

No.



200200144

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

*ProGene L. I. C.*

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 IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, 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.)

PEA, FIELD

'Journey'

*In Testimony Whereof, I have herunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this sixteenth day of September, in the year two thousand two.*

Attest:



Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

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 FOR PLANT VARIETY PROTECTION CERTIFICATE**  
 (Instructions and information collection burden statement on reverse)

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 OWNER ProGene L.L.C.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME 8687-1g	3. VARIETY NAME Journey
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)  860 S. Crestline Othello, WA 99344		5. TELEPHONE (Include area code) (509) 488-3977	FOR OFFICIAL USE ONLY PVPO NUMBER <b>200200144</b>
		6. FAX (include area code) (509) 488-5289	FILING DATE April 23, 2002
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Partnership (Limited Liability Co.)	8. IF INCORPORATED, GIVE STATE OF INCORPORATION	9. DATE OF INCORPORATION	

10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)  Kurt Braunwart 860 S. Crestline Othello, WA 99344		FILING AND EXAMINATION FEES: \$ 2705.00 DATE 4/23/2002 CERTIFICATION FEE: \$ 320.00 DATE 8/29/02
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11. TELEPHONE (Include area code) (509) 488-3977	12. FAX (Include area code) (509) 488-5289	13. E-MAIL progene@cbnn.net	14. CROP KIND (Common Name) Field Pea
15. GENUS AND SPECIES NAME OF CROP Pisum sativum		16. FAMILY NAME (Botanical) Leguminosae	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)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(e) of the Plant Variety Protection Act	
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety	<input type="checkbox"/> YES (If "yes", answer items 20 and 21 below)	<input checked="" type="checkbox"/> NO (If "no", go to item 22)	
b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness	20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety	IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)	21. 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
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership	IF YES, SPECIFY THE NUMBER 1,2,3, etc. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
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)	(If additional explanation is necessary, please use the space indicated on the reverse.)		
g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,705), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)	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 checked="" type="checkbox"/> YES <input 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) Kurt Braunwart -Managing Owner	NAME (Please print or type)
CAPACITY OR TITLE Managing Owner-L.L.C.	DATE 4-20-02
CAPACITY OR TITLE	DATE

## INSTRUCTIONS

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,705 (\$320 filing fee and \$2,385 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$320 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office  
Telephone: (301) 504-5518  
FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

## ITEM

- 18a. 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) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety 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 are clear differences; and
  - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. 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 this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

U.S. May 2001; Release date & sale of seed for first commercial evaluation.

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed/lsg-sd.htm>

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 1.4 hours 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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S&T-470 (04-01) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (02-99) which is obsolete.

To: Mark Hermeling  
USDA/PVPO  
Washington, D.C.

From: Kurt Braunwart  
ProGene, L.L.C.

April 14, 2002

Subject: Application for PVP of field pea variety Journey  
EXHIBIT A. Origin and Breeding History of the Variety

The original hybrid cross that Journey (Hybrid cross number 8687) came from was made in 1986. The cross was between the following varieties:

Alaska 81 (WSU released variety) x PX-7214-2-2-1

PX-7214-2-2-1 is a germ plasm line which came from crossing 802092 {origin unknown} with Novella, which is a fresh freezer pea variety bred & owned by Rogers Brothers Seed Company – which is now part of Syngenta Seeds. The cross was made before ProGene purchased the breeding program from Rogers Brothers Seed Co. in 1995.

Following is a chronological progression of the cross up to the current position of Journey (8687-1g) as a variety.

1987	F1:2 with bulk at harvest in Pacific Northwest
1988	F2:3 with an SPD (Single Pod Decent) harvest from population
1988/1989	Winter Nursery in Indio California F3:4 with SPD
1989	F4:5 population and 8687-6f came from the 6 <sup>th</sup> SPS (single plant selection) out of 13
1990	F5:6 planted as a plant row and 8687-1g (Journey) came from the 1 <sup>st</sup> RS (Reselection) out of 2
1991	F6:7 planted as a plant row and saved as a bulk
1992	1 <sup>st</sup> year in the Preliminary Yield Trial
1993	Program was dormant
1994	Program was dormant
1995	Program was purchased from Rogers by ProGene and 8687-1g was planted in Advanced Yield Trial
1996	8687-1g was again planted in the Advanced Yield Trial
1997	A small plot seed increase of 8687-1g with production of 149 lbs.
1997/1998	A winter increase was attempted in Chile which failed totally
1998	Further small plot seed increase
1999	1 acre seed increase occurred in the dryland area of Genesee, Idaho.

