No.



8600010

THEIR DATKHERD SYNAMES OF ANY FERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Northrup King Co.

Tellicreus, 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, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT ETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT.

UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS

Y THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT

AMENDED CERTIFICATE
*Original grant April 29, 1988
In Testimony Winercot, 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 31st day of August in
the year of our Lord one thousand nine
hundred and eighty-nine.

Attesti

Kenneth HErans

Commissioner

Plant Variety Protection Office Agricultural Marketing Service Servicery of Agriculture

DATE

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION

APPLICATION FOR PLANT VARI			be iss	lant variety protection certificate is to sued (7 U.S.C. 2421). Information is confidential until certificate is issued S.C. 2426).				
1. NAME OF APPLICANT(S) - NORTHRUP CONER'S PEDECREED SECO COMPA	3. VARIETY NAME							
CR-Seeds		Coker 83-23		Ooker 9323				
P.O. Box 1867 346- 9.59 Harstville, S.C. 29550 MINNEAPOLIS, MN 55446		5. PHONE (Include area code) (612-) 593 - 7333 (803) - 332-7531	FOR OFFICIAL USE ONLY PVPO NUMBER 8600010					
6. GENUS AND SPECIES NAME Triticum aestivum	7. FAMILY NAI		FILING	DATE 10/22/85 TIME 2:00 A.M. N.P.M.				
8. KIND NAME		DATE OF DETERMINATION	RECEIVED	AMOUNT FOR FILING \$1,800 DATE 10/22/85				
11. IF INCORPORATED, GIVE STATE OF INCORPORTED DELAWARE	·	****	12. [DATE OF INCORPORATION				
A. Exhibit A, Origin and Breeding History of the Section 52 of the Plant Variety Protection Ac	: Variety (See	c. Exhibit C, Objective E from Plant Variety Pro	escript	tion of the Variety (Request form				
b. x Exhibit B, Novelty Statement 15. DOES THE APPLICANT(S) SPECIFY THAT SEEI	OF THIS VARI	d. 🔀 Exhibit D, Additional		· · · · · · · · · · · · · · · · · · ·				
SEED? (See Section 83(a) of the Plant Variety Pro	tection Act.)	Yes (If "Yes," answer	items 1	6 and 17 below) No				
16. DOES THE APPLICANT(S) SPECIFY THAT THIS LIMITED AS TO NUMBER OF GENERATIONS?	VANIE! Y BE	BEYOND BREEDER SEI	:07	CLASSES OF PRODUCTION				
18. DID THE APPLICANT(S) FILE FOR PROTECTION	N OF THE VAR	Foundation IETY IN THE U.S.?	<u>I</u> xl R	egistered Certified Yes (If "Yes," give date)				
19. HAS THE VARIETY BEEN OFFERED FOR SALE	OR MARKETE	D IN THE U.S. OR OTHER COUNT	RIES?	No K				
				Yes (If "Yes," give name, of countries and dates)				
20. The applicant(s) declare(s) that a viable samp plenished upon request in accordance with su	le of basic seeds ch regulations a	s of this variety will be furnished as may be applicable.	with	₽ J				
The undersigned applicant(s) is (are) the own distinct, uniform, and stable as required in Se Variety Protection Act.	er(s) of this sex	ually reproduced novel plant var	riety, a e provi	and believe(s) that the variety is is issions of Section 42 of the Plant				
Applicant(s) is (are) informed that false repre	sentation hereir	n can jeopardize protection and	result	in penalties.				
House of Applicant			D	ATE OC+ 11, 1985				

SIGNATURE OF APPLICANT

EXHIBIT A

Origin and Breeding History of the Variety $9323 \ \text{Wheat}$

1976	Last cross made Coker 762/Coker 75-30
1976	Fl Plants summer Greenhouse
1977	F2 Spaced plants
1977	F3 Bulk summer Greenhouse
1978	F4 Spaced plants
1979	F5 Headrows
1980	F6 Headrows
1981	F7 Preliminary trials
1982	F8 Yield trials
1983	F9 Increase block 83-23
	Several years of testing and observation have shown
•	this variety to be uniform and genetically stable.
	Variants with about 3 inches greater height occur
	up to 1/10 percent.

EXHIBIT B

Novelty Statement

9323 Wheat

9323 Most closely resembles Coker 916, but differs in having a lighter seed color, RHS 164 C compared to RHS 165 C. Coker 916 usually has a spot of color or "birthmark" in the crease near the brush end which 9323 does not.

