No. 8200020

# THE UNITED STATES OF AMERICA

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 EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542) AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

CHEWINGS FESCUE

'Mary'

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* 17th *day of* June *in the year of our Lord one thousand nine hundred and* eighty-two.

*Attest:*

Kenneth H. Evans
Acting
*Commissioner*
*Plant Variety Protection Office*
*Grain Division*
*Agricultural Marketing Service*

John R Block
*Secretary of Agriculture*

# 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. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, 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

5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.

13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.

13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.

13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.

13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.

14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, 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.)

15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

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

# APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

**INSTRUCTIONS:** *See Reverse.*

FORM APPROVED
OMB NO. 40-R3822

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

| 1a. TEMPORARY DESIGNATION OF VARIETY | 1b. VARIETY NAME | FOR OFFICIAL USE ONLY |
|---|---|---|
| | MARY | PV NUMBER 8200020 |

| 2. KIND NAME | 3. GENUS AND SPECIES NAME | FILING DATE | TIME A.M. / P.M. |
|---|---|---|---|
| Chewings fescue | Festuca rubra ssp. commutata | 11/5/81 | 2:30 (P.M.) |
| **4. FAMILY NAME (BOTANICAL)** | **5. DATE OF DETERMINATION** | **FEE RECEIVED** | **DATE** |
| GRAMINEAE | July 10, 1975 | $ 500.00<br>$ 250.00 | 11/5/81<br>3/9/82 |

| 6. NAME OF APPLICANT(S) | 7. ADDRESS *(Street and No. or R.F.D. No., City, State, and ZIP Code)* | 8. TELEPHONE AREA CODE AND NUMBER |
|---|---|---|
| Mommersteeg International b.v. | P.O. Box 1<br>5250 AA VLIJMEN, the Netherlands | the Netherlands<br>4108-9116 |

| 9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)* | 10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION | 11. DATE OF INCORPORATION |
|---|---|---|
| CORPORATION | THE NETHERLANDS | 2-26-1973 |

**12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS:**

Mr. Stan Rollin
6802 OREM DRIVE, LAUREL, MD 20810

**13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:**

- [X] 13A. Exhibit A, Origin and Breeding History of the Variety *(See Section 52 of the Plant Variety Protection Act.)*
- [X] 13B. Exhibit B, Novelty Statement.
- [X] 13C. Exhibit C, Objective Description of the Variety *(Request form from Plant Variety Protection Office.)*
- [ ] 13D. Exhibit D, Additional Description of the Variety.

**14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED?** *(See Section 83(a). (If "Yes," answer 14B and 14C below.)* [ ] YES [X] NO

| 14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? | 14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? |
|---|---|
| [ ] YES [ ] NO | [ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED |

**15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES?** [X] YES [ ] NO *(If "Yes," give name of countries and dates.)*

the Netherlands (November 12, 1976)
Federal Republic of Germany (December 3, 1979)

**15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES?** [X] YES [ ] NO *(If "Yes," give name of countries and dates.)*

the Netherlands (October , 1981)

**16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL?** [X] YES [ ] NO

17. The applicant(s) declare(s) that a viable sample of basic seed 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 Act.

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

October 26, 1981
(DATE)

Mommersteeg International b.v.
(SIGNATURE OF APPLICANT)

(DATE)

J.J. Hintzen
(SIGNATURE OF APPLICANT)

FORM GR-470 (1-78)

8200020

Application for Plant Variety Protection Certificate

13A Exhibit A, Origin and Breeding History of the Variety

Genus and Species : Festuca rubra ssp. commutata

Variety : MARY

## Genealogy and Breeding Method

In 1969 seeds of a lot of ecotypes have been collected in the Netherlands. In 1970 and 1971 the material was observed in a single spaced plant nursery, a number of plants selected and cloned in july 1971. After clone selection a number of clones were harvested (several synthetics) and the progeny seeded in a turftrial and seed production trial. One of the harvested synthetics was Mom Frc 64. In 1975 we decided to go on with this synthetic variety based on 4 clones. After a small multiplication the variety was submitted for the first in november 1976 (the Netherlands). Just recently the variety was named MARY.

## Reproduction and Multiplication

The group of 4 basic clones we maintain by cloning them every second year. If necessary first generation seed (= clonal seed) is harvested on a separate field. The clonal seed has been dried and is stored under cold and dry conditions.
The next generations in the seedproduction are: 2. Prebasic Seed (= Breeder's Seed) 3. Basic Seed (= Foundation or Registered Seed) and 4. Certified Seed.
Mary 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 Mary produced in the several generations are within this type of variance.

