 13, 2000

"HANK"
Hard Red Spring Wheat

200000191

16.a. Exhibit A. Origin and Breeding History

"Hank" (Exp. # BZ 992-322) is a hard red spring wheat that originated from the cross of "WestBred 926 x WestBred 936", made near Phoenix, AZ in March 1991. The F1 plants were grown near Bozeman, MT during the summer of 1991 and the F2 seed harvested in September 1991. The F2 seed was planted near Phoenix in Nov. 1991 and single F2 heads were harvested in late April 1992. F3 head rows were planted in May 1992 near Bozeman. Agronomically acceptable F3 rows were selected and this particular row was given the designation BZ 992-322. Protein and protein quality (the SDS sedimentation test) analysis for bread wheat type quality were conducted on selected lines prior to advancing to yield trials. Yield trials, along with quality analysis, were conducted on the F4 thru F8 generations in Western Plant Breeders' Pacific Northwest spring wheat trials. Besides being selected for high protein, high sedimentation levels, strong bread mixing characteristics (Table 2.) and high yield, Hank was also evaluated and selected for suitable agronomic characteristics (see Table 1.) such as disease resistance (leaf rust, stripe rust and mildew), plant height and resistance to lodging.

Heads were selected from the F4 plot in the fall of 1993 and planted as head rows near Bozeman in the spring of 1994. Uniform head rows were individually harvested and tested for quality. Uniform selections were planted as individual 5' x 20' F5 plots in the spring of 1995 and uniform lines harvested individually in the fall. Selected lines were planted in larger F6 plots in the spring of 1996. Also each line was planted in a single row near Walla Walla, Washington to screen for resistance to the prevalent races of the Hessian fly. One line, designated BZ 992-322-c had the best resistance. This line was harvested from the purifications near Bozeman in the fall of 1996. A larger F7 increase of this line was planted near Bozeman in the spring of 1997. Seed of this line was harvested in the fall and planted near El Centro, CA in November 1997. Seed of this production was harvested in April 1998 and designated "Breeders" seed. This seed was used to plant approximately 20 acres near Bozeman in May 1998. This production was harvested in the fall of 1998 and designated "Foundation" seed. Foundation seed was planted in the spring of 1999 to produce Registered and Certified seed. Certified seed will first be available to growers in the spring of 2000.



Western Plant Breeders, Inc, 8111 Timberline Dr., Bozeman, MT 59718

“HANK”
Hard Red Spring Wheat

A variant that is similar to “Hank”, but is 4 to 8 inches taller, occurs at a frequency of up to .08% (8 per 10,000 plants). Otherwise, “Hank” is a stable and uniform variety in appearance and performance across several generations (F4 to F10) and growing conditions.

16.b. Exhibit B. Statement of Distinctness

Hank is most similar to the variety WestBred 936. However, Hank is resistant to the prevalent biotypes of Hessian fly in the State of Washington while WestBred 936 is susceptible. Also, the glume shoulders of Hank are rounded, whereas those of WestBred 936 are elevated. And, the seed of Hank is elliptical in shape whereas the seed of WestBred 936 is ovate.

The above comparison, along with the complete Objective Description (Exhibit C) shows Hank to be a novel variety of hard red spring wheat.

