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(12) **United States Plant Patent**
Sills et al.(10) **Patent No.:** US PP26,774 P3
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- (54) **BLACKBERRY PLANT NAMED 'DRISBLACKNINE'**
- (50) Latin Name: ***Rubus L. subgenus Rubus***
Varietal Denomination: **DrisBlackNine**
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- (*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 103 days.
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- (52) **U.S. Cl.**
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- (58) **Field of Classification Search**
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(57) ABSTRACT

This invention relates to a new and distinct variety of blackberry plant named 'DrisBlackNine', particularly characterized by high vigor, long production season and self-fruitful plants, is disclosed.

2 Drawing Sheets

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Genus and species: *Rubus L. subgenus Rubus*.
Variety denomination: 'DrisBlackNine'.

BACKGROUND OF THE NEW PLANT

The present invention relates to a new and distinct blackberry cultivar designated 'DrisBlackNine' and botanically known as *Rubus L. subgenus Rubus*. This new blackberry variety was identified in Santa Cruz County, Calif. in September 2006 and originated from a cross between the proprietary female parent blackberry plant 'BK294 (460G1)' (unpatented) and the proprietary male parent blackberry plant 'APF40' (unpatented). The original seedling of the new cultivar was first asexually propagated by tissue culture and root cuttings at a nursery in Santa Cruz County, Calif. 'DrisBlackNine' was subsequently asexually propagated by tissue culture and root cuttings and underwent further testing at a nursery in Santa Cruz County, Calif. from 2006 to 2011. The present invention has been found to be stable and reproduce true to type through successive asexual propagations.

Plant Breeder's Rights for this variety have not been applied for. 'DrisBlackNine' has not been made publicly available or sold anywhere in the world more than one year prior to the filing date of this application.

SUMMARY OF THE INVENTION

The following are the most outstanding and distinguishing characteristics of this new cultivar when grown under normal horticultural practices in Santa Cruz County, Calif.

1. High vigor;
2. Long production season; and
3. Self-fruitful plants.

DESCRIPTION OF THE PHOTOGRAPHS

This new blackberry plant is illustrated by the accompanying photographs which show the plant's canes, fruit, and

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leaves. The colors shown are as true as can be reasonably obtained by conventional photographic procedures. The photographs are of plants that are 2 years old.

FIG. 1 shows a section of a young cane with spines.

FIG. 2 shows the flowers and the fruit at various stages.

FIG. 3 shows the upper and lower surfaces of the leaves.

DESCRIPTION OF THE NEW VARIETY

The following descriptions of 'DrisBlackNine' are based on observations made in Santa Cruz County, Calif. on 2-year old plants. This description is in accordance with UPOV terminology. Color designations, color descriptions, and other phenotypical descriptions may deviate from the stated values and descriptions depending upon variation in environmental, seasonal, climatic and cultural conditions. 'DrisBlackNine' has not been observed under all possible environmental conditions. Color terminology follows The Royal Horticultural Society Colour Chart, London (R.H.S.) (2007 edition). Descriptive terminology is from the *Plant Identification Terminology, An Illustrated Glossary* 2nd edition, by James G. Harris and Melinda Woolf Harris, unless where otherwise defined.

DETAILED BOTANICAL DESCRIPTION

Classification:

Family.—Rosaceae.

Botanical.—*Rubus L. subgenus Rubus*.

Common name.—Blackberry.

Variety name.—'DrisBlackNine'.

Parentage:

Female parent.—Proprietary blackberry plant named 'BK294 (460G1)' (unpatented).

Male parent.—Proprietary blackberry plant named 'APF40' (unpatented).

Plant:

Vigor.—High.
Growth habit.—Upright.
Productivity.—Medium.
Propagation.—Tissue culture and root cuttings.
Self-fruitfulness.—Self-fruitful.
Time of bud burst.—Early.

Canes:

Fruiting lateral length (4th lateral from tip).—Medium; 44.5 cm.

Number of fruit per lateral.—13.9.

Fruiting on current year's cane.—Present.

Cane internodal distance.—4.9 cm.

Number of new canes during flowering.—Medium.

New cane strength (observed full-grown shoot after picking).—Strong.

Glaucosity observed on full-grown shoot after picking.—Weak.