## Uniformity and Stability

The above mentioned method of maintaining and multiplicating a synthetic variety of grass has proven to work very well. Until now we did not have any difficulty concerning unformity and stability in our own trials, comparing the several generations.
Also the Dutch authorities of the RIVRO (Variety Research Institute) and the NAK (Certifying Agency) did not have problems with uniformity and stability, testing prebasic and basic seed.
The variety Mary has obtained protection (Plant Breeders Right) in the Netherlands. The Dutch authorities have declared the variety to be distinct, uniform and stable.

8200020

Application for Plant Variety Protection Certificate

13B Exhibit B, Novelty Statement

Genus and Species : Festuca rubra ssp. commutata

Variety : MARY

Mary is a hexaploid variety of fine fescue without rhizomes, a so-called chewings fescue. The variety has a red colored leafsheath, a closed leaf blade and a medium darkgreen leaf blade color.
So far the variety ~~is similar to~~ the variety Agram, but it differs from Agram by:
MOST CLOSELY RESEMBLES 9/11 12/9/81

a). an earlier heading date (5 days earlier).

b). a longer flagleaf (26 mm longer).

c). a taller mature plant height (50 mm).

d). a longer panicle (17 mm longer).

The following trial results are from Wageningen, the Netherlands.
(3 reps of 20 plants for every variety).

| Characteristic | Year | Mary | Agram | LSD 1% |
|---|---|---|---|---|
| A. Heading date (1 = first of April) | 1978 | 34 | 41 | 2,5 |
| | 1979 | 46 | 47 | 2,1 |
| | 1980 | 37 | 43 | 2,5 |
| | 1981 | 36 | 41 | 3,0 |
| B. Length of flag leaf (in mm) | 1979 | 103 | 93 | 11 |
| | 1980 | 137 | 103 | 14 |
| | 1981 | 133 | 100 | 15 |
| C. Mature plant height (in cm) | 1978 | 81 | 74 | 5,6 |
| | 1979 | 88 | 83 | 5,0 |
| | 1980 | 81 | 78 | 10,2 |
| | 1981 | 88 | 81 | 5,3 |
| D. Length of panicle (in mm) | 1978 | 143 | 117 | 12 |
| | 1979 | 123 | 109 | 18 |
| | 1980 | 122 | 108 | 14 |
| | 1981 | 116 | 101 | 11 |

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## 8. LEAF BLADE:

[3] Color: 1 = Light Green (Starlight) 2 = Medium Light Green (Highlight) 3 = Medium Dark Green (Ruby, Agram) 4 = Dark Green (Jamestown, Manoir) 5 = Bluegreen (Saphir) 6 = Graygreen (Scaldis) 7 = Other *(Specify)* _____

[1] Glaucosity (Sowing Year): 1 = Absent (Koket) 2 = Present (Vendome)

[ ] Anthocyanin: 1 = Absent 2 = Present [ ] Hairs (Basal) 1 = Absent 2 = Present

[ ] Margins: 1 = Smooth 2 = Semi-rough 3 = Rough

[1] Margin folding (closure): 1 = Rolled inward (closed-Highlight) 2 = Flat (open-Jamestown, Engina)

[2] Width class: 1 = Very Fine (Agram, Frida) 2 = Fine (Jamestown, Highlight, Banner, Dawson) 3 = Medium Fine (Fortress, Ruby, Scaldis) 4 = Medium Coarse (Engina)

[1][2][5] mm Length (flag leaf)

[ ][ ] mm Shorter than . . . . . [ ][ ]

Blade length same as . . . . . [ ][ ] } Comparison Variety

[2][0] mm Longer than . . . . . [1][3]

[ ][ ] mm Width (flag leaf)

[ ][ ] mm Narrower than . . . . . [ ][ ]

Blade width same as . . . . . [ ][ ] } Comparison Variety

[ ][ ] mm Wider than . . . . . [ ][ ]

## 9. LEAF SHEATH:

[2] Anthocyanin (seedling): 1 = Absent (Highlight) 2 = Present (Jamestown, Fortress, Marga)

[ ] Auricle Hairiness: 1 = Absent 2 = Present

[ ] Margins: 1 = Open (Highlight) 2 = Closed (Jamestown)