FORM GR-470-6 (2-15-73)

UNITED STATES DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE GRAIN DIVISION HYATTSVILLE, MARYLAND: 20782

EXHIBIT C (Wheat)

OBJECTIVE DESCRIPTION OF VARIETY

INSTRUCTIONS: See Reverse. WHEAT	(TRITICUM SPP.)	Goker 9323	
NAME OF APPLICANTS		FOR OFFICIAL USE ONLY	
CR Seeds	<u> </u>	P VPO NUMBER	
ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)		VARIETY NAME OR TEMPORARY	
P.O. Box 1867		DESIGNATION	
Hartsville, S.C. 29550			
Place the appropriate number that describes the varietal charplace a zero in first box (e.g. 0 8 9 or 0 9), when number that describes the varietal charplace a zero in first box (e.g. 0 8 9 or 0 9), when number that describes the varietal charplace as the varietal charplace a	ractet of this variety in the ober is either 99 or less or	e boxes below. 9 or less.	
1, KIND:	3	en e	
1 = COMMON 2 = DURUM 3 = EMMER 4 = SPELT	5 = POLISH 6 = POUI	LARD 7 = CLUB	
2. TYPE:	1 - coet	3 = OTHER (Specity)	
2 1 = SPRING 2 WINTER 3 = OTHER (Specify)	2 = HARD	A CLUEV (observe)	4
2 1 = WHITE 2 = RED 3 = OTHER (Specify)			
3. SEASON - NUMBER OF DAYS FROM EMERGENCE TO:		The second of th	
1 3 0 Julian Jan. 1 FIRST FLOWERING	LAST	FLOWERING	
4. MATURITY (50% Flowering):			
NO. OF DAYS EARLIER THAN	I = ARTHUR	2 = scour 3 = chris 7 = Coker 9	16
		5 = NUGAINES 6 = LEEDS	
0 2 NO. OF DAYS LATER THAN	. 17 1		
5. PLANT HEIGHT (From soil level to top of head):		Committee of the second commit	
0 9 2 cm. High	مدير مدينة المستوات المدين المدينة المستوات المدينة المستوات المستوات المستوات المدينة المستوات المدينة المستو مستوار المستوات الم	i i di	
0 4 CM. TALLER THAN	1'= ARTHUR	2 = scout $3 = chris$ $7 = Coker 9$	16
	4 = LEMHI	5 = NUGAINES 6 = LEEDS	
CM. SHORTER THAN			
S. PLANT COLOR AT BOOTING (See reverse):	7. ANTHER COLOR:		
		er a n ingerediging of the second of the sec	
2 1 = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN	T I = AEFFOM	2 = PURPLE	
B. STEM:			
Anthocyanin: 1 = ABSENT 2 = PRESENT	2 Waxy bloom: 1	= ABSENT 2 = PRESENT	
Hairiness of last internode of rachis: = ABSENT 2 = PRESENT	Internodes: 1 =	HOLLOW 2 = SOLID	
0 4 NO. OF NODES (Originating from node above ground)	1 4 CM INTER	RNODE LENGTH BETWEEN FLAG LEAF F BELOW	
P. AURICLES:			
2 Anthocyanin: 1 = ABSENT 2 = PRESENT	2 Hairiness: 1=	#19 24 24 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	
Q. LEAF:		 	
Flag leaf at = ERECT 2 = RECURVED	 1		
booting stage: 3 = OTHER (Specify):	2 Flag leaf: 1 = 1	NOT TWISTED 2 = TWISTED	
Hairs of first leaf sheath: 1 = ABSENT 2 = PRESENT	Waxy bloom of f	lag leaf sheath: 1 = ABSENT 2 = PRESENT	
		· · · · · · · · · · · · · · · · · · ·	
1 3 MM. LEAF WIDTH (First leaf below flag leaf)	2 5 CM. LEAF	LENGTH (First leaf below flag leaf):	