Young shoots.—Quantity: Medium. Time of emergence from soil: Very late. Anthocyanin coloration (during rapid growth): Weak on leaves, medium on canes; RHS 181A (Dark greyed-red). Intensity of green color: Medium; RHS 144A (Medium yellow-green). Number of glandular hairs: Medium.

Dormant cane.—Length: Medium. Diameter (in central third): Medium. Cross section (from mid cane observed at end of first growing season): Grooved. Color: RHS 144A (Medium yellow-green). Number of branches: Medium. Distribution of branches: Over whole length. Anthocyanin coloration: Weak; RHS 60A (Dark red purple). Spines: Number of spines: Many. Size: Medium. Color: RHS N144C (Medium yellow-green). Density (on central third of cane): Medium. Texture: Medium to heavy. Attitude of apex in relation to cane: Outwards and downwards.

Leaves:

Type.—Intermediate.

Predominant number of leaflets.—Five.

Overlapping or relative position of lateral leaflets.— Overlapping.

Color.—Upper surface: Medium; RHS N137A (Medium green). Lower surface: Medium; RHS 146B (Medium yellow-green).

Glossiness of upper side.—Weak.

Cross section profile.—Flat (level with the leaflet blade).

Leaflets.—Shape: Oval. Margin: Crenate. Depth of incisions: Medium. Type of incision margin: Bi-serrate. Apex: Complex. Base: Obtuse. Rachis length between terminal leaflet and adjacent lateral leaflet: 33.9 mm.

Lateral leaflet (basal pair).—Length: 83.8 mm. Width: 59.7 mm. Length/width ratio: 1.4.

Terminal leaflet.—Length: Long; 99.5 mm. Width: Medium; 72.7 mm. Length/width ratio: 1.4. Lobing: Absent. Undulation of margin (rippling of margin): Medium. Blistering between veins (rugosity): Medium. Shape: Oval. Tip: Truncate. Base: Obtuse. Margin: Doubly serrate. Cross-section: U-shaped.

Petiole.—Length: 9.0 mm. Diameter: 1.4 mm. Pigmentation: Upper surface: Medium; RHS 144A (Medium yellow-green). Lower surface: Medium; RHS 144B (Medium yellow-green).

Stipule.—Size: Large. Orientation: Erect.

Inflorescence:

Time of beginning of flowering on previous year's cane.—Early.

Time of beginning of flowering on current year's cane.—Late.

Flower diameter.—Large; 46.67 mm.

Flower number (at 3rd node from tip of lateral).—2.

Petal.—Length: 24.48 mm. Width: 18.94 mm. Length/width ratio: 1.3. Color: RHS 155B (White).

Pedicel.—Length: 39.55 mm. Diameter: 1.70 mm.

Fruit:

Time of ripening on previous year's cane.—Early.

Time of ripening on current year's cane.—Very late.

Harvest interval.—Mid-September to mid-November.

Color.—Immature: RHS 144A (Medium yellow-green). Maturing: RHS 60A (Dark red-purple).

Mature: RHS N186A (Dark greyed-purple).

Glossiness.—Medium.

Shape in longitudinal section.—Oblong.

Size.—Medium.

Length.—Medium; 30.08 mm.

Width.—Broad; 23.79 mm.

Ratio of length to width.—1.3.

Weight (g/fruit).—4.3567 g.

Soluble solids (%) (in Brix).—11.5.

Titratable acidity.—(% as citric acid): 1.16.

Seed weight (g/seed).—0.0031.

Number of druplets/fruit.—Many; 139.

Size of druplet.—Small to medium.

Firmness.—Medium.

Yield.—Low to medium.

Disease, pest, and stress resistance:

Acalitus essigi.—Susceptible.

Botrytis fruit rot.—Susceptible.

COMPARISON WITH PARENTAL AND COMMERCIAL VARIETIES

'DrisBlackNine' differs from the proprietary female parent 'BK294 (460G1)' (unpatented) in that 'DrisBlackNine' has better flavour and firmer, larger fruit than 'BK294 (460G1)'. Additionally, 'DrisBlackNine' is much less susceptible to red berry mite than 'BK294 (460G1)'.

'DrisBlackNine' differs from the proprietary male parent 'APF40' (unpatented) in that 'DrisBlackNine' has slightly smaller fruit and firmer fruit than 'APF40'.