## 10. PANICLE (Mature plant):

[ ] Shape: 1 = Narrow-tapering 2 = Ovate 3 = Oblong 4 = Other *(Specify)* _____

[ ] Type: 1 = Open 2 = Intermediate 3 = Compact

[ ] Orientation: 1 = Erect 2 = Nodding

[ ] Branch Pubescence: 1 = Glabrous 2 = Pubescent

[ ] Anther Color:

[ ] Glume Color (At 50% flowering): } 1 = Yellowish Green 2 = Green 3 = Bluish Green 4 = Purplish 5 = Reddish 6 = Other *(Specify)* _____

[1][2][6] mm Length

[ ][ ] mm Shorter than . . . . . [ ][ ]

Panicle length same as . . . . . [ ][ ] } Comparison Variety

[2][9] mm Longer than . . . . . [1][2]

## 11. PALEA:

[ ] Hairs (On keels or margins): 1 = Absent (Banner) 2 = Short (Agram, Scaldis, Olds) 3 = Long (Rainier, Fortress, Jamestown)

5

FORM APPROVED: OMB NO. 0581-0055

EXHIBIT C
*(Fine Leaved Fescues)*

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

# OBJECTIVE DESCRIPTION OF VARIETY
## FINE LEAVED FESCUES
*(Festuca spp.)*

| NAME OF APPLICANT(S) | TEMPORARY DESIGNATION | VARIETY NAME |
|---|---|---|
| MOMMERSTEEG INTERNATIONAL B.V. | | MARY |

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

P.O. Box 1
5250 AA VLIJMEN, THE NETHERLANDS

FOR OFFICIAL USE ONLY
PVPO NUMBER 82 000 20

Place the appropriate number that describes the varietal character of this variety in the boxes below. Use leading zeroes when necessary (e.g., [0][8][9] or [0][9]). Characteristics described including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors; designate system used: _____

Describe location of test area, conditions and number of plants used: WAGENINGEN, The Netherlands. Every year 60 plants in 3 reps. Additional row-trials.

**1. SPECIES: (With comparison varieties for use below - use varieties within species of application variety)**

[1]

1 = *F. rubra ssp. commutata* (Chewings)
2 = *F. rubra* ssp. *litoralis* (Creeping Red)
3 = *F. rubra* ssp. *rubra* (Spreading Red)
4 = *F. ovina* (Sheep)
5 = *F. longifolia* (Hard)
6 = *F. tenuifolia* (Fine-Leaved Sheep)
7 = Other *(Specify)* *F.* _____

11 = Cascade, 14 = Banner, 21 = Dawson, 24 = Pennlawn, 31 = Boreal, 34 = Ensylva, 41 = Covar
51 = Durar
61 = Panda

12 = Highlight, 15 = Barfalla, 22 = Starlight, 32 = Ruby
52 = Biljart (C-26)
62 = Barok

13 = Jamestown, 23 = Merlin, 33 = Fortress
53 = Scaldis

**2. CYTOLOGY:**

[4][2] Chromosome Number [3] Ploidy

1 = diploid, 2 = tetraploid, 3 = hexaploid, 4 = octoploid

**3. ADAPTATION: (0 = Not Tested; 1 = Not Adapted; 2 = Adapted)**

[2] Northeast [0] Southeast [2] North Central [2] Pacific N.W. [ ] Other *(Specify)* _____

**4. MATURITY: Date First Headed (panicle emergence) Location(s) of Trail(s)** WAGENINGEN, The Netherlands

[3]

Maturity Class:
1 = Very Early (Covar)
2 = Early (Highlight)
3 = Medium Early (Boreal, Dawson)
4 = Medium Late (Cascade, Ruby)
5 = Late (Jamestown, Agram)
6 = Very Late

Date Headed _____

[0][7] Days earlier than . . . . . [1][3]
Maturity same as . . . . . [ ][ ]
[0][5] Days later than . . . . . [1][2]
} Comparison Variety

**5. PLANT HEIGHT: (At maturity; to top of panicle; Average of 10 tallest culms)**

[8][3][0] mm height
[ ][ ][ ] mm shorter than . . . . . [ ][ ]
Height same as . . . . . [1][3]
[ ][ ][ ] mm taller than . . . . . [ ][ ]
} Comparison Variety

**6. GROWTH HABIT: (Mature)**

[2] 1 = Erect (Ruby) 2 = Semi-erect (Highlight) 3 = Prostrate (Silvana)

**7. RHIZOMES:**

[ ][ ][ ] mm Length [ ][ ] mm Width [ ][ ] mm Internode length

[1] 1 = Absent (Highlight) 2 = Weakly Creeping (Dawson) 3 = Strongly Creeping (Boreal)
4 = Very Strongly Creeping (Fortress)