- 2000 Small acre seed increase of 10 acres was grown in the irrigated area of Othello, Washington.
- 2001 May / First Commercial sale of seed to evaluate edible production and qualities and also to evaluate the forage production and quality capabilities.
- 2002 April / application for PVP

Criteria used to select Journey as a variety to release in the Pacific Northwest of USA.

- **Smaller seed size** which lowers the cost of farmers planting for forage Production.
- **Production of higher biomes** of peas for forage production.
- **Persistent green** color of the seed as a visual advantage in the dry edible pea market. (persistent green is retention of green pigment in the seed coat after drying of the seed)

#### Statement of Stability and Uniformity

Journey has been observed by ProGene research personnel and Stubbs Seed Service over five generations of seed increase and has been found to be stable and uniform. Journey has been found to be uniform in all traits listed in schedule "C".

#### Statement of "No Variants"

Journey has been observed over the past five generations of seed increase with no variants being observed.

To: Mark Hermeling  
USDA/PVPO  
Washington, D.C.

From: Kurt Braunwart  
ProGene L.L.C.

April 14, 2002

Subject: Application for PVP of field pea variety Journey  
EXHIBIT B. Statement of Distinctness

The variety most similar to Journey is Columbian (originally from Campbell's soup and handled as a public variety throughout the Pacific Northwest in the 1980s and 1990s and into the early 2000s). Both Journey and Columbian are "normal" Alaska plant type spring field peas. However there are some distinct differences. Seed size data comes from both University of Idaho statistical data and ProGene statistical data. Both programs use replicated yield trials using the randomized plot system. Days to First Bloom Data is from ProGene replicated trial data. All data is collected from North Idaho. Because Journey is a special niche variety it was not tested at as many institutions.

Seed Size – Journey seed size is consistently smaller than that of Columbian in all direct Comparisons except one where Journey and Columbian are the same size.

Nodes to first bloom – Journey and Columbian are dramatically different here with Columbian generally known to begin bloom on the 10<sup>th</sup> node (WSU & ProGene) while Journey generally begins bloom on the 14<sup>th</sup> node (ProGene).

Days to First Bloom – Journey consistently begins bloom later than Columbian (ProGene).

Dry Seed Color – Journey whole seed is a very distinct color with Royal Horticultural Society Colour Chart Color of 147 C while Columbian varies between 148 C & D on the same chart scheme (ProGene). Journey seed on the average has a darker green color in its seed coat (ProGene).

As an observation only, Journey has a huskier more robust vine and leaves than Columbian.

Several comparisons are made between Journey and Columbian in the Schedule "C" Objective Description of Variety.

To: Mark Hermeling  
USDA/PVPO  
Washington, D.C.

From: Kurt Braunwart  
ProGene L.L.C.

July 20, 2002

Subject: Application for PVP of field pea variety Journey  
EXHIBIT B. Statement of Distinctness

Nodes to First Bloom comparison between Columbian and Journey

	ProGene 2001	ProGene 2002	Two Year Average
Columbian	10.3	9.9	10.1
Journey	14.0	13.8	13.9

OS 100-1-10-00

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DEC 10 2001

04-20-2002

Journey / Columbian Grams per 100 Seds Cmparison

TREATMENT	UI2000	UI2001	Pro1999	Pro2000	Pro2001	AVERAGE
Journey	13.10	14.60	16.25	15.75	20.00	15.94
Columbi	15.70	18.00	18.65	15.70	20.90	17.79
AVGS	14.40	16.30	17.45	15.73	20.45	16.86

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	4	41.78	10.44	10.74	SIGNF
TREATMENTS	1	8.56	8.56	8.80	SIGNF
ERROR	4	3.89	0.97		
TOTAL	9	54.23			

LSD (5%) = 1.73

CV= 5.85%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Journey	15.94	A
Columbi	17.79	B

05 1982 APR 21 2 00 PM '82

020 025V 2R450 10  
RECORDED 10



04-20-2002

Journey / Columbian Days to First Flower Comparison

TREATMENT	Pro1999	Pro2000	Pro2001	AVERAGE
Journey	55.00	53.00	53.00	53.67
Columbi	50.00	52.00	46.00	49.33
AVGS	52.50	52.50	49.50	51.50

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	2	12.00	6.00	1.29	NS
TREATMENTS	1	28.17	28.17	6.04	NS
ERROR	2	9.33	4.67		
TOTAL	5	49.50			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%) = 7.59

CV= 4.19%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Columbi	49.33	A
Journey	53.67	A

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  
(Pea)

OBJECTIVE DESCRIPTION OF VARIETY  
PEA (*Pisum sativum* L.)

