No.



8400040

THUE COULTED STANTES OF AMUERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Mommersteeg International B.V.

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 VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXIDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, MPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT TY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PERENNIAL RYEGRASS

'Fantoom'

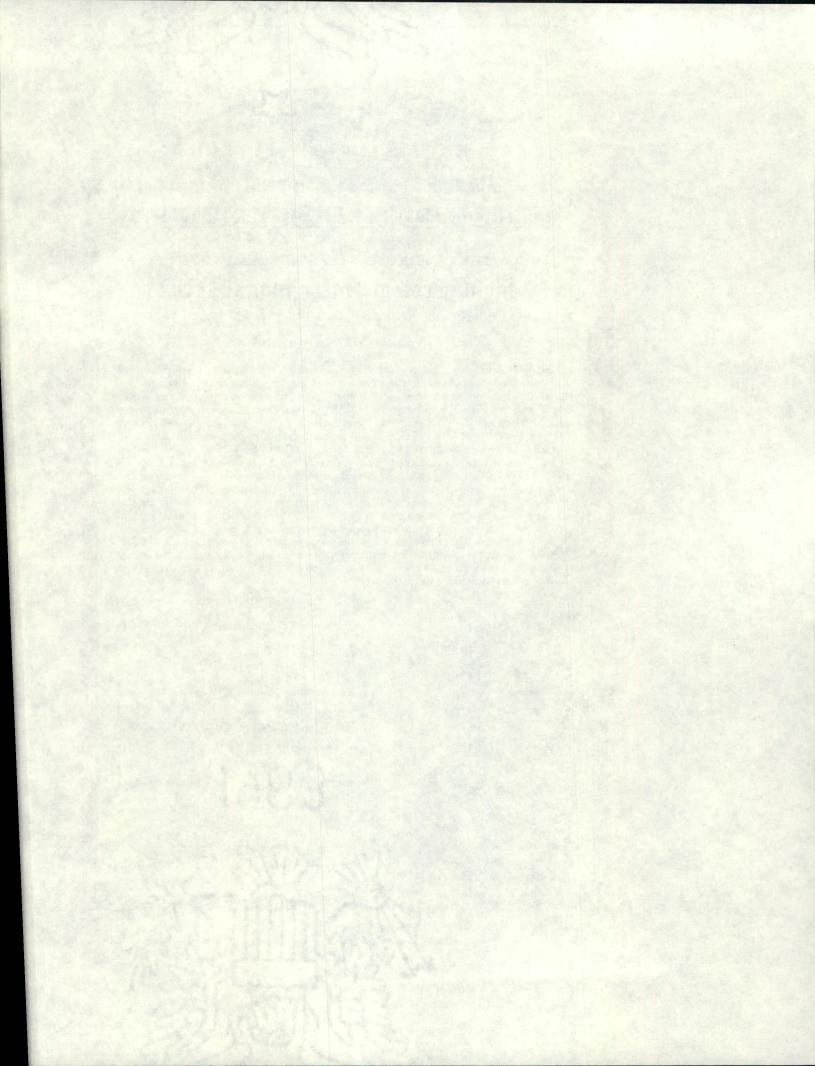
In Esstimony Watercot, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington this 25th day of July in the year of our Lord one thousand nine hundred and eighty-four.

John R Block

Attast

Kenneth r.

Plant Variety Protection Office Livestock, Meat, Grain & Seea Agricultural Marketing Service