'DrisBlackNine' differs from the commercial variety 'Driscoll Carmel' (U.S. Plant Pat. No. 15,058) in that 'DrisBlackNine' has an upright growth habit and high vigor, whereas 'Driscoll Carmel' has a semi-erect growth habit and moderate to high vigor. Additionally, 'DrisBlackNine' has medium glossy, oblong shaped fruit, whereas 'Driscoll Carmel' has strongly glossy, ovate shaped fruit.

'DrisBlackNine' differs from commercial variety 'Driscoll Eureka' (U.S. Plant Pat. No. 14,765) in that 'DrisBlackNine' has an upright growth habit and high vigor, whereas 'Driscoll Eureka' has a semi-erect growth habit and moderate to high vigor. Additionally, 'DrisBlackNine' has medium glossy, oblong shaped fruit, whereas 'Driscoll Eureka' has strongly glossy, ovate shaped fruit.

We claim:

1. A new and distinct variety of blackberry plant named 'DrisBlackNine' as described and shown herein.

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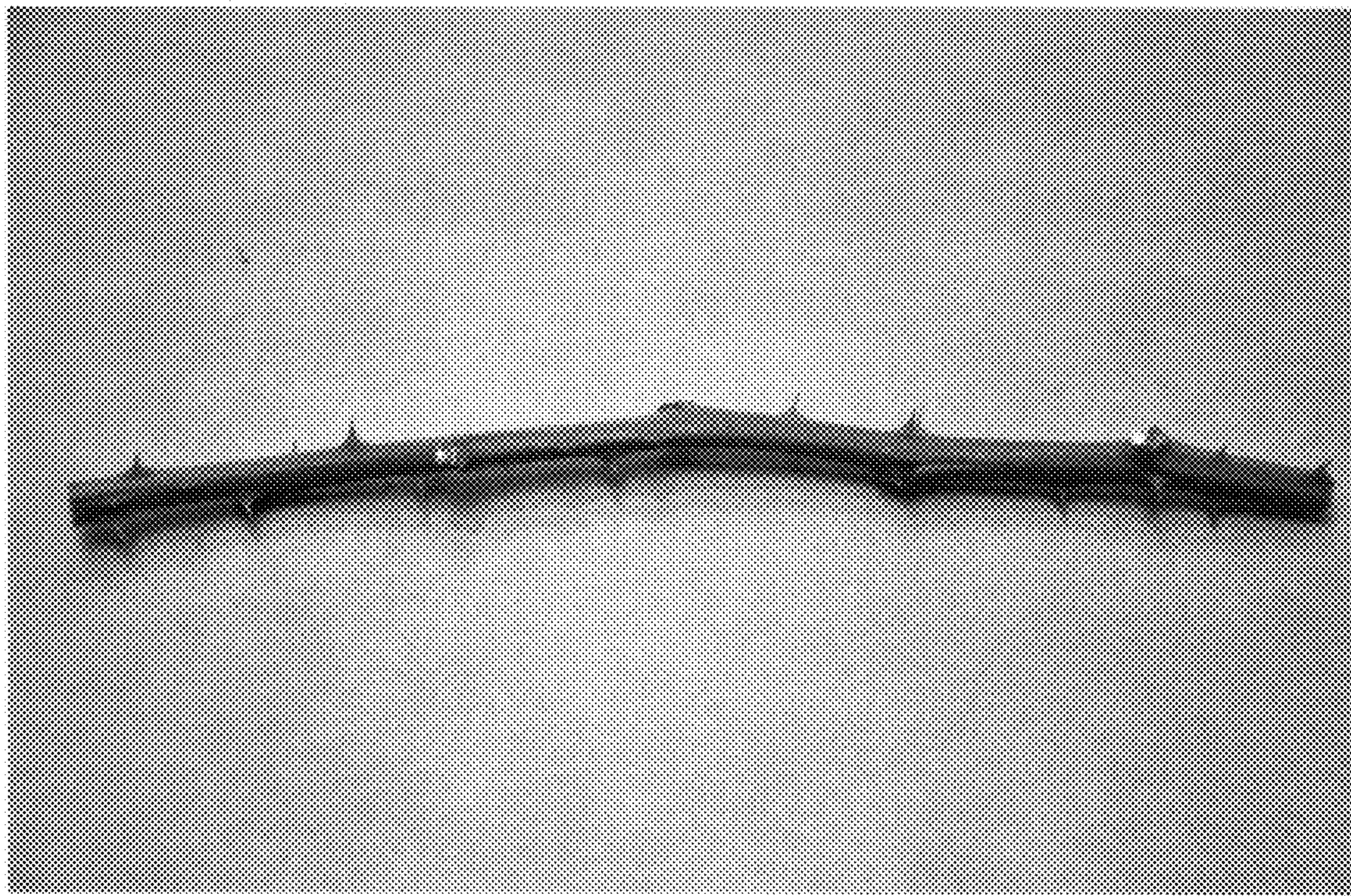