4

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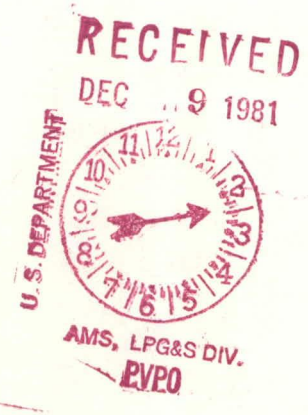
**15. GIVE VARIETY OR VARIETIES THAT MOST CLOSELY RESEMBLE THE APPLICATION VARIETY.** For the following characteristics indicate Degree of Resemblance by placing the column marked, D.R., one of the following numbers:

1 = Application variety is less than comparison variety. 2 = Same As
3 = More than, better, greater, darker, more disease resistant, etc.

| CHARACTER | VARIETY | D.R. | CHARACTER | VARIETY | D.R. |
|---|---|---|---|---|---|
| Rhizome Length | | | Growth Habit | HIGHLIGHT | 2 |
| Leaf Width | JADE | 2 | Leaf Color | AGRAM | 2 |
| Panicle Color | | | Panicle Shape | | |
| Winter Color | | | Cold Injury | | |
| Shade Tolerance | | | Heat | | |
| Drought | | | Disease* | | |
| | | | | | |

* *Specify each disease evaluated.*

**16. ADDITIONAL DESCRIPTION:** (Use additional sheets as required)
Describe all characteristics that cannot be adequately described in the form above in Exhibit D. Comparative varieties should be used as may be appropriate, such as for disease. Append all comparative trial and evaluation data, including measured characters, environmental, and disease tests.

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**12. LEMMA (Mature):**

[ ] Hairs: 1 = Absent (Jamestown) 2 = Several 3 = Many (Highlight)

[ ][ ] mm Lemma Length

[ ][ ] mm Shorter than . . . . . [ ][ ]

Lemma length same as . . . . . [ ][ ] } Comparison Variety

[ ][ ] mm Longer than . . . . . [ ][ ]

[ ][ ][ ] mm Lemma Width

[ ][ ][ ] mm Narrower than . . . . . [ ][ ]

Lemma width same as . . . . . [ ][ ] } Comparison Variety

[ ][ ][ ] mm Wider than . . . . . [ ][ ]

[ ] Awns: 1 = Absent 2 = Present

[ ][ ] mm Awn Length

[ ][ ] mm Shorter than . . . . . [ ][ ]

Awn length same as . . . . . [ ][ ] } Comparison Variety

[ ][ ] mm Longer than . . . . . [ ][ ]

**13. SEED (With lemma & palea):**

[2] Size Class (g/1000 seed):
1 = < .9g (Biljart, Dawson) 2 = .9 – < 1.1g (Jamestown, Highlight)
3 = 1.1 – 1.3g (Fortress, Novorubra) 4 = > 1.3g (Boreal, Golfrood)

[0][9][5][0] mg per 1000 seed

[ ][ ][ ][ ] mg per 1000 seed less than . . . . . [ ][ ] }

Seed Weight same as . . . . . [1][2] } Comparison Variety

[ ][ ][ ][ ] mg per 1000 more than . . . . . [ ][ ] }

**14. DISEASE, INSECT, AND NEMATODE REACTION (0 = Not Tested, 1 = Susceptible, 2 = Resistant):**

[0] Melting-out *Drechslera poae* (*Helminthosporium vagans*)
[0] Leaf spot *D. siccans*
[0] Net blotch *D. dictyoides*
[0] Leaf spot *Bipolaris sorokiniana*
[0] Brown patch *Rhizoctonia solani*
[2] Powdery mildew *Erysiphe graminis*
[0] Stripe smut *Ustilago striiformis*
[0] F. Patch, Pink snow-mold *Fusarium nivale*
[0] Fusarium blight *F. tricinctum, F. roseum*
[0] Gray snow mold *Typhula iotana*
[0] Stem rust *Puccinia graminis*

[0] Stripe rust *P. striiformis*
[0] Leaf rust *P. poae-nemoralis*
[0] *P. crandallii*
[0] Pythium Blight *Pythium ultimum*
[2] Red thread *Corticium fusciforme*
[0] Dollar spot *Sclerotinia homoeocarpa*
[ ] Insect _____
[ ] Nematode _____
[ ] Other _____
[ ] Other _____
[ ] Other _____

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