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## APPENDIX B

### Plant Patents and Other Registrations

For full information on cultivar names listed, including their status and literature references, see the International Register.

#### UNITED STATES OF AMERICA PLANT PATENTS

In the United States of America plant patents are granted by the Office of the Commissioner of Patents and Trademarks. Originally these plant patents were valid for seventeen years from the date of first filing; for plant patents issued on or after June 8, 1995, the term is twenty years measured from the date of first filing with the US Plant Patent and Trademark Office. U.S. plant patent information is available at US\$3.00/copy by telephoning 703-305-4350 (information from *COPF News* 8(2):7 [1996], and *American Nurseryman* June 15, 1997 issue).

General information on plant patents can be found on the Internet web site [www.uspto.gov/web/offices/pac/doc/general/plant.htm](http://www.uspto.gov/web/offices/pac/doc/general/plant.htm). Note that asexually reproduced plant patents are the only patents now allowed to be filed electronically. The basic fee is \$200, plus a \$400 non-electronic application fee, both reduced by 50% for small entities. This website is also the starting page for searching for plant patents applied for in 1976 and later: go to , <http://patft.uspto.gov/netahtml/PTO/search-bool.html> and perform Boolean Search for Term 1 = “plant named” (must have quotation marks) and Term 2 = “Syringa” using All Fields. A separate site gives you pending applications: <http://appft.uspto.gov/netahtml/PTO/search-bool.html>.

Sexually reproduced Plant Variety Protection certificates are handled by the Plant Variety Protection Office of the U.S. Department of Agriculture at: <https://www.ams.usda.gov/services/plant-variety-protection>

They cost about \$5100 and require submission of 3,000 seeds. In 2018 new law allowed for the handling of protection certificates of asexually reproduced plants by this agency as well.

To find a taxon plant, the easiest method is to use Google Patents: <https://patents.google.com/>.

To get the images or drawings in color the best place is: <https://www.nypl.org/collections/nypl-recommendations/guides/plant-patents-2012>.

**NOTE:** For status of cultivar name, taxonomic affiliation, correct spelling, and literature references see main entry in International Register.

For trademarks (® and ™) see Appendix C.

**Part 1 – Alphabetical list**

<u>Cultivar Name</u>	<u>U.S. Pl. Pat No.</u>	<u>Date Patented:</u>
‘Agincourt Beauty’	03694	1975, May 25
‘Big Blue’	03895	1976, May 25
‘Bailbelle’	12294	2001, Dec. 01
‘Bailbridget’	30286	2019, March 12
‘Baildust’	15152	2004, Sept. 21
‘Bailina’	16662	3006, Jun. 13
‘Bailming’	16349	2006, Mar. 14
‘Bailnce’	20458	2009, Nov. 10
‘Bailsugar’	15588	2005, Feb. 22
‘Clarke’s Giant’	00754	1947, August 26
‘Dappled Dawn’	02614	1966, March 22
‘DTR 124’ (Summer Charm™)	08951	1994, October 18
‘Edward J. Gardner’	01086	1952, April 29
‘Esther Staley’	00768	1947, December 16
‘Frank Paterson’	02076	1961, August 01
‘Golden Eclipse’	15990	2005, Sept. 20
‘Heather Haze’	03885	1976, May 11
‘Jeflady’	30331	2019, April 2
‘Jessie Gardner’	01444	1956, January 03
‘JN Upright Select’ (Violet Uprising™)	28959	2018, February 13
‘Lady Uarda’	04009	1977, January 11
‘Lavender Lady’	01238	1954, January 05
‘Monore’ (Blue Skies®)	06877	1989, June 27
‘Mrs R. L. Gardner’	01443	1956, January 03
‘New Patriot’	17110	2006, Sept. 19
‘Old Lace’	03893	1976, May 25
‘Penda’ (Bloomerang®)	20575	2009, December 15
‘Pink Flower Select’ (Dream Cloud™)	29466	2018 July 10
‘Pink Perfume’ (Bloomerang Pink Perfume™)	24252	
‘Pink Spray’	00831	1949, April 12
‘Primrose’	01108	1952, June 24
‘Purple Glory’	00946	1950, June 13

