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(12) **United States Plant Patent**
Stewart et al.

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- (54) **STRAWBERRY PLANT NAMED ‘DRISSTRAWFORTYFOUR’**
- (50) Latin Name: *Fragaria×ananassa*
Varietal Denomination: **DrisStrawFortyFour**
- (71) Applicant: **DRISCOLL STRAWBERRY ASSOCIATES, INC.**, Watsonville, CA (US)
- (72) Inventors: **Philip J. Stewart**, Watsonville, CA (US); **Michael D. Ferguson**, Moorpark, CA (US); **Renae Robertson**, Santa Maria, CA (US); **Joanne F. Coss**, Pebble Beach, CA (US)
- (73) Assignee: **DRISCOLL STRAWBERRY ASSOCIATES, INC.**, Watsonville, CA (US)
- (*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 90 days.
- (21) Appl. No.: **14/121,763**

- (22) Filed: **Oct. 15, 2014**
- (65) **Prior Publication Data**
US 2016/0113174 P1 Apr. 21, 2016
- (51) **Int. Cl.**
A01H 5/08 (2006.01)
- (52) **U.S. Cl.**
USPC **Plt./208**
- (58) **Field of Classification Search**
USPC Plt./208
See application file for complete search history.

Primary Examiner — Annette Para
(74) *Attorney, Agent, or Firm* — Jondle & Associates, P.C.

(57) **ABSTRACT**
A new and distinct variety of strawberry plant named ‘Dris-StrawFortyFour’ particularly characterized by medium red strongly glossy fruit, early harvest maturity and moderate resistance to powdery mildew, is disclosed.

3 Drawing Sheets

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Genus and species: *Fragaria×ananassa*.
Variety denomination: ‘DrisStrawFortyFour’.

BACKGROUND OF THE NEW PLANT

The present invention relates to a new and distinct strawberry variety designated ‘DrisStrawFortyFour’ and botanically known as *Fragaria×ananassa*. This new strawberry variety was discovered in Monterey County, Calif. in October 2009 and originated from a cross between proprietary open pollinated bulk (unpatented) and the proprietary male parent ‘112N245’ (unpatented). A single plant was selected and asexually propagated via tissue culture and vegetative cuttings in Shasta County, Calif.

‘DrisStrawFortyFour’ underwent further testing in Monterey County, Calif. for five years (2009-2014). The present invention has been found to retain its distinctive characteristics through successive asexual propagations via stolons and tissue culture.

Plant Breeder’s Rights for this variety have not been applied for. ‘DrisStrawFortyFour’ 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 Monterey County, Calif.

- 1. Medium red, strongly glossy fruit;
- 2. Early harvest maturity; and
- 3. Moderate resistance to powdery mildew.

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DESCRIPTION OF THE PHOTOGRAPHS

The accompanying color photographs show typical specimens of the new variety at various stages of development. The colors shown are as true as can be reasonably obtained by conventional photographic procedures. The photographs were taken from nine-month-old plants.

FIG. 1 shows upper and lower surfaces of the leaves of the plant with three leaflets.

FIG. 2 shows both upper and lower surfaces of the flowers. FIG. 3 shows the whole fruit.

FIG. 4 shows the fruit in longitudinal cross-section.

FIG. 5 shows the whole plant.

DESCRIPTION OF THE NEW VARIETY

The following detailed descriptions set forth the distinctive characteristics of ‘DrisStrawFortyFour’. The data which define these characteristics is based on observations taken in Monterey County, Calif. from 2009 to 2014. 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. ‘DrisStrawFortyFour’ has not been observed under all possible environmental conditions. The botanical description of ‘DrisStrawFortyFour’ was taken from nine-month-old plants. Color references are primarily to The R.H.S. Colour Chart of The Royal Horticultural Society of London (R.H.S.) (2007 edition). Descriptive terminology follows the *Plant Identification Terminology, An Illustrated Glossary*, 2nd edition by James G. Harris and Melinda Wolf Harris, unless where otherwise defined.

DETAILED BOTANICAL DESCRIPTION OF THE
PLANT

Classification:

Species.—*Fragaria x ananassa*. 5*Common name.*—Strawberry.*Denomination.*—‘DrisStrawFortyFour’.