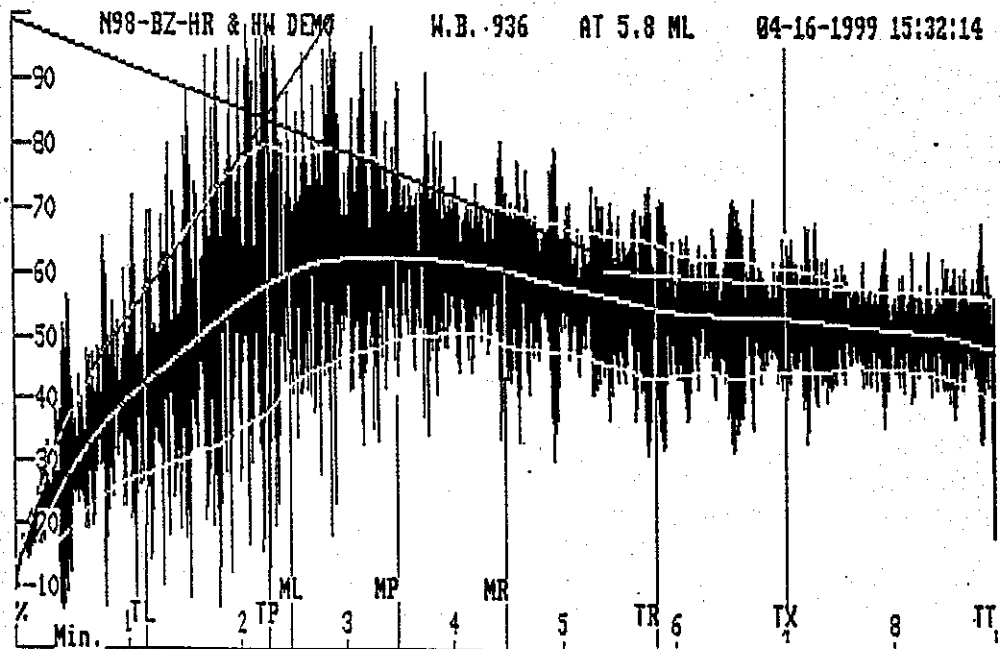
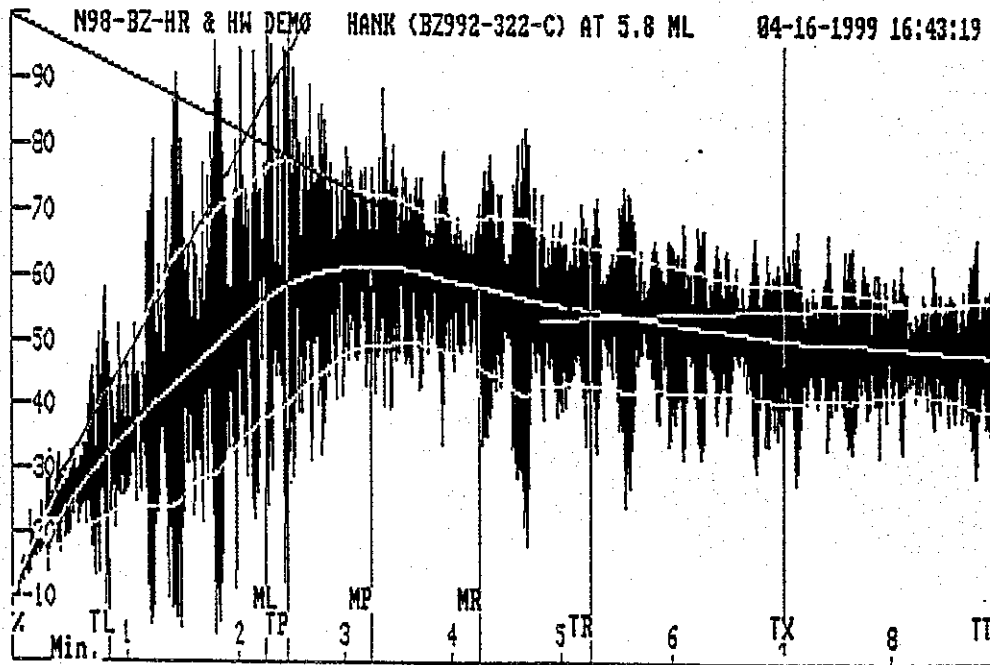
Table 1. Agronomic characteristics of Hank compared to check varieties in Western Plant Breeders' trials 1996-1999 (avg. of 15 locations).

<u>Entry</u>	Heading* Date from 7/1	Plt. Ht. (inches)	T.W. (lbs/bu)	Protein %	SED (mm)	4yr avg bu/ac
Hank	2	34	60.1	13.6	123	105
Pristine	3	35	62.5	13.7	124	101
WB 926	3	35	60.3	13.8	123	100
WB 936	3	32	59.7	13.9	129	101
Express	7	32	60.5	13.9	115	102



"HANK"
Hard Red Spring Wheat

Table 2. Quality (mixograph) characteristics of Hank compared to WestBred 936 in Western Plant Breeders' trials - 1998.



REPRODUCE LOCALLY. Include form number and date on all reproductions.

Form Approved - OMB No. 0581-0055

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 30 minutes 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.

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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.