U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE LIVESTOCK, MEAT, GRAIN & SEED DIVISION FORM APPROVED: OMB NO. 0581-0005 No certificate for plant variety protection may be issued unless a completed appli-APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE cation form has been received (5 U.S.C. (Instructions on reverse) 1. NAME OF APPLICANT(S) 2. TEMPORARY DESIGNATION 3. VARIETY NAME Mommersteeg International B.V. Mom Lp 165 FANTOOM. 4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) 5. PHONE (Include area code) FOR OFFICIAL USE ONLY PVPO NUMBER P.O. Box 1 the Netherlands, 5250 AA VLIJMEN, the Netherlands 4108-9116 8400040 6. GENUS AND SPECIES NAME 7. FAMILY NAME (Botanical) DATE 1/16/84 Lolium perenne (tetraploid) GRAMINEAE TIME 1:30 □ A.M. 8. KIND NAME 9. DATE OF DETERMINATION AMOUNT FOR FILING 1,000 Grasses (Perennial ryegrass tetraploid) RECEIVED September 15, 1974 DATE 1/16/84 10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, AMOUNT FOR CERTIFICATE partnership, association, etc.) 500-00 Corporation DATE 6/26/84 11. IF INCORPORATED, GIVE STATE OF INCORPORATION 12. DATE OF INCORPORATION the Netherlands 2-26-1973 13. NAME AND ADDRESS OF APPLICANT REPRESENATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS Mr. Stan Rollin 6802 Orem Drive, Laurel, Maryland 20707 14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED Exhibit A, Origin and Breeding History of the Variety (See Exhibit C, Objective Description of the Variety (Request form Section 52 of the Plant Variety Protection Act.) from Plant Variety Protection Office.) Exhibit B, Novelty Statement Exhibit D, Additional Description of the Variety 15. 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) of the Plant Variety Protection Act.) Yes (If "Yes," answer items 16 and 17 below) X No DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? Foundation Registered Certified 18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S. OR OTHER COUNTRIES? the Netherlands (January 22, 1976) Yes (If "Yes," give names of countries and dates) United Kingdom (November, 1976) Federal Republic of Germany (December 3, 1979) No 19. HAVE RIGHTS BEEN GRANTED IN THE U.S. OR OTHER COUNTRIES? the Netherlands (June 17, 1980) Yes (If "Yes," give names United Kingdom (April 22, 1982) of countries and dates) Federal Republic of Germany (February 8, 1983) 20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request 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 Protection Act. Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties. SIGNATURE OF APPLICANT Mommersteeg International B.V. (J.J. Hintzen) December 6, 1983 SIGNATURE OF APPLICANT DATE

FORM LMGS-470 (9-81) (Edition of 1-78 is obsolete)

INSTRUCTIONS

General: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Livestock, Meat, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, 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

- 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.
- 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 uniformity and stability.
- 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.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 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.
- 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, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.



200683

Application for Plant Variety Protection Certificate 14A Exhibit A, Origin and Breeding History of the Variety

Genus and Species : Lolium perenne (tetraploid)

Variety: FANTOOM (code: Mom Lp 165)

Genealogy and Breeding Method

Fantoom originates from selected diploid material we treated with colchicine in 1965. This treated material we multiplied till C4-generations, checking the chromosome number in the C1 and C2-generation. Plantselection in C4-generation was followed by plant- and cloneselection in C5-generation and after that progeny testing in mowing trials, single spaced planttrials and "row"-trials.

One of the synthetics out of this program was Mom Lp 165 (later called Fantoom), a variety based on 10 families.

Reproduction and Multiplication

Seed of the 10 basic families has been dried and is stored under dry and cold conditions. If necessary, we harvest first generation seed from single spaced plants, derived from the 10 basic families. The next generations in the seed production are: 2. Prebasic Seed (= Breeder's Seed). 3. Basic Seed (= Foundation Seed) and 4. Certified Seed.

Fantoom is a synthetic variety of a cross-fertilizing species. Within this type of varieties there is a certain allowed degree of variance within the properties used for protection. All plants of Fantoom produced in the several generations are within this type of variance.

Uniformity and Stability

The above method of maintaining and multiplicating a synthetic variety of grass has proven to work very well. Until now we did not have difficulties concerning uniformity and stability in our own trials, comparing the several generations.

Also the dutch and british authorities of the Variety Research Institutes and Seed Inspection and Certifying Agencies did not have problems with uniformity and stability, testing and comparing all the generations.

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application for Plant Varioty Protesting Sertifficate

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Also the dates and belligh authorities of the Variety Research Institutes and Destinates and Destifying Associes did not have organized with uniformity and stability, testing and constant all the desertions.

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Application for Plant Variety Protection Certificate

14B Exhibit B, Novelty Statement

Genus and Species : Lolium perenne

Variety: FANTOOM (code: Mom Lp 165)

Fantoom is a rather early heading, tetraploid variety of Perennial ryegrass.
Fantoom most closely resembles the variety Reveille, but differs from Reveille by:

a later heading date (average 6 days)

Characteristic	Year	Fantoom	Reveille	LSD 1%	LSD 5%
Heading date	1977	63	56	2.37	1.83
(days after April 1st)	1978	58	53	2.19	1.64
	1979	63	57	2.65	1.99

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FORM GR-470-36 (9-76)

U.S. DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE GRAIN DIVISION HYATTSVILLE, MARYLAND 20782 OBJECTIVE DESCRIPTION OF CULTIVARS RYEGRASS

(Lolium spp.)