'Purple Heart'	00832	1949, April 12
'Sensation'	01242	1954, January 19
'Sierra Snow'	02744	1967, May 30
'Slater`s Elegans'	03695	1975, March 25
'SMNJRPU' (Bloomerang Dwarf Purple™)	29831	2018, November 13
'SMNJRPI' (Bloomerang Dwarf Pink™)	29802	2018, November 6
'SMNSHBBL' (Scentara Double Blue™)	29801	2018, November 6
'SMNSHSO' (Scentara Pura™)	31119	2019 November 26
'SMNSYPRZ1' (Rhythm & Bloom®)	26927	2016 July 12
'SMSXPM' (Scent and Sensibility Pink™)	26548	2016, March 29
'SMSJBP7' (Bloomerang Dark Purple™)	26549	2016, March 29
'Splendour'	00837	1949, May 17
'Stropkey Variegated'	02204	1962, December 25
'SunDak'	16570	2006, May 23
'Sunset'	00937	1950, April 25
'Sweet Charity'	03892	1976, May 25
'Sweetheart'	01128	1952, September 16

## Part 2 – Chronological list

<u>U.S. Pl. Pat. No.</u>	<u>Date. Patented:</u>	<u>Cultivar name:</u>	<u>Registered Owner</u>
00754	1947, Aug. 26	'Clark`s Giant'	Walter Bosworth Clarke
00768	1947, Dec. 16	'Esther Staley'	Walter Bosworth Clarke
00831	1949, Apr. 12	'Pink Spray'	Walter Bosworth Clarke
00832	1949, Apr. 12	'Purple Heart'	Walter Bosworth Clarke
00837	1949, May 17	'Splendor'	Walter Bosworth Clarke
00937	1950, Apr. 25	'Sunset'	Walter Bosworth Clarke
00946	1950, June 13	'Purple Glory'	Walter Bosworth Clarke
01086	1952, Apr.29	'Edward J. Gardner'	Edward J. Gardner
01108	1952, June 24	'Primrose'	Gerrit Maarse
01128	1952, Sep. 16	'Sweetheart'	Walter Bosworth Clarke
01238	1954, Jan. 05	'Lavender Lady'	Walter E. Lammerts
01242	1954, Jan. 19	'Sensation'	Dirk Eveleens Maarse
01443	1956, Jan. 03	'Mrs. Robert L. Gardner'	Edward J. Gardner
01444	1956, Jan. 03	'Jessie Gardner'	Edward J. Gardner

02076	1961, Aug. 01	'Frank Patterson'	John F. Schloen
02204	1962, Dec. 25	'Stropkey Variegated'	John g. Stropkey
02614	1966, Mar. 22	'Dappled Dawn'	Cornelius J. Hauck
02744	1967, May 30	'Sierra Snow'	Walter E. Lammerts
03694	1975, May 25	'Agincourt Beauty'	Leonard K. Slater
03695	1975, Mar. 25	'Slater`s Elegans'	Leonard K. Slater
03885	1976, May 11	'Heather Haze'	Walter E. Lammerts
03892	1976, May 25	'Sweet Charity'	Walter E. Lammerts
03893	1976, May 25	'Old Lace'	Walter E. Lammerts
03895	1976, May 25	'Big Blue'	Walter E. Lammerts
04009	1977, Jan. 11	'Lady Uarda'	Carl A. Larsen
06877	1989, June 27	'Monore'	Ralph S. Moore
08951	1994, Oct. 18	'DTR 124'	Willet N. Wandell
12294	2001, Dec. 18	'Bailbelle'	Neal S. Holland
15152	2004 Sept. 21	'Baildust'	Neal S. Holland
15588	2005, Feb. 22	'Bailsugar'	Neal S. Holland
15990	2005, Sept. 20	'Golden Eclipse	Robert Bakker
16349	2006, Mar. 14	'Bailming'	Neal S. Holland
16662	2006, Jun. 13	'Bailina'	Neal S. Holland
16570	2006, May 23	'SunDak'	Dale E. Herman
17110	2006, Sept. 19	'New Patriot'	Jimmy Krsnak
20458	2009, Nov. 10	'Bailnce'	Rodney Bailey
20575	2009, Dec. 15	'Penda'	Tim Wood
24252		'Pink Perfume'	Tim Wood
26548	2016, Mar. 29	'SMSCPM'	Tim Wood
26549	2016, Mar. 29	'SMSJBP7	Tim Wood
26927	2016, July 12	'SMNSYPRZ1''	Tim Wood
28959	2018, Feb. 13	'JN Upright Select'	Michael Yanny
29477	2018, July 10	'Pink Flower Select'	Michael Yanny
29802	2018, Nov. 6	'SMNJRPI'	Tim Wood
29801	2018, Nov. 6	'SMNSHBBL'	Tim Wood
29831	2018, Nov. 13	'SMNJRPU'	Tim Wood
30286	2019, Mar. 12	'Bailbridget'	Donald Selinger
30331	2019, April 2	'Jeflady'	Wilbert Ronald & Rick Durand
31119	2019 Nov. 19	'SMNSHSO'	Tim Wood

