



U.S. Department of Agriculture
Agricultural Marketing Service
Science & Technology Program

Plant Variety Protection Office
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Application for Plant Variety Protection Certificate



Paperwork Burden Statement: 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 1.5 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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Privacy Act Advisory Statement: The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with the request for information solicited on the Application for Certificate forms and Exhibits (ST-470). Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the authority for the collection of this information is 15 U.S.C. § 1113 or 35 U.S.C. § 41 and 37 CFR 1.16-1.28, 1.492, or 2.6-2.7; (2) furnishing of the information solicited is voluntary; (3) after issuance of a certificate of protection the Office will furnish copies of the application and related papers to any person upon payment of the specified fee (Part 97 §97.17 Plant Variety Protection Act and Regulations and Rules of Practice); and (4) the principal purpose for which the information is used by the PVPO is to determine that the Variety is new, distinct from any known variety, uniform, and stable. If you do not furnish the requested information, your application may be delayed.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

*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).
 OMB Collection #0581-0055*

FOR OFFICIAL USE ONLY:	
PVPO NUMBER:	FILING DATE:
FILING AND EXAMINATION FEES PAID	DATE
1. NAME OF OWNER: (Name to be printed on certificate)	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME:
	3. VARIETY NAME:
4. ADDRESS:	
5. OWNER TELEPHONE: (+00 (000) 000-0000)	6. OWNER FAX NUMBER AND/OR EMAIL ADDRESS:
7. IF OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION: (<i>corporation, partnership, association, etc.</i>)	
8. IF INCORPORATED, GIVE STATE OF INCORPORATION:	9. DATE OF INCORPORATION:
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) AND/OR BREEDERS(S) TO SERVE ON THIS APPLICATION: <i>(First person listed will receive all documents including the certificate of protection)</i> NAME(S): ADDRESS(ES):	
11. REPRESENTATIVE TELEPHONE: (+00 (000) 000-0000)	12. REPRESENTATIVE FAX:
13. REPRESENTATIVE EMAILS:	

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14. CROP KIND: <i>(Common Name)</i>	15. GENUS AND SPECIES:	16. FAMILY NAME: <i>(Botanical)</i>
17. IS THE VARIETY A FIRST-GENERATION HYBRID?		
YES NO		
18. DOES THE VARIETY CONTAIN ANY BIOTECHNOLOGY EVENTS? *		
YES NO		
*A biotechnology event is defined as a single insertion of a nucleic acid construct into a specific site in a plant's chromosome that is regulated under the U.S. Coordinated Framework for the Regulation of Biotechnology.		
19. SEE ATTACHED CHECKLIST, PLEASE INCLUDE WITH FINAL SUBMISSION		
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD ONLY AS A CLASS OF CERTIFIED SEED? <i>(See Section 83(a) of the Plant Variety Protection Act)</i>		
YES <i>(If "yes", answer items 21 and 22 below)</i> NO <i>(If "no", go to item 23)</i> UNDECIDED		
21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES?		
YES NO		
IF YES, WHICH CLASSES?		
FOUNDATION	REGISTERED	CERTIFIED
22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?		
YES NO		
IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS:		
FOUNDATION	REGISTERED	CERTIFIED
COMMENTS:		

19. CHECK LIST: (Please include with final submission)**ST-470 APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE**

Owner and Variety Information.

See UPOV Explanatory Notes on Variety Denominations Under the UPOV Convention
(https://www.upov.int/edocs/infdocs/en/upov_inf_12_4.pdf)

See UPOV Explanatory Notes on the Definition of Breeder Under the 1991 Act of the UPOV Convention
(https://www.upov.int/edocs/expndocs/en/upov_exn_brd.pdf)

Exhibit A. Origin and Breeding History of the Variety

See UPOV Explanatory Notes On The Definition Of Variety Under The 1991 Act Of The UPOV Convention
(https://www.upov.int/edocs/expndocs/en/upov_exn_var.pdf)

Exhibit B. Statement of Distinctness

See UPOV General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants
(https://www.upov.int/export/sites/upov/resource/en/tg_1_3.pdf)

Exhibit C. Objective Description of Variety

Please submit the Exhibit C matching the subject crop (if one is not available please contact the PVPO)
(<https://www.ams.usda.gov/services/plant-variety-protection/pvpo-c-forms>)

For Distinctness, Uniformity, and Stability (DUS) testing guidance please see UPOV Database of Test Guidelines for Specific Crop Kinds:
(https://www.upov.int/test_guidelines/en/)

An officially issued DUS report may be submitted in place of an Exhibit C for most crops. Additional information may be required during the examination. Please contact PVPO for more information.