U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 SCIENCE AND TECHNOLOGY
 PLANT VARIETY PROTECTION OFFICE
 BELTSVILLE, MD 20705

EXHIBIT C
 (Wheat)

OBJECTIVE DESCRIPTION OF VARIETY
 WHEAT (*Triticum* spp.)

NAME OF APPLICANT(S) Western Plant Breeders, Inc.	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or RD No., City, State, and Zip Code) 8111 Timberline Drive Bozeman, MT 59718	PVPO NUMBER 200000191
	VARIETY NAME Hank
	TEMPORARY OR EXPERIMENTAL DESIGNATION

PLEASE READ ALL INSTRUCTIONS CAREFULLY: Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g. or) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

1=Common 2=Durum 3=Club 4=Other (SPECIFY): _____

2. VERNALIZATION:

1=Spring 2=Winter 3=Other (SPECIFY): _____

3. COLEOPTILE ANTHOCYANIN:

1=Absent 2=Present

4. JUVENILE PLANT GROWTH:

1=Prostrate 2=Semi-erect 3=Erect

5. PLANT COLOR (boot stage):

1 = Yellow-Green 2 = Green 3 = Blue-Green

6. FLAG LEAF (boot stage):

1 = Erect 2 = Recurved 1 = Not Twisted 2 = Twisted

7. EAR EMERGENCE:

Number of Days Earlier Than Express *

Number of Days Later Than Border *

8. ANTHOR COLOR:

1 = Yellow 2 = Purple

9. PLANT HEIGHT (from soil to top of head, excluding awns):

05 cm Taller Than Express *
 25 cm Shorter Than Sharpshooter *

* Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

10. STEM:

A. ANTHOCYANIN

1 = Absent 2 = Present

D. INTERNODE (SPECIFY NUMBER)

1 = Hollow 2 = Semi-solid 3 = Solid

B. WAXY BLOOM

2 = 1 = Absent 2 = Present

E. PEDUNCLE

2 = 1 = Absent 2 = Present

C. HAIRINESS (last internode of rachis)

2 = 1 = Absent 2 = Present

40 = cm Length

11. HEAD (at Maturity):

A. DENSITY

2 = 1 = Lax 2 = Middense 3 = Dense

C. CURVATURE

2 = 1 = Erect 2 = Inclined 3 = Recurved

B. SHAPE

2 = 1 = Tapering 2 = Strap 3 = Clavate 4 = Other (SPECIFY):

D. AWNEDNESS

4 = 1 = Awnless 2 = Apically Awnletted 3 = Awnletted 4 = Awned

12. GLUMES (at Maturity):

A. COLOR

1 = 1 = White 2 = Tan 3 = Other (SPECIFY):

C. BEAK

3 = 1 = Obtuse 2 = Acute 3 = Acuminate

B. SHOULDER

3 = 1 = Wanting 2 = Oblique 3 = Rounded 4 = Square 5 = Elevated 6 = Apiculate

D. LENGTH

3 = 1 = Short 2 = Medium (ca. 7mm) (ca. 8mm) 3 = Long (ca. 9mm)

12. GLUMES (at Maturity) Continued:

E. WIDTH

- 1 = Narrow (ca. 3mm) 2 = Medium (ca. 3.5mm)
- 3 = Wide (ca. 4mm)

13. SEED:

A. SHAPE

- 1 = Ovate 2 = Oval 3 = Elliptical

C. BRUSH

- 1 = Short 2 = Medium 3 = Long
- 1 = Not Collared 2 = Collared

B. CHEEK

- 1 = Rounded 2 = Angular

D. CREASE

- 2 1 = Width 60% or less of Kernel
- 2 2 = Width 80% or less of Kernel
- 2 3 = Width Nearly as Wide as Kernel
- 2 1 = Depth 20% or less of Kernel
- 2 2 = Depth 35% or less of Kernel
- 2 3 = Depth 50% or less of Kernel

E. Color

- 1 = White 2 = Amber 3 = Red
- 4 = OTHER (Specify)