**WOODY PLANT REGISTER<sup>1</sup>**  
**Registration of new plants – For woody plants exclusive of roses**  
 American Association of Nurserymen, Inc.  
 Nomenclature and Plant Name Registration Committee  
 [J. Franklin Styer, Chairman]

***Syringa* (lilac) plants registered in the period from 1948 to 1958**

**NOTE:** These registrations are only of historical interest.

For status of name, affiliation and correct spelling see main entry in International Register.

**Chronological (numerical) list:**

<u>Fancy name:</u>	<u>Originator:</u>	<u>No.:</u>
‘Baby Doll’	W. B. Clarke	no
[unnamed <i>S. dilatata</i> hybrid]	F. L. Skinner	no
‘Pocahontas’	F. L. Skinner	14
‘Assessippi’ (sic)	F. L. Skinner	16
‘Donald Wyman’	F. L. Skinner	23
‘Alba’ [ <i>S. reflexa</i> ]	A. E. Upton	26
‘Nouveau’	A. E. Upton	27
‘Hedin’	F. L. Skinner	53
‘Hiawatha’	F. L. Skinner	55
‘Excel’	F. L. Skinner	56
‘Grace Mackenzie’	F. L. Skinner	57
‘Churchill’	F. L. Skinner	58
‘Laurentian’	F. L. Skinner	59
‘Anne Tighe’	A. F. Yeager	63
<i>skinneri</i>	F. L. Skinner	64
‘Clarke’s Giant’	W. B. Clarke	65
‘Cora Brandt’	W. B. Clarke	66
‘Diane’	C. I. Nelson	67
‘Fraicheur’	V. Lemoine & Fils	68
‘Fraser’	F. L. Skinner	69
‘Kingsville’	H. J. Hohman	70
‘Missimo’	W. B. Clarke	71
‘Mood Indigo’	W. B. Clarke	72
‘Mountain Haze’	W. B. Clarke	73
‘Pink Cloud’	W. B. Clarke	74
‘Pink Spray’	W. B. Clarke	75

'William H. Judd'	F. L. Skinner	76
'Early Double White'	W. B. Clarke	78
'Earliest'	W. B. Clarke	79
'White Hyacinth'	W. B. Clarke	141
'Summer Skies'	W. B. Clarke	142
'Purple Glory'	W. B. Clarke	143
<i>swegiflexa</i> [AA #701-36]	Hesse Nurseries	180
'Alice Eastwood'	W. B. Clarke	183
'Blue Hyacinth'	W. B. Clarke	184
'Kate Sessions'	W. B. Clarke	185
'Esther Staley'	W. B. Clarke	186
'Ethel M. Webster'	I. Preston	471
'Fountain'	I. Preston	482
'Margaret Rice Gould'	A. M. Brand	515
'Purple Heart'	W. B. Clarke	517
'Splendor'	W. B. Clarke	518
'Sunset'	W. B. Clarke	519
<i>swegiflexa</i>	Hesse Nurseries	537
l) Literature references to the WOODY PLANT REGISTER:		

AAN, Proc., 73<sup>rd</sup> Ann. Conv. 1948, pp. 148-150.

