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Declarations under Rule 4.17:

— as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))

Published:

— with international search report (Art. 21(3))
— with (an) indication(s) in relation to deposited biological material furnished under Rule 13bis separately from the description (Rules 13bis.4(d)(i) and 48.2(a)(viii))

(54) Title: BOTANICAL SEED OF GARLIC, *ALLIUM SATIVUM*

(57) Abstract: The present invention relates garlic plants capable of producing substantial amounts of botanical seed, i.e. at least 500 viable seeds per garlic plant. The present invention further relates to use of the present garlic plant for the production of botanical seeds, i.e. at least 500 viable seeds per garlic plant and to seeds and plant parts obtainable from the present garlic plants. Specifically, the present invention relates to garlic plants capable of producing at least 500 viable seeds per garlic plant, wherein said viable seeds are obtainable by crossing a male sterile garlic parent plant with a male fertile garlic parent plant and wherein said garlic male sterile plant has a flowering phenotype type of at least 5 flowers per plant and a substantial absence of bulbils and/or said garlic male fertile plant has a flowering phenotype type of at least 5 flowers per plant and a substantial absence of bulbils.





patents & trademarks

European Patent Office

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Date
15 January 2018

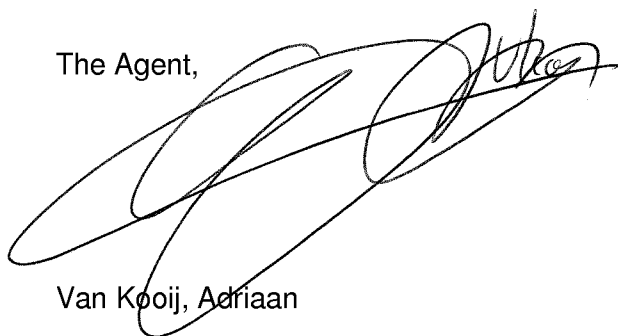
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4/2WD16/VB/1

Re
International patent application no. PCT/EP2018/050760
In the name of De Groot en Slot B.V.
Due date: --

I herewith inform the International Bureau that, until the publication of the mention of the grant of a European patent or for twenty years from the filing date in case the present application is refused or withdrawn or deemed to be withdrawn, the biological material shall be made available as provided for in Rule 13bis. 6 PCT and Rule 33(1) EPC only by the issue of a sample to an expert nominated by the requester (Rule 32(1) EPC).

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NC 012911

**BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE**

de Groot en Slot BV
Westelijke Randweg 1
1721 CH Broek op Langedijk
The Netherlands

INTERNATIONAL FORM

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT
issued pursuant to Rule 7.1 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified at the bottom of this page**

NAME AND ADDRESS
OF DEPOSITOR

I. IDENTIFICATION OF THE MICROORGANISM	
Identification reference given by the DEPOSITOR: <i>Allium sativum</i> 1617145	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY: NCIMB 42869
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION	
The microorganism identified under I above was accompanied by: ☐ a scientific description ☒ a proposed taxonomic designation (Mark with a cross where applicable)	
III. RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I above, which was received by it on 6 November 2017 (date of the original deposit) ¹	
IV. RECEIPT OF REQUEST FOR CONVERSION	
The microorganism identified under I above was received by this International Depositary Authority on (date of the original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request for conversion)	
V. INTERNATIONAL DEPOSITARY AUTHORITY	
Name: NCIMB Ltd Ferguson Building Craibstone Estate Address: Bucksburn Aberdeen AB21 9YA	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorised official(s):  Date: 11 January 2018

¹ Where Rule 6/4(d) applies, such date is the date on which the status of International Depositary Authority was acquired.
Form BP/4 (sole page)

**BUDAPEST TREATY ON THE INTERNATIONAL
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS
FOR THE PURPOSES OF PATENT PROCEDURE**

de Groot en Slot BV
Westelijke Randweg 1
1721 CH Broek op Langedijk
The Netherlands

INTERNATIONAL FORM

VIABILITY STATEMENT
issued pursuant to Rule 10.2 by the
INTERNATIONAL DEPOSITARY AUTHORITY
identified on the following page

NAME AND ADDRESS OF THE PARTY
TO WHOM THE VIABILITY STATEMENT IS ISSUED

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name: As above	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:
Address: As above	NCIMB 42869
	Date of the deposit or of the transfer ¹ : 6 November 2017
III. VIABILITY STATEMENT	
The viability of the microorganism identified under II above was tested 6 November 2017². On that date, the said microorganism was: ☒ ³ Viable ☐ ³ No longer viable	

¹ Indicate the date of the original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).

² In the cases referred to in Rule 10.2(a)(ii) and (iii), refer to the most recent viability test.

³ Mark with a cross the applicable box.

NC 012911

NCIMB 42869

IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED⁴

V. INTERNATIONAL DEPOSITARY AUTHORITY

Name: NCIMB Ltd

Address: Ferguson Building
Craibstone Estate
Bucksburn
Aberdeen
AB21 9YA

Signature(s) of person(s) having the power
to represent the International Depositary
Authority or of authorised official(s):

Terence Dandoz

Date: 11 January 2018

⁴ Fill in if the information has been requested and if the results of the test were negative.