G. PHENOL REACTION (see instructions):

- 1 = Ivory 2 = Fawn
- 3 = Light Brown 4 = Dark Brown
- 5 = Black

F. TEXTURE

- 1 = Hard 2 = Soft

14. DISEASE: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

- | | |
|---|---|
| <input type="checkbox"/> Stem Rust (<i>Puccinia graminis</i> f. sp. <i>tritici</i>) | <input checked="" type="checkbox"/> Leaf Rust (<i>Puccinia recondita</i> f. sp. <i>tritici</i>)
Prevalent in Pacific Northwest |
| <input checked="" type="checkbox"/> Stripe Rust (<i>Puccinia striiformis</i>) prevalent | <input type="checkbox"/> Loose Smut (<i>Ustilago tritici</i>) |
| <input type="checkbox"/> Tan Spot (<i>Pyrenophora tritici-repentis</i>) | <input type="checkbox"/> Flag Smut (<i>Urocystis agropyri</i>) |
| <input type="checkbox"/> Halo Spot (<i>Selenophoma donacis</i>) | <input type="checkbox"/> Common Bunt (<i>Tilletia tritici</i> or <i>T. laevis</i>) |
| <input type="checkbox"/> <i>Septoria nodorum</i> (Glume Blotch) | <input type="checkbox"/> Dwarf Bunt (<i>Tilletia controversa</i>) |
| <input type="checkbox"/> <i>Septoria avenae</i> (Speckled Leaf Disease) | <input type="checkbox"/> Karnal Bunt (<i>Tilletia indica</i>) |
| <input type="checkbox"/> <i>Septoria tritici</i> (Speckled Leaf Blotch) | <input checked="" type="checkbox"/> Powdery Mildew (<i>Erysiphe graminis</i> f. sp. <i>tritici</i>)
Prevalent in PNW |
| <input type="checkbox"/> Scab (<i>Fusarium</i> spp.) | <input type="checkbox"/> "Snow Molds" |

14. Disease (Continued) (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

- | | |
|---|---|
| <input type="checkbox"/> "Black Point" (Kernel Smudge) | <input type="checkbox"/> Common Root Rot (<i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.) |
| <input type="checkbox"/> Barley Yellow Dwarf Virus (BYDV) | <input type="checkbox"/> Rhizoctonia Root Rot (<i>Rhizoctonia solani</i>) |
| <input type="checkbox"/> Soilborne Mosaic Virus (SBMV) | <input type="checkbox"/> Black Chaff (<i>Xanthomonas campestris</i> pv. <i>translucens</i>) |
| <input type="checkbox"/> Wheat Yellow (Spindle Streak) Mosaic Virus | <input type="checkbox"/> Bacterial Leaf Blight (<i>Pseudomonas syringae</i> pv. <i>syringae</i>) |
| <input type="checkbox"/> Wheat Streak Mosaic Virus (WSMV) | <input type="checkbox"/> Other (SPECIFY) |
| <input type="checkbox"/> Other (SPECIFY) | <input type="checkbox"/> Other (SPECIFY) |
| <input type="checkbox"/> Other (SPECIFY) | <input type="checkbox"/> Other (SPECIFY) |
| <input type="checkbox"/> Other (SPECIFY) | <input type="checkbox"/> Other (SPECIFY) |

15. INSECT: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Hessian Fly (<i>Mayetiola destructor</i>)
prevalent in Pacific North west | <input type="checkbox"/> Other (SPECIFY) |
| <input checked="" type="checkbox"/> Stem Sawfly (<i>Cephus</i> spp.) | <input type="checkbox"/> Other (SPECIFY) |
| <input type="checkbox"/> Cereal Leaf Beetle (<i>Oulema melanopa</i>) | <input type="checkbox"/> Other (SPECIFY) |
| <input type="checkbox"/> Russian Aphid (<i>Diuraphis noxia</i>) | <input type="checkbox"/> Other (SPECIFY) |
| <input type="checkbox"/> Greenbug (<i>Schizaphis graminum</i>) | <input type="checkbox"/> Other (SPECIFY) |
| <input type="checkbox"/> Aphids | <input type="checkbox"/> Other (SPECIFY) |

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

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).

1. NAME OF APPLICANT(S) Western Plant Breeders, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER BZ 992-322	3. VARIETY NAME Hank
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 8111 Timberline Drive Bozeman, MT 59718	5. TELEPHONE (include area code) 406-587-1218	6. FAX (include area code) 406-586-8247
	7. VPPO NUMBER 200000191	

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? YES NO
If no, give name of country

10. Is the applicant the original owner? YES NO If no, please answer one of 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(ies), is(are) 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):

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.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes 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.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.