FORM GR-470-6 (REVERSE)			<u> </u>
11. HEAD:			2
2 Density: 1 = LAX	2 = DENSE	Shape: 1 = TAPERING 4 = OTHER (S	g 2 = STRAP 3 = CLAVATE pecily)
3 Awnedness: 1 = AWNL	ESS 2 = APICALLY AWNLETED 3	= AWNLETED . 4 = AWNED	
Color at maturity: 5 = 1	WHITE 2 = YELLOW 3 = PINK 4 = BROWN 7 = OTHER	RED ? (Specify):	
0 9 CM. LENGTH		1 2 MM. WIDTH	
12. GLUMES AT MATURITY	•		
	A. 7 mm.) 2 = MEDIUM (CA. 8 mm.)	Width: 1 = NARROW (3 = WIDE (CA.	
1 7 1	G 2 = OBLIQUE 3 = ROUNDED 5 = ELEVATED 6 = APICULATE	Beak: I = OBTUSE	2 = ACUTE 3 = ACUMINATE
13. COLEOPTILE COLOR:		14. SEEDLING ANTHOCYA	NIN:
3 ! = WHITE 2 = REC	3 = PURPLE	1 = ABSENT 2 =	PRESENT
15. JUVENILE PLANT GROV	TH HABIT:		
2 I = PROSTRATE		т	
16. SEED:			
	2 = OVAL 3 = ELLIPTICAL	1 Cheek: = ROUNDES	2 = ANGULAR
2 Brush: 1 = SHORT	2 = MEDIUM 3 = LONG	2 Brush: 1 = NOT COL	LARED 2 = COLLARED
. 14 1	1 = IVORY • 2 = FAWN 3 = LT. BROWN 4 = BROWN 5 = BLACK	 In the second of the second of	
	RHS 164 C 2 = AMBER 3 = RED 4 = PURPLE	5 = OTHER (Specify)	
0 6 MM. LENGTH	0 3 MM. WIDTH	3 1 GM. PER 1000 S	EEDS
17. SEED CREASE:			
Width: = 60% OR LE	SS OF KERNEL WINGKA	Depth: 1 = 20% OR	LESS OF KERNEL 'SCOUT'
2 = 80% OR LE	SS OF KERNEL 'CHRIS'	2 = 35% OR	LESS OF KERNEL 'CHRIS'
3 = NEARLY AS	WIDE AS KERNEL 'LEMHI'	3 = 50% OR!	LESS OF KERNEL 'LEMHI'
18. DISEASE: (0 = Not Teste	d, 1 = Susceptible, 2 = Resistant)		
0 STEM RUST (Races)	2 LEAF RUST (Races)	0 STRIPE RUST	0 LOOSE SMUT
2 POWDERY MILDEW	0 BUNT	OTHER (Specify)	
19. INSECT: (0 = Not Tested	, 1 = Susceptible, 2 = Resistant)		
0 SAWFLY	O APHID (Bydy.)	O GREEN BUG	O CEREAL LEAF BEETLE
OTHER (Specify)	HESSIAN , E !	GP A	В
	RACES:	ο ε	F
20. INDICATE WHICH YARIE	TY MOST CLOSELY RESEMBLES THAT S	UBMITTED:	
CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	Coker 916	Seed size	Coker 916
Leaf size	и	Seed shape	H
Leaf color	ft .	Coleoptile elongation	11
Leaf carriage	71	Seedling pigmentation	11
	INSTRU	CTIONS	

GENERAL: The following publications may be used as a reference aid for the standardization of terms and procedures for completing this form:

- (a) L.W. Briggle and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, United States Department of Agriculture.
- (b) W.E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts. (See attachment.)

EXHIBIT D

Additional Description of the Variety 9323 Wheat

9323 is a Soft Red Winter Wheat with an intermediate growth habit. Plant height is semi-dwarf averaging 91.5 cm as compared to Coker 916 with 87.75 cm.

Spikes are white to yellow, middense, awnleted, with longest awnlets averaging 23.8 mm and ranging from 10 mm to 45 mm. Best areas at adoptation are thought to be the southeast, midsouth and lower midwest.

The variety has shown by performance trials to be genetically stable, but variants up to 0.1 per cent of plants that are about 7.5 cm taller.

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LYS	
ANAL	
WHEAT	
SOFT	

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							(ctah) 108-15		2-4		Coto	Colow 9323	Ceter 1 22-28		Coken 84-33	Coken 85-42		(cken 85-43	Jules C	JYMG		*-0000	State !	V		
TRIAL #				13 SS																						
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46 1240

S.

20 X 20 TO THE INCH + 7 X 10 INCHES KEUFFEL & ESSER CO. MADE 14 USA .

EXHIBIT E Statement of Applicants Ownership

Coker's Pedigreed Seed Company, Hartsville, S.C. believes it is the sole, original, and first breeder of 'Coker 9323' Variety of wheat for which it solicits a certificate of protection.

ASSIGNMENT

WHEREAS, CR Seeds, a general partnership having it principal office at 900 Darlington Highway, Hartsville, South Carolina 29550 ("Partnership"), is the owner of the entire right, title and interest to the United States Plant Variety Protection Certificates and applications for such Certificates (collectively "Certificates") listed on Appendix A attached hereto;

WHEREAS, the partners of CR Seeds, Rohm and Haas Seeds Inc., a Delaware corporation having its principal office at Independence Mall West, Philadelphia, PA 19105 ("RHS") and Coker's Pedigreed Seed Company, a South Carolina corporation with its principal office at 900 Darlington Highway, Hartsville, SC 29550 ("CPS"), are each desirous of acquiring a one-half undivided interest in the varieies and Certificates listed on Appendix A;

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CR Seeds does hereby sell, assign and transfer to RHS a one-half undivided interest in and to the varieties and Certificates and to CPS a one-half undivided interest in and to the varieties and Certificates for each of their use and benefit and for each of their successors and assigns.