Parentage:

Female parent.—Proprietary open pollinated bulk (un- 10
patented).*Male parent.*—The proprietary variety ‘112N245’ (un-
patented).

Plant:

Height.—33.7 cm. 15*Diameter.*—58.2 cm.*Number of crowns/plant.*—6.*Habit.*—Globose — semi-upright.*Density of individual plant.*—Medium to dense.*Vigor (health and hardiness of plant).*—Very strong. 20

Terminal leaflets:

Size.—Medium. Length: 8.0 cm. Width: 7.5 cm. Length/
width ratio: 1.1 (As long as broad).*Number of teeth/terminal leaflet.*—25. 25*Shape of teeth.*—Rounded to crenate.*Color.*—Upper surface: RHS N137C (Medium green). 25

Lower surface: RHS 138B (Medium green).

Shape in cross section.—Slightly concave.*Blistering.*—Weak.*Glossiness.*—Medium. 30*Number of leaflets.*—More than three.*Shape.*—Orbicular.*Base shape.*—Rounded.*Apex descriptor.*—Rounded. 35*Margin.*—Crenate.*Margin profile.*—Revolute (margins rolled backwards).*Variation.*—Absent.

Petiole:

Length.—Medium; 22.0 cm. 40*Diameter.*—3.86 mm.*Pubescence.*—Dense.*Pose of hairs.*—Outwards — horizontal.*Color.*—RHS 144A (Medium yellow-green).*Bract frequency.*—0.

Petiolule:

Length.—12.72 mm. 45*Diameter.*—2.04 mm.*Color.*—RHS 144B (Medium yellow-green).

Stipule:

Length.—31.7 mm. 50*Width.*—8.45 mm.*Pubescence.*—Very dense.*Stipule anthocyanin coloration.*—Strong to very strong;
RHS 50C (Light red).

Inflorescence:

Position relative to foliage.—Above. 55*Number of flowers per plant.*—18 (Medium).*Time of flowering (50% of plants at first flower).*—Early.*Flowering interval.*—February–November.*Flower size.*—Medium. 60*Flower diameter.*—13.98 mm.*Petals.*—Shape: Orbicular. Apex: Rounded. Base: Con-
cavo-convex. Margin: Entire. Spacing: Free. Length:
10.51 mm. Width: 9.51 mm. Length/width ratio: 1.1
(As long as broad). Petal number per flower: 6. Color 65
(upper surface): RHS NN155C (White).*Calyx.*—Diameter: 17.52 mm. Diameter relative to
corolla: Same size. Inner calyx diameter relative to
outer: Same size. Insertion of calyx: Level. Pose of
calyx segments: Reflexed — upwards. Size of calyx in
relation to fruit: Same size. Adherence of calyx: Very
strong.*Sepal.*—Shape: Elliptical. Apex: Convex. Margin:
Entire. Length: 6.72 mm. Width: 4.32 mm. Sepal
number: 12.*Receptacle color.*—RHS 154B (Light yellow-green).*Stamen.*—Present. Anther color: RHS 17C (Medium
yellow-orange).*Pedicel.*—Attitude of hairs: Outwards — horizontal.

Fruiting truss:

Length.—Long; 23.4 cm.*Diameter at base of truss.*—3.54 mm.*Number of berries per fruiting truss.*—4.*Attitude at first picking.*—Prostrate.*Color at base of truss.*—RHS 144B (Medium yellow-
green).

Fruit:

Relative fruit size.—Small.*Length.*—39.44 mm. 25*Width.*—38.03 mm.*Length/width ratio.*—1.0 (As long as broad).*Fruit hollow length.*—19.38 mm.*Fruit hollow width.*—21.19 mm. 30*Fruit hollow length/width ratio.*—0.9 (As long as
broad).*Fruit hollow center (cavity).*—Small.*Fruit weight.*—24.3 g.*Predominant fruit shape.*—Conical. 35*Difference in shape between primary and secondary
fruits.*—Slight.*Evenness of fruit surface.*—Even or very slightly
uneven.*Fruit skin color.*—RHS 45B (Medium red). 40*Evenness of fruit color.*—Even or very slightly uneven.*Fruit glossiness.*—Strong.*Achenes.*—Insertion of achenes: Level with surface.
Coloration (sunward side of berry): RHS 184B (Me-
dium greyed-purple). Coloration (shaded side of
berry): RHS 152D (Medium yellow-green). Number
per berry: 146. Weight (weight of achenes divided by
total # seed): 0.00834 g. Width of band without
achenes: Narrow.*Firmness of flesh (when fully ripe).*—Firm. 50*Color of flesh (excluding core).*—RHS 40C (Light red).*Color of core.*—RHS 40D (Light red).*Evenness of flesh color.*—Even.*Distribution of flesh color.*—Marginal and central.*Sweetness.*—Weak. 55*Acidity.*—Medium.*Texture when tasted.*—Medium.*Type of bearing.*—Day neutral.*Harvest interval.*—May–early November*Harvest maturity.*—Early. 60*Production.*—2434.0 grams per plant.

Disease and pest resistance:

Botrytis fruit rot.—Moderately susceptible.*Powdery mildew.*—Moderately resistant.*Lygus herperus (Lygus bug):* Moderately susceptible.

COMPARISON WITH PARENTAL AND
COMMERCIAL VARIETIES

When 'DrisStrawFortyFour' is compared to the open pol-
linated bulk (unpatented), the open pollinated bulk was a
group of uncharacterized seedlings that generally had less
regular fruit shape, lighter fruit color and lighter leaf color
than 'DrisStrawFortyFour'.

When 'DrisStrawFortyFour' is compared to the male par-
ent '112N245' (unpatented), 'DrisStrawFortyFour' is a more
vigorous and upright plant with higher yields and lighter
colored fruit than '112N245'. In addition, 'DrisStrawForty-
Four' produces more runners in the field than '112N245'.

When 'DrisStrawFortyFour' is compared to the commer-
cial variety 'Monterey' (U.S. Plant Pat. No. 19,767), 'Dris-
StrawFortyFour' has a slightly concave leaf shape in cross
section, dense petiole pubescence and petals with a concavo-

convex base shape, whereas 'Monterey' has a mostly concave
leaf shape in cross section, moderate to heavy petiole pubes-
cence and petals with an attenuate base shape.

When 'DrisStrawFortyFour' is compared to the commer-
cial variety 'DrisStrawThirtyOne' (U.S. Plant Pat. No.
24,317), 'DrisStrawFortyFour' has an average of six crowns
per plant and a globose—semi-upright growth habit, whereas
'DrisStrawThirtyOne' has an average of three crowns per
plant and an upright growth habit. Additionally, 'DrisStraw-
FortyFour' has fruit with strong glossiness and medium acid-
ity, whereas 'DrisStrawThirtyOne' has fruit with medium
glossiness and weak acidity.

We claim:

1. A new and distinct variety of strawberry plant named
'DrisStrawFortyFour', substantially as illustrated and
described herein.