MAME OF MALE OFFICIAL SECURITY ANSIT	VARIETY NAME OF TEMPORARY DESIGNATION		
Mommersteeg International B.V.	FANTOOM (Mom Lp 165)		
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code)	FOR OFFICIAL USE ONLY		
P.O. Box 1 HOWE CHARACTERS	PVPO NUMBER		
5250 AA VLIJMEN, the Netherlands	8400040		
Place the appropriate number that describes the varietal character of this variety in the boxe number if either 99 or less or 9 or less. Descriptions of characters should represent those that data should be for SPACED PLANTS. Give additional description for all characteristics that petrinent comparative trial and evaluation data.	at are typical for the variety Ranges may be given also Measure		
1. SPECIES:			
1 = L. MULTIFLORUM (annual or Italian: includes Westerwoldicum) 2 = L. PE	ERENNE (perennial) 3 = L. RIGIDUM (includes Wimmera)		
2 4 = HYBRID (of species) 5 = OTH	ER (Specify)		
2. PLOIDY:			
2 1 = DIPLOID 2 = TETRAPLOID 3 = OTHI	ER (Specify)		
3. DURATION: 3 1 = ANNUAL OR BIENNIAL 2 = SHORT LIVED PERENNIAL (3-4 years)			
1 = GULF 2 = WIMMERA 62 3 = LINN 5 = NORLEA 6 = ABERYSTWYTH S-23 7 = MAN			
4. MATURITY (50% HEADED) Use standards from above for comparison:	THE		
1 = VERY EARLY 3 = EARLY 5 = MEDIUM 7 = LATE DAYS EARLIER TH	IAN STANDARD CULTIVAR		
9 = VERY LATE 1 1 DAYS LATER THAN	N		
5. MATURE PLANT HEIGHT (Use standard cultivars from above) :	W RODEN		
0 7 9 CM. HIGH CM. SHORTER	THAN STANDARD CULTIVAR		
0 0 8 CM. TALLER THAN			
6. PERCENT WINTER DAMAGE (estimated as percent of the area appearing dead).	Use standard cultivars from above for comparison:		
PERCENT DAMAGE OF APPLICATION CULTIVAR			
PERCENT DAMAGE OF STANDARD CULTIVAR			
7. TURF DENSITY Use standard cultivars from above:			
TILLERS PER 100 SQ. CM.			
SHORT I THAN			
LESS TILLERS PER 100 SQ, CM, THAN STANDARD C	ULTIVAR		
MORE TILLERS PER 100 SQ. CM. THAN STANDARD C	ULTIVAR		
8. FLAG LEAF (at full growth) Use standard cultivars from above:	Description		
1 7 0 CM. LENGTH (from ligule to tip) 0 5 7 MM.	WIDTH (at widest point)		
CM. SHORTER THAN STANDARD C	BOOT STAGE: 5 - HORIZONTAL		
0 5 5 CM. LONGER THAN 8 STANDARD C	7 = SEMI-ERECT 9 = ERECT		
MM. NARROWER THAN STANDARD CO	ULTIVAR		
0 1 3 MM. WIDER THAN 8 STANDARD CI	Call Control Control		

SCEPTIBLE, 8 - MODERATELY RESISTANT.				NOT TEST	
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Thomas A. Salt, Senior Examiner Plant Variety Protection Office USDA-AMS NAL Bldg, Room 500 10301 Baltimore Boulevard BELTSVILLE, MARYLAND 20705-2351 USA

Vlijmen, December 7, 1999

Our ref: m9-49201

Your letter of November 23, 1999 to Advanta Seeds BV (Change in Ownership and Re: Holder of Plant Variety Protection of Mommersteeg International BV to Advanta Seeds BV)

Dear Dr. Salt,

Mommersteeg International BV, a subsidiary company of Advanta Seeds BV, is still existing as a trading company in grass seeds, but not as a breeder and maintainer of varieties. All the breeding activities have been taken over by Advanta Seeds BV.

For that reason we want a change in assignment from Mommersteeg to Advanta Seeds BV for the following varieties (still maintained, produced and commercialised):

Annual ryegrass	MULTIMO	8200021
	CARAMBA	8200042
Perennial ryegrass	FANTOOM	8400040
	MONDIAL	8900057
Red fescue	VICTOR	8900063
	MOLINDA	9300043
Hard fescue	CRYSTAL	8300174
Kentucky Bluegrass	CYNTHIA	8300017

The remainder of the varieties is not existing anymore or hardly in production.