Exhibit D. Additional Description of the Variety (*Optional*)

Additional information and Evidence (Including: Photographs, Data, Genetic Information, Attachments)

Exhibit E. Statement of the Basis of the Owner's Ownership

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 owner is an owner who is not the original owner, both the original owner and the owner must meet one of the above criteria. The original breeder/owner may be the individual or company who directed the final breeding. See 7 U.S.C. 2401 of the Plant Variety Protection Act for definitions.

FILING AND EXAMINATION FEE

Use ePVP, pay.gov, credit card, or make checks and money orders payable to "Treasurer of the United States"
Fee of \$5,150 covers application and certificate filing fee.

GERMPLASM DEPOSIT

Germplasm has been deposited with:

Technical Infeasibility of Germplasm Deposit (Please contact PVPO)

Germplasm will be deposited after PVP Certificate Issuance (Potato and Vegetatively Reproduced Varieties)

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**EXHIBIT A
 ORIGIN AND BREEDING HISTORY**

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NAME OF OWNER (S):	TEMPORARY OR EXPERIMENTAL DESIGNATION:	VARIETY NAME:
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I. PROPAGATION:

1. How is the variety propagated?

Sexually Propagated:

Seed

Asexually Propagated:

Bulb

Cutting

Grafting

Layering

Offset

Suckering

Tissue Culture

Tuber

Other (Specify)

II. GENEALOGY:

1. Describe the genealogy of the variety including the ownership, protections (with reference numbers), and origins of the stock plants. Please include the breeding methods used, duration of breeding stages, and any additional testing or development work completed. (Please attach more pages if necessary).

2. Give the details of subsequent stages of selection and multiplication.

Year(s)	Detail of Stage	Selection Criteria
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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NAME OF OWNER (S):	TEMPORARY OR EXPERIMENTAL DESIGNATION:	VARIETY NAME:
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III. UNIFORMITY:

1. _____ Is the variety uniform?:

A. Yes

B. No

2. How did you test for uniformity?

IV. STABILITY:

1. _____ Is the variety stable?:

A. Yes

B. No

2. How did you test for stability? Over how many generations?

3. _____ Are genetic variants observed or expected during reproduction and multiplication?

A. Yes

B. No

If Yes, state how these variants may be identified, their type and frequency.

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**EXHIBIT B
STATEMENT OF DISTINCTNESS**

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NAME OF OWNER (S):	TEMPORARY OR EXPERIMENTAL DESIGNATION:	VARIETY NAME:
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BASED ON OVERALL MORPHOLOGY _____ IS MOST SIMILAR TO _____.
(Subject Variety) (Most Similar Variety(ies))

The variety _____ most clearly differs from _____ in the following traits:
(Subject Variety) (Most Similar Variety(ies))

Traits	Subject Variety	Most Similar Variety	Location of Evidence
Qualitative Traits			
Color Traits			
Quantitative Traits			
Other Traits			
Example			
Leaf Pubescence	Heavy Pubescence	Glabrous	Photograph attached
Leaf Color	Dark Green (5GY 3/4)	Light Green (2.5GY 8/10)	Munsell Color Chart
Plant Height	200 cm +/- 10 cm (N=25)	250 cm +/- 15 cm (N=25)	Statistics attached

**Please use additional tables to present clear differences for additional comparison varieties.
Include additional pages of supporting evidence in Exhibit D.**

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

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NAME OF OWNER (S):	TEMPORARY OR EXPERIMENTAL DESIGNATION:	VARIETY NAME:
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1. Does the owner own all rights to the variety?

YES NO

If NO, please explain:

2. Is the owner a U.S. national or a U.S. based entity?

YES NO

If NO, give name of country:

3. Is the owner the original owner?

YES NO

If NO, please answer one of the following:

A. If the original rights to the 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 the 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:

4. Additional explanation on ownership (Trace ownership from original breeder to current owner):