* * * * *

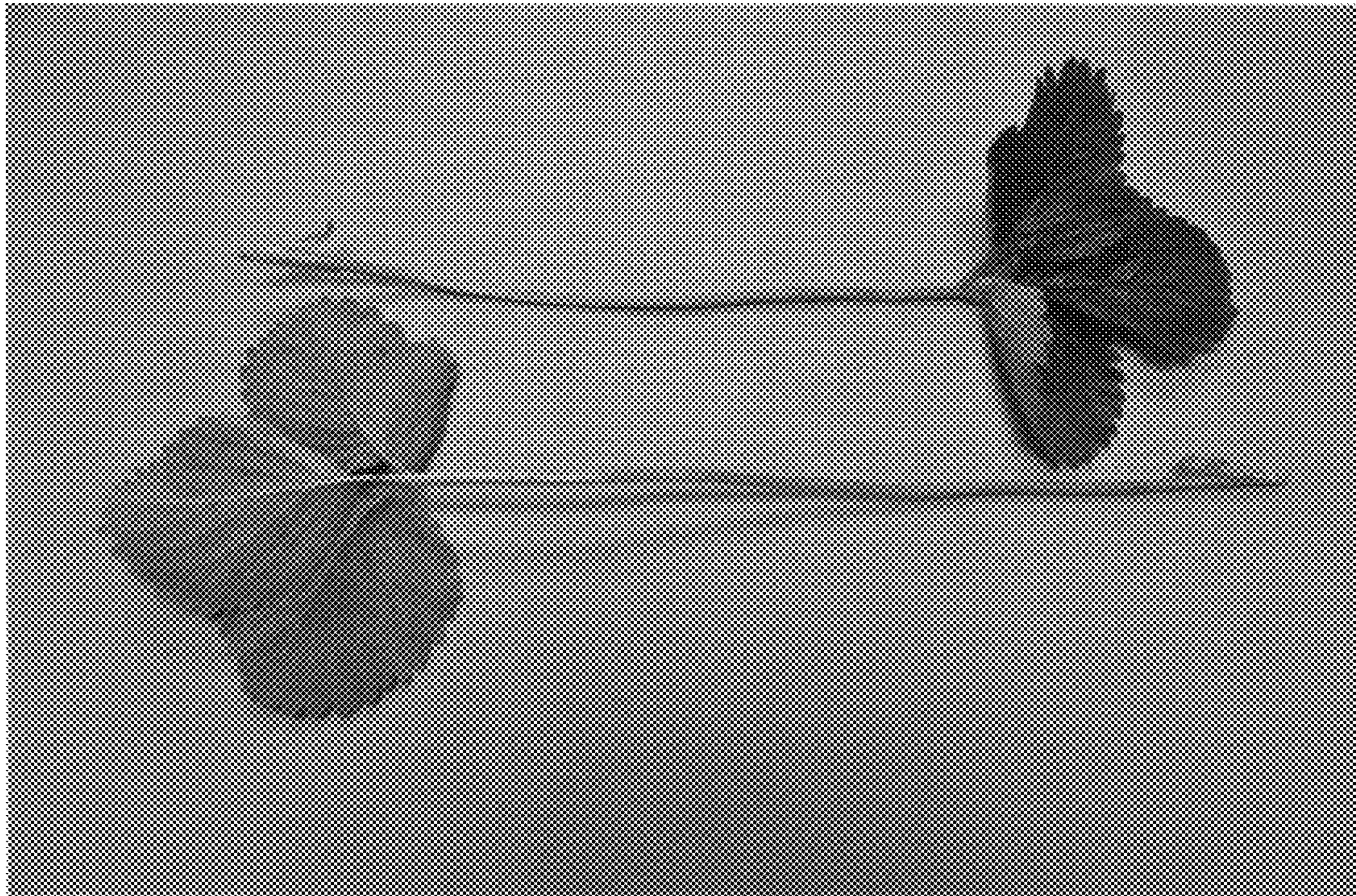


FIG. 1

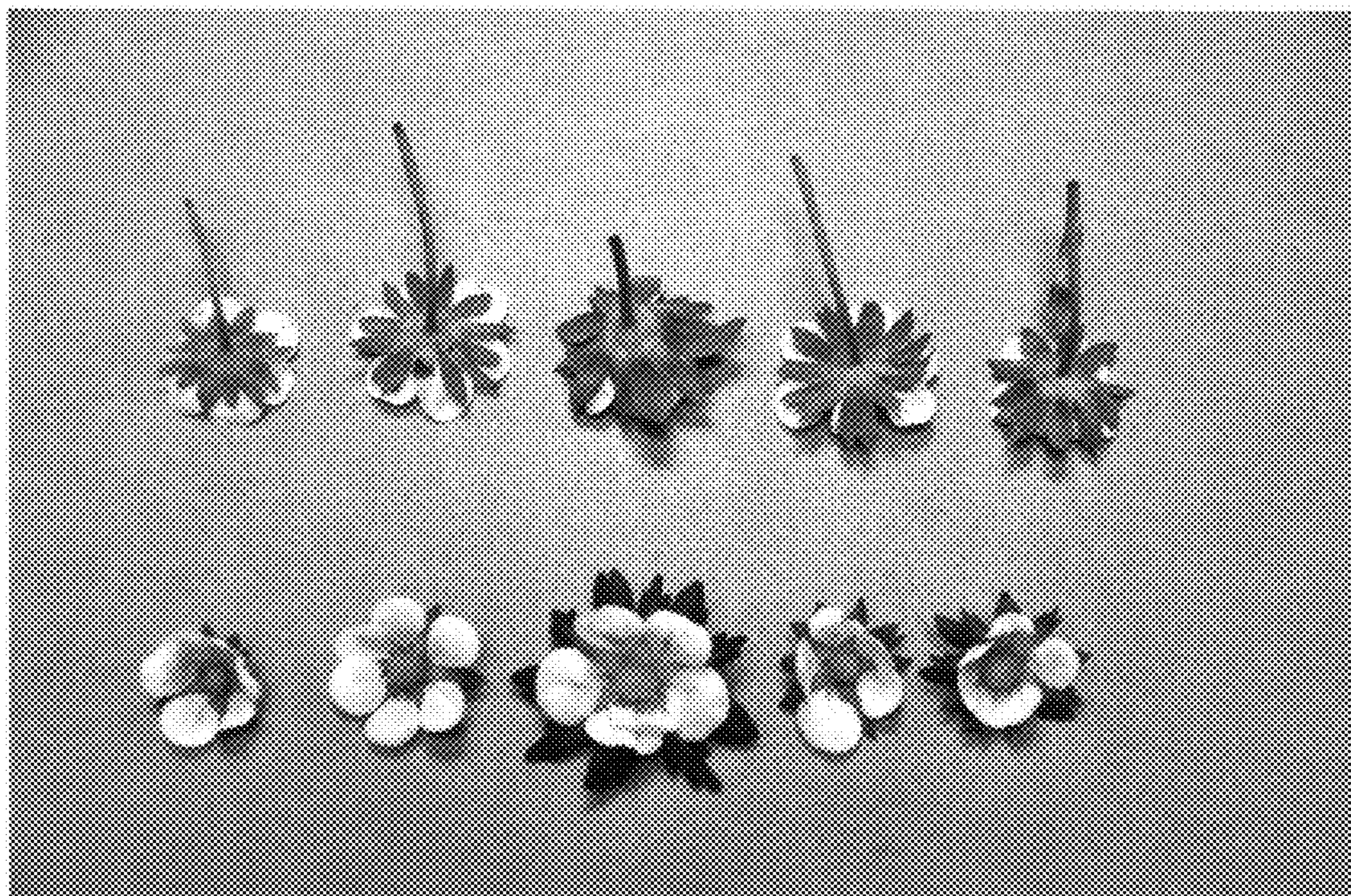


FIG. 2

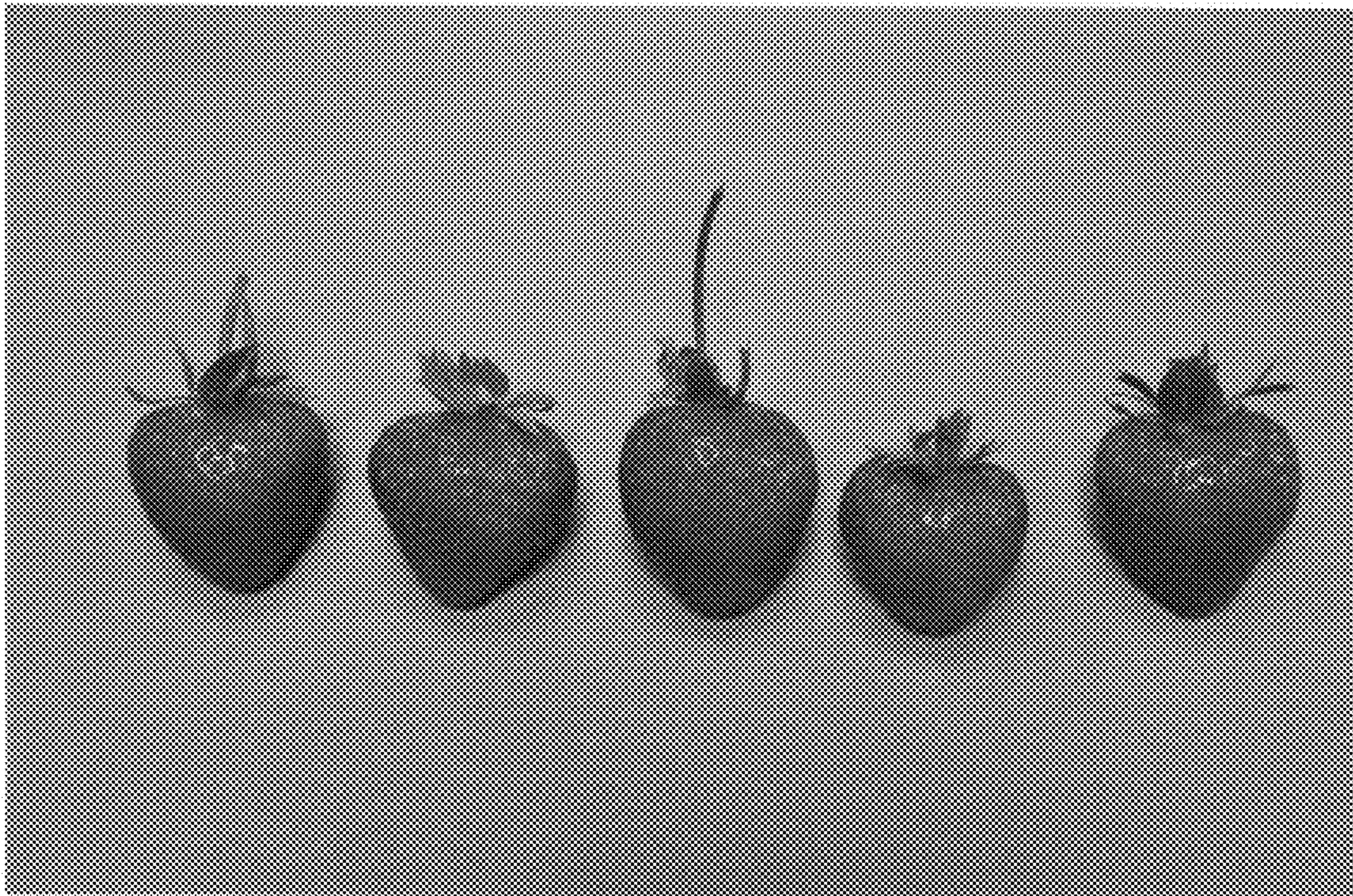


FIG. 3

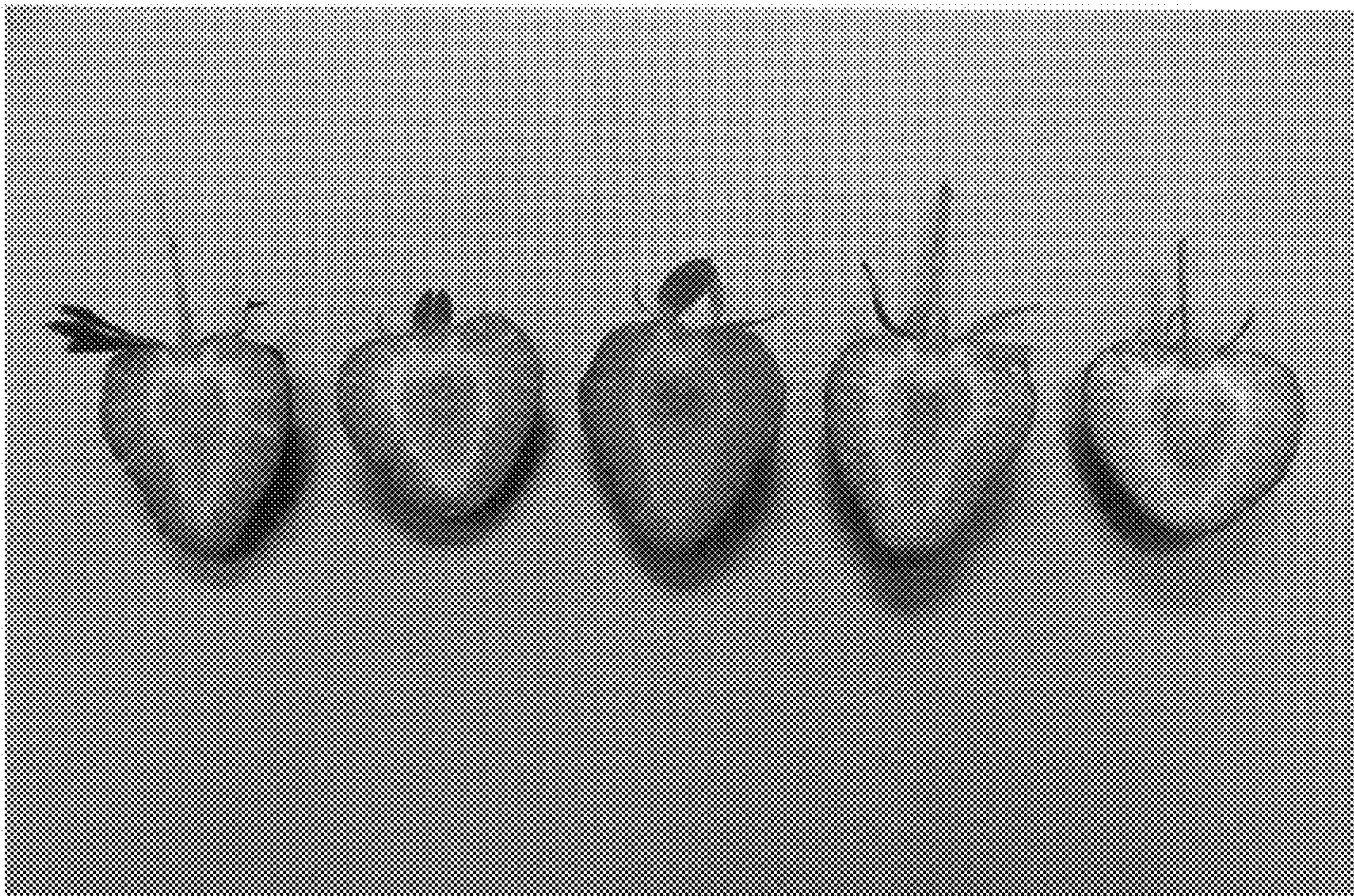


FIG. 4



FIG. 5

