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== UNIVERSITY OF CALIFORNIA AVOCADO CULTIVARS == UNITED STATES PLANT PATENT NOTICE

Avocado Cultivars	United States Plant Patent Number	Date of Issue
Esther	5,309	Oct. 30, 1984
Gwen	5,298	Oct. 23, 1984
Whitsell	5,299	Oct. 23, 1984

The above avocado cultivars are subject to United States Plant Patents owned by The Regents of The University of California. Patents are in effect for seventeen years from the date of issue.

United States Plant Patent Law states: "In the case of a plant patent, the grant shall be of the right to exclude others from *asexually reproducing* the plant or *selling* or *using* the plant so reproduced." (United States Code Title 35, Section 161)

Through its licensing programs, the University grants the right to asexually reproduce plants of its patented cultivars only under written agreement. Purchasers of plants of patented cultivars (or propagation material to produce a specified number of plants), upon royalty bearing purchase from the University's licensed nurserymen, have an expressed license to use, transfer or sell only those plants for which royalties have been paid.

Purchasers of plants of avocado cultivars patented by the University of California may not asexually propagate [i.e. bud, graft, root, topwork, tissue culture] additional plants. Propagation of additional plants, or use or sale of such plants without a written agreement from the University, would constitute infringement, an act prohibited by patent law and violating the University's patent rights.

Requests for information on the University's plant patent licensing program or information concerning infringement or enforcement of plant patents for the "Esther", "Gwen" or "Whitsell" cultivars may be directed to:

Patent, Trademark, and Copyright Office
University of California
2490 Charming Way. Berkeley, California 94720
Tel. (415)642-5000