AAN, Proc., 74<sup>th</sup> Ann. Conv. 1949, pp. 118, 123-152 [serial No. 1-199].

AAN, Proc., 75<sup>th</sup> Ann. Conv. 1950, pp. 153, 179-187 [serial No. 200-253].

AAN, Proc., 76<sup>th</sup> Ann. Conv. 1951, pp. 174 [serial No. 254-267].

AAN, Proc., July 1952 (mimeographed), pp. 8-9 [serial No. 268-364; No. 268-358 are *Camellia* names, but the names are not listed here; No. 359-364 are listed].

AAN, Proc., July 1953 (mimeographed), pp. 124-126 [serial No. 365-391; No. 370-391 are *Camellia* names].

AAN, Proc., July 1954 (mimeographed), pp. 127-128 [27 new registrations; names not listed].

AAN, Proc., July 1955 (mimeographed), pp. 104-106 [72 new registrations; names not listed; mostly duplicate *Camellia* name registrations, a few conifer name registrations].

AAN, Proc., July 1956 (mimeographed), pp. 134-137 [11 new registrations; names not listed].

AAN, Proc., July 1957 (mimeographed), pp. 222-223 [7 new registrations; names not listed].

AAN, Proc., July 1958 (mimeographed), pp. 99-101 [83 new registrations; No. 540-603 are *Camellia* names; 18 other registrations listed by name and with AAN serial numbers].

AAN, Proc., July 1959 (mimeographed), p. 160 [49 new registrations including 37 of *Camellia* names; names not listed].

AAN, Proc., July 1960 (mimeographed), pp. 220-221

["The Registry formerly maintained by the AAN, with all its records, have now been turned over to Arnold Arboretum."] AAN Newsletter No. 531 1/6/1960, pp. 3-4. Ornamental Woody Plant Register.  
 AAN Newsletter No. 532 1/22/1960. Pp. 4-5. Woody Plant Registration.

**CANADIAN ORNAMENTAL PLANT FOUNDATION (COPF)–FONDATION CANADIENNE DES  
 PLANTES ORNEMENTALES**

COPF is a non-profit organization engaged in the registration, orderly distribution and promotion of new and improved ornamental plants for the Canadian consumer. COPF was founded in 1964. Address: COPF, 7856 Fifth Line South, Milton, Ontario L9T 2X8, Canada. Web site: [www.copf.org](http://www.copf.org); E-mail: [info@copf.org](mailto:info@copf.org); Phone: 1 800 265 1629.

**NOTE:** For status of name, correct affiliation and correct spelling see main entry in International Register.

**Registered Lilacs**

- 'Minuet' [December 31, 2000]
- 'Chantilly Lace' [December 31, 2000]
- 'Ivory Silk' [December 31, 2000]
- 'Agincourt Beauty' [December 31, 2000]
- 'Bailbelle' TINKERBELLE™ [December 31, 2000]
- 'Bailsugar' SUGAR PLUM FAIRY™ [July 2004]
- 'Morton' CHINA SNOW® [January 2005]

**CANADIAN PLANT BREEDERS' RIGHTS OFFICE**

The Canadian Plant Breeders' Rights Office administers the Plant Breeders' Rights Act (1990) and Regulations which provide legal protection to plant breeders for new plant varieties for up to 18 years.

Contact : Phone : (613) 773-7188, Fax : (613) 773-7115, E-mail : [anthony.parker@canada.ca](mailto:anthony.parker@canada.ca)  
<http://www.inspection.gc.ca/plants/plant-breeders-rights/contacts/eng/1299170853878/1299171440944>

Denomination	Trade name:	Appl. No.:	Period:
'Bailbelle'	TINKERBELLE	99-1863	2002-07-08 to 2020-07-08