IN TESTIMONY THEREOF, CR Seeds intending to be legally bound has caused this assignment to be executed by its duly authorized officer.

By: E. Amer.
President

State of South Carolina)ss
County of Darlington)ss

On this 30th day of December, 1986, before me appeared E. Joe Dahmer of CR Seeds, the person who signed this instrument who acknowledged that he signed it as a free act on behalf of CR Seeds with authority to do so.

oyary Public

My commission expires

 $\frac{\langle \cdot \rangle}{\langle \cdot \rangle}$, $\frac{\langle \cdot \rangle}{\langle \cdot \rangle}$

10

APPENDIX A

Soft Red Winter Wheat Varieties

Variety Name	U.S. Plant Variety Certificate No.	Issue Date
Coker 68-15	7200014	Mar. 6, 1974
Coker 68-19	7200015	Mar. 6, 1974
Coker 747	76TQ015	Sept. 9, 1978
Coker 762	8000152	Dec. 12, 1981
Coker 797	8000145	Dec. 12, 1981
Coker 916	8300036	Sept. 27, 1985
Coker 983	84000581	Feb. 27, 1984 ¹
McNair 701	7200038	Feb. 26, 1974
McNair 4823	7200037	April 8, 1975
RHS 8232	8400136 ¹	July 16, 1984 ¹
9227	86000091	Oct. 22, 1985 ¹
9323	8600010 ¹	Oct. 22, 1985 ¹

^{1.} Application number and filing date.

Winter Oat Varieties

Variety <u>Name</u>	U.S. Plant Variety Certificate No.	Issue Date
Coker 227	7500007	Oct. 20, 1977
Coker 716	7900003	Dec. 28, 1978
Coker 820	84000591	Feb. 28, 1984 ¹
Coker 234	7500008	Oct. 26, 1977
Four Twenty Two	7700085	Apr. 12, 1979
Big Mac	8200121	Aug. 19, 1982
Mesquite	8200122	Aug. 19, 1982

^{1.} Application number and filing date.

	Soybean Variet	<u>ies</u>
Coker Hampton 266A	7100022	Sept. 6, 1973
Coker 136	7300091	Oct. 18, 1973
Coker 338	°7400058	Oct. 29, 1976
Coker 237	7800034	July 13, 1978
Coker 488	7800035	July 13, 1978
Coker 156	7900043	Nov. 27, 1979
Coker 317	8100095	Nov. 19, 1981
Coker 368	8200140	Aug. 31, 1983
Coker 425	8400077	May 31, 1985
Coker 485	8400078	May 31, 1985
Coker 393 (0327-4270)	8400018	Jan. 25, 1985
Coker 355 (XP5878)	8400019	Jan. 25, 1985
Coker 627	87000011	Oct. 3, 1986 ¹
Coker 686	Pendingl	Dec. 19, 1986

^{1.} Application number and filing date.

Variety Name	U.S. Plant Variety Certificate No.	Issue Date
AP5 5	8100089	Feb. 18, 1982
AP70	7800081	Feb. 15, 1979
AP71	8100090	Sept. 24, 1981
Lancer	7600044	Sept. 29, 1976
RA-526	7500067	Dec. 12, 1975
RA-604	7900008	Mar. 1, 1975
RA-680	8100097	Apr. 15, 1982
RA-502	8200160	Aug. 31, 1983
RA-606	8200161	Oct. 27, 1983
RA-580	8300075	Apr. 30, 1984
Mitchell	7300054	Oct. 30, 1974
RA-401	7800030	June 22, 1978
RA-601	7800031	June 22, 1978
Mitchell 450	7900046	June 14, 1979
RA-481	8000054	Mar. 26, 1981
RA-402	8000093	July 31, 1981
Mitchell 410	8200162	Oct. 27, 1983
RA-403	8200163	Oct. 27, 1983

Variety Name	Certificate No.	Issue Date
RA-451	8500008 ¹	Oct. 10, 1984 ¹
RA-452	8500009 ¹	Oct. 10, 1984 ¹
RA-405	8500010 ¹	Oct. 10, 1984 ¹
RA-501 A	76TQ006	May 11, 1978
RA-480	7900007	Feb. 15, 1979

^{1.} Application number and filing date.