Yours faithfully,

MOMMERSTEEG INTERNATIONAL BV

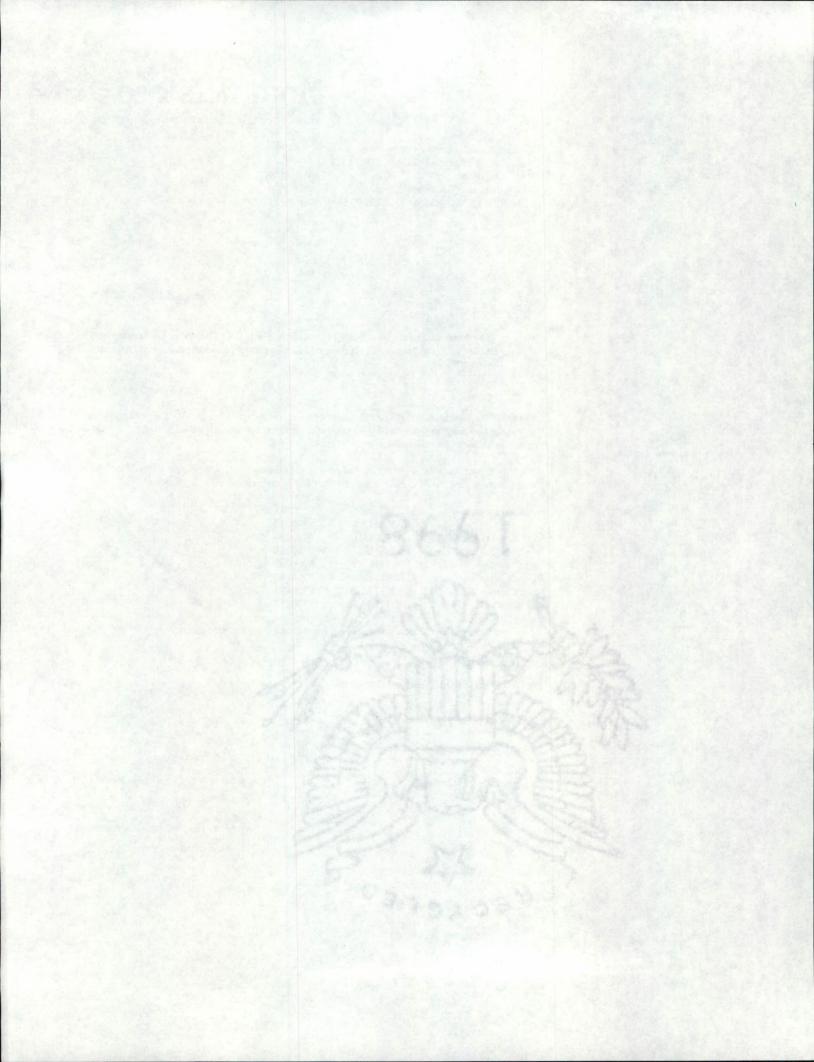
J.J. Hintzen

Member of Advanta

Postbus 1, 5250 AA Vlijmen, Holland

Adres: Wolput 72, Vlijmen Tel.: 073 - 511 91 16 - Fax: 073 - 511 75 40 BTW-nr: NL 00 70 54 889 B 07 Bank: Rabobank International 3000 27 982 Handelsregister: 16 00 31 25 E-mail: msg@mommersteeg.nl

www.mommersteeg.nl





Thomas A. Salt, Senior Examiner Plant Variety Protection Office USDA-AMS NAL Bldg, Room 500 10301 Baltimore Boulevard BELTSVILLE, MARYLAND 20705-2351 USA

Vlijmen, December 7, 1999

Our ref: m9-49202

Re: Your letter of November 23, 1999 to Advanta Seeds BV (Change in Ownership and Holder of Plant Variety Protection of Mommersteeg International BV to Advanta Seeds BV)

Dear Dr. Salt,

Enclosed you will find a letter of Mommersteeg International BV, explaining the reason of the change in assignment.

As said also in that letter we like a change in assignment from Mommersteeg International BV to Advanta BV for following varieties:

Annual ryegrass	MULTIMO	8200021
	CARAMBA	8200042
Perennial ryegrass	FANTOOM	8400040
	MONDIAL	8900057
Red fescue	VICTOR	8900063
	MOLINDA	9300043
Hard fescue	CRYSTAL	8300174
Kentucky Bluegrass	CYNTHIA	8300017

We will remit the cost for the change in assignment, a sum of 8 x US\$ 25,- = US\$ 200,- through our US sister company Advanta Seeds Pacific (together with US\$ 25,- for the change of the variety COCKTAIL from VanderHave Grasses to Advanta).

Yours faithfully,

ADVANTA SEEDS BV

A.J.P. van Wijk

J.J. Hintzen

Encl.: Letter of Mommersteeg International BV

Advanta Seeds B.V. Wolput 72A 5251 CH VLIJMEN The Netherlands Phone: 31 (0)73 511 91 16 Fax : 31 (0)73 511 50 35

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Mail Address: P.O. Box 127 5250 AC VLIJMEN The Netherlands Registered under Chamber of Commerce No. Middelburg 22000154