'Golden Eclipse'	N/A	01-2536	2003-09-05 to 2021-09-05
'Penda'	BLOOMERANG PURPLE	08-6377	2011-05-31 to 2029-05-31
'Pink Perfume'	BLOOMERANG PINK PERFUME	11-7429	2015-06-30 to 2035-06-30
'SMSJBP7'	BLOOMERANG DARK PURPLE	12-7703	2015-06-30 to 2035-06-30
'SMSXPM'	SCENT AND SENSIBILITY Pink	12-7702	2015-06-30 to 2035-06-30
'SMSYPRZ1'	N/A	14-8396	(? Updated 24 Jan 2017)
'SMSDML3'	N/A	12-7740	withdrawn 17 March 2014

**CANADIAN HORTICULTURAL COUNCIL  
PLANT REGISTRATION BUREAU**

The purpose of the registration and certification program was to promote new cultivars of merit. Name registration was to minimize the duplication of cultivar names. The Bureau was active from 1923 through about 1955; over 200 cultivars were registered during this period.

**NOTE:** These registrations are only of historical interest.

For status of name, correct affiliation and correct spelling see main entry in International Register.

<b>Registered Lilacs:</b>	<b>No.:</b>	<b>Year:</b>	<b>Literature reference:</b>
'Dr F. G. Brethour'	No. 85	1930	- not located -
'W. T. Macoun'	No. 99	1930 ?	- not located -
'Isabella'	No. 100	1931 ?	- not located -
'Frank G. Paterson'	No. 123	1931	- not located -



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**LATVIAN PLANT BREEDERS' RIGHTS OFFICE**  
 Aizsargato augu šķirņu saraksts  
 (Information may not be up to date)

'Liega'	- Number CER-1 (291); reg 27.04.2004; until 2029; Upītis
'Mazais Princis'	- Number CER-2; registered 27.04.2004; until 2029; Upītis
'Gaizinkalns'	- Number CER-5 (298); reg 27.04.2004; until 2029; Upītis

**RUSSIAN PLANT PATENTS**

Another group of patent rights, which, according to the Civil Code comprise a separate legal institute distinct from patent law, are intellectual rights to Selection Attainments. Selection attainments law protects varieties of plants and breeds of animals registered in the State Register of Protected Selection Attainments of the Ministry of Agriculture.<sup>1</sup> This is apparently under the Russian Federal Service for Intellectual Property, commonly known as Rospatent.<sup>2</sup>

In addition, the Federal State Budgetary Institution maintains the searchable State Register of Breeding Achievements at: <https://reestr.gossort.com/>.

<b>Registered Lilacs:</b>	<b>CodeNo.</b>	<b>Pat. No.:</b>	<b>Date:</b>	<b>Owner:</b>
'Mikhaïlo Lomonosov'	8853113	6882	2012	Sergey Aladin
'Federico Garsia Lorka'	8853109	6883	2012	Sergey Aladin
'Zolotoï Amur'	9154026	5643	2010	Kuklina
'Neizvestn'ï Soldat'		10045	2019	Lyudmila Pshennikova
'Volshchestvo Maya'	84556462	8762	2016	Semenyuk

Many other Russian lilacs have a Code that functions like registered patents, but the cultivars are not officially Registered like those above that have a plant patent.

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<sup>1</sup>Elena Beier and Anne Wright Fiero, The U.S. and Russian Patent Systems: Recent Amendments and Global Implications for the Protection of Intellectual Property Rights, 14 J. MARSHALL REV. INTELL. PROP. L. 504 (2015). Seen May 25, 2019 at: <https://repository.jmls.edu/cgi/viewcontent.cgi?article=1364&context=ripl>

<sup>2</sup>“RosPatent” in Wikipedia. Seen online May 25, 2019 at:  
<https://en.wikipedia.org/wiki/Rospatent>

### **European Patent Office (Espacenet)**

European patents can be searched at: <https://worldwide.espacenet.com/>

### **Eurasian Patent Organization (EAPO)**

Eurasian patents handled by EAPO (<https://www.eapo.org/en/>) are available in the EAPATIS search system at: <http://www.eapatis.com/enSearch/index.htm>.

### **World Intellectual Property Organization (WIPO)**

The Patent Cooperation Treaty is administered by WIPO and covers 152 countries. Information is available at: <https://www.wipo.int/pct/en/>.