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : PP26,801 P3
APPLICATION NO. : 14/121763
DATED : June 7, 2016
INVENTOR(S) : Philip J. Stewart et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Specification

In Column 1, Line 12, delete “male” and insert -- female --, therefor.

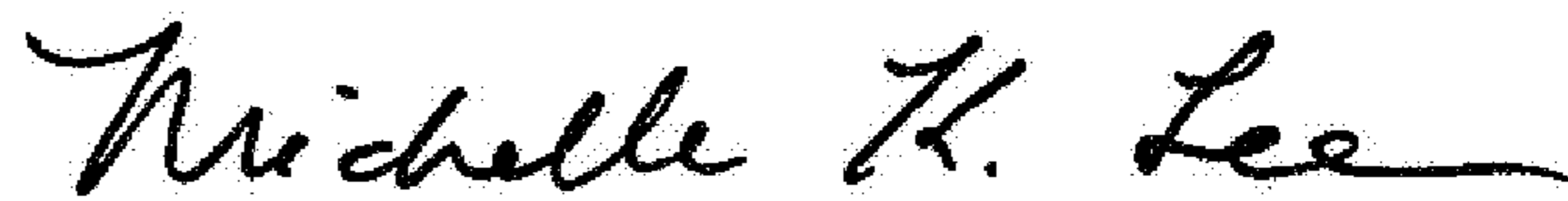
In Column 3, Line 9, delete “Female” and insert -- Male --, therefor.

In Column 3, Line 11, delete “Male” and insert -- Female --, therefor.

In Column 4, Line 66, delete “herperus” and insert -- hesperus --, therefor.

In Column 5, Line 9, delete “male” and insert -- female --, therefor.

Signed and Sealed this
Seventh Day of March, 2017



Michelle K. Lee
Director of the United States Patent and Trademark Office