FIG. 1

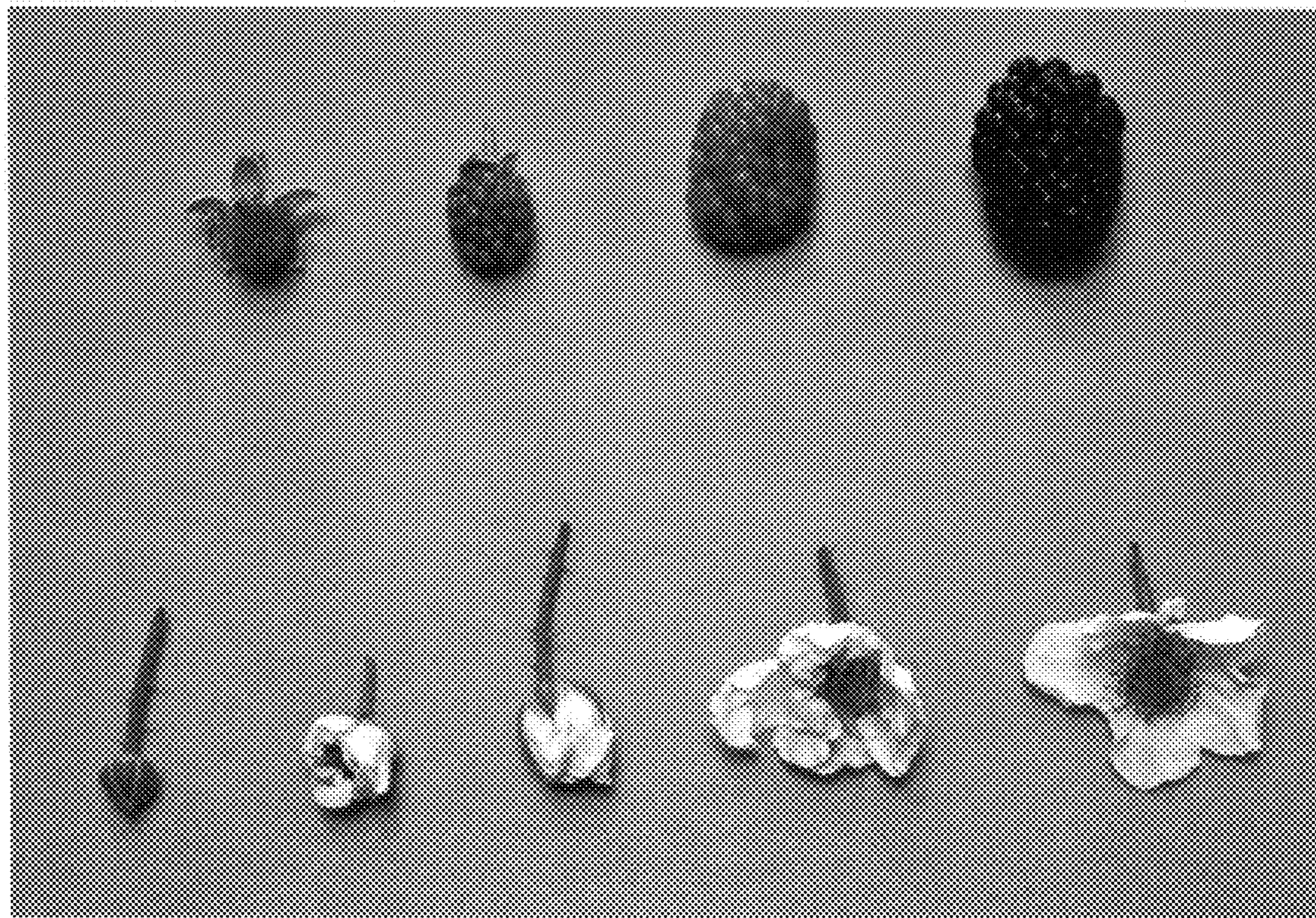