NAME OF APPLICANT(S)  ProGene L.L.C.  ADDRESS (Street and No. or RD No., City, State, and Zip Code) 860 S. Crestline Othello, WA 99344	FOR OFFICIAL USE ONLY
	PVPO NUMBER <b>200200144</b>
	VARIETY NAME Journey
	TEMPORARY OR EXPERIMENTAL DESIGNATION 8687-1g

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. TYPE:

1=Garden    2=Field    3=Edible-podded    4=Other (SPECIFY): \_\_\_\_\_

2. MATURITY:

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

No. of days Earlier than to physiological maturity     1 = Alaska WR 2 = Thomas Laxton WR 3 = Little Marvel  
1 = Columbian

No. of days Later than     4 = Wando 5 = Alderman WR 6 = Austrian Winter 7 = Other

3. PLANT HEIGHT:

Cm. High (102.745 cm avg. maximum green height 3 yrs-3 sites)

Cm. Shorter than     X    Name of check cultivar Columbian

Cm. Taller than     X    Name of check cultivar Hero

4. VINE:

Habit: 1=Determinate    2=Indeterminate     Stockiness: 1 = Slim (Alaska) 2 = Medium (Thomas Laxton WR) 3 = Heavy (Alderman) (1.5)

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 (20.1)

MAH  
3-12-02

5. LEAFLETS:

Color:  1 = Light Green (Alaska WR)  2 = Medium Green (Thomas Laxton WR)  3 = Dark Green (Alderman)  4 = Other (Specify) \_\_\_\_\_  5 = Blue Green  6 = Yellow Green  0 = Not Applicable  
 Color Chart # 137B 200200144

Wax:  1 = None  2 = Light  3 = Medium  4 = Heavy  0 = Not Applicable  1 = Not Marbled  2 = Marbled (Alaska)  0 = Not Applicable

Number of Leaflet Pairs:  1 = Not Paired  2 = One  3 = Two  4 = Three or More  0 = Not Applicable

Leaflet Type:  1 = Leafless  2 = Semi  3 = Normal

6. STIPULES:

1 = Lacking  2 = Present  1 = Not Clasping  2 = Clasping

1 = Not Marbled  2 = Marbled  3 = Size (Compared with leaflets):  
 1 = Smaller  2 = Same  3 = Larger  0 = Not Applicable

Color (Compared with Leaflets):  1 = Lighter  2 = Same  3 = Darker  0 = Not Applicable  
 Color Chart 137B

Color:  1=Light-Green  2=Medium-Green  3=Dark-Green  4=Blue-Green  5=Yellow-Green  6=Other \_\_\_\_\_

Color Chart Value:  $\frac{1999 \ 137B}{2001 \ 137B}$

Select the Color Chart Used to Determine Values.

- Royal Horticulture Society Colour Chart  
 Munsell Color Chart  
 Other \_\_\_\_\_

Stipule Size:  1=Small  2=Medium  3=Large

Please provide comparative varieties (check varieties) and stipule color.

	Variety (1)	Variety (2)	Variety (3)
Variety Name:	Columbian	Cruiser	Hero
Stipule Size:	smaller than Journey	smaller than Journey	similar to Journey
Color Chart Value:	137 A	137 A	137 C

7. FLOWER COLOR:

6 Venation  1 Standard  1 Wing  6 Keel

Venation-pale green not as pronounced as Columbian  
 Keel-yellow greenish

1 = White  
 2 = Greenish  
 3 = Lavender  
 4 = Purple  
 5 = Red  
 6 = Other (specify) \_\_\_\_\_

MAH  
8-12-2002

PODS:

8687-1g Journey

200200144

2 Shape: 1 = Straight 2 = Slightly Curved 3 = Curved

2 End: 1 = Pointed (Alderman) 2 = Blunt (Alaska)

2 Color: 1 = Light Green (Alaska WR) 2 = Medium Green 3 = Dark Green (Alderman)  
4 = Other (Specify) 138 C 5 = Blue 6 = Purple 7 = Yellow