FIG. 2

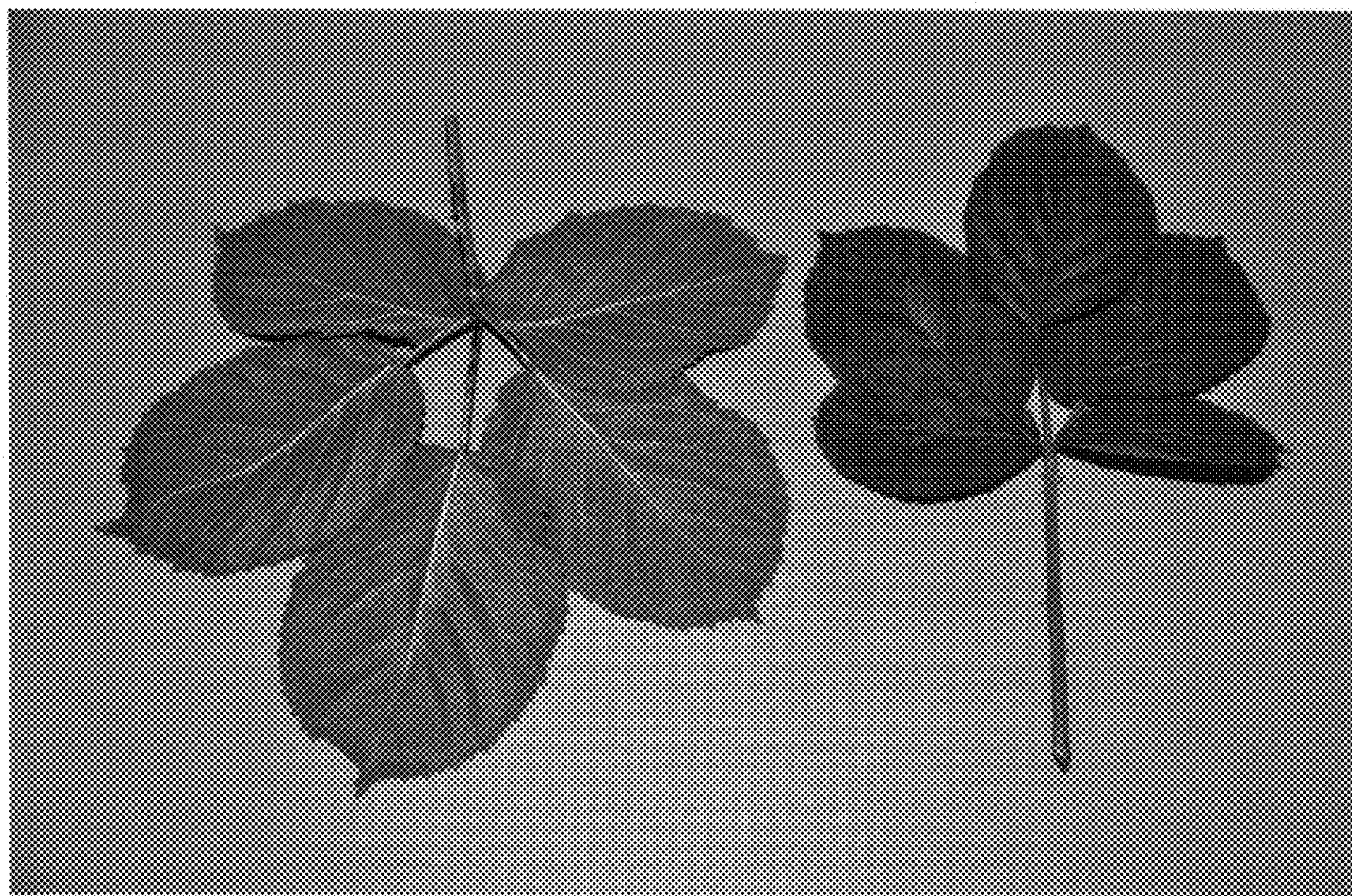


FIG. 3