1 Surface: 1 = Smooth 2 = Rough  2 Surface: 1 = Shiny 2 = Dull

4 Borne: 1 = Single 2 = Double 3 = Single and Double 4 = Single, Double, & Triple 5 = Double & Triple  
6 = Triple 7 = Other (Specify) \_\_\_\_\_ 8 = Quad, Single, Double, Triple 9 = Quad

0  6 CM. Length 5.9 avg. 2 years  1  1 MM. Width (Between Sutures) 10.57 avg. 2 years  0  6 No. Seeds Per Pod 6.33 avg. 2 years

SEEDS (95-100 Tenderometer):

Color: 1 = Light Green 2 = Green 3 = Dark Green 4 = Other (Specify) \_\_\_\_\_ 5 = Yellow  
6 = Brown 7 = Yellow green

ive: %  1  2  3  4  5  6  7  8  Average

SEEDS (Dry, Mature):

3 Shape: 1 = Flattened 2 = Angular 3 = Oval 4 = Rounded 5 = Splashed 6 = Flecked 7 = Bicolored

1 Surface: 1 = Smooth 2 = Dimpled  2 Surface: 1 = Shiny 2 = Dull  
3 = Wrinkled

1 Color Pattern: 1 = Monocolor 2 = Mottled 3 = Striped 4 = Dotted

4 Primary Color 147 C  3 Secondary Color 147 D  
1 = Creamy - White 2 = Cream & Green 3 = Light Green  
4 = Medium Green 5 = Dark Green 6 = Blue-Green  
7 = Yellow 8 = Brown 9 = Red 10 = Gray 11 = Black  
12 = Salmon 13 = Purple 14 = Tan 15 = White  
16 = Pink 17 = Yellow-Green

2 Hilum Floor Color: 1 = White 2 = Tan  1 Cotyledon Color: 1 = Green 2 = Yellow  
3 = Black 146 B 3 = Orange 4 = Cream

Royal Horticulture Society Colour Chart

1  6 Grams per 100 Seeds  
(avg. 16.4 4 years)

10. DISEASE:

(0=Not Tested; 1=Susceptible; 2=Resistant)

8687-1g Journey

200200144

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

- |                                       |  |                                       |   |
|---------------------------------------|--|---------------------------------------|---|
| <input checked="" type="checkbox"/> 2 | Fusarium Wilt - Race 1                           | <input type="checkbox"/>              | Fusarium Wilt (Near Wilt) - Race 2  |
| <input type="checkbox"/>              | Stripe Rust ( <i>Puccinia striiformis</i> )      | <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"/> 1 | Powdery Mildew ( <i>Erysiphe graminis</i> f. sp. <i>tritici</i> )<br>(But Tolerant) |
| <input type="checkbox"/>              | Scab ( <i>Fusarium</i> spp.)                     | <input type="checkbox"/>              | "Snow Molds"  |
| <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 checked="" type="checkbox"/> 1 | Other (SPECIFY)<br>(Aphonomeces-                 | <input type="checkbox"/>              | Other (SPECIFY)   |
| <input checked="" type="checkbox"/> 1 | Other (SPECIFY)<br>(enation- but tolerant)       | <input type="checkbox"/>              | Other (SPECIFY)   |
| <input type="checkbox"/>              | Other (SPECIFY)                                  | <input type="checkbox"/>              | Other (SPECIFY)   |

11. INSECT:

(0=Not Tested; 1=Susceptible; 2=Resistant)

- |                                       |        |                          |                 |
|---------------------------------------|--------|--------------------------|-----------------|
| <input checked="" type="checkbox"/> 0 | Aphids | <input type="checkbox"/> | Other (SPECIFY) |
|---------------------------------------|--------|--------------------------|-----------------|

12. Additional information on any item above, or general comments that may aid in identification:

U.S. DEPARTMENT OF AGRICULTURE  
 AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426)

**EXHIBIT E  
 STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S) ProGene L.L.C.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER 8687-1g	3. VARIETY NAME Journey
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 860 S. Crestline Othello, WA 99344	5. TELEPHONE (include area code) (509) 488-3977	6. FAX (include area code) (509) 488-5289
7. PVPO NUMBER <b>200200144</b>		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain  YES

9. Is the applicant (individual or company) a U.S. National or a U.S. based company? If no, give name of country  YES  NO

10. Is the applicant the original owner?  YES  NO If no, please answer one of the following:

a. If the 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 the 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 the reverse for extra space):

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet 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 the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

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 information collection is 0581-0055. The time required to complete this information collection is estimated to average 6 minutes per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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