



US00PP27746P3

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

(10) **Patent No.:** US PP27,746 P3
(45) **Date of Patent:** Mar. 7, 2017

(54) **BLACKBERRY PLANT NAMED 'DRISBLACKTWELVE'**

(50) Latin Name: ***Rubus* L. subgenus *Rubus***
Varietal Denomination: **DrisBlackTwelve**

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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 32 days.

(21) Appl. No.: **14/544,300**(22) Filed: **Dec. 19, 2014**(65) **Prior Publication Data**

US 2016/0183425 P1 Jun. 23, 2016

(51) **Int. Cl.**
A01H 5/08 (2006.01)(52) **U.S. Cl.**
USPC **Plt./203**(58) **Field of Classification Search**
USPC Plt./203
See application file for complete search history.(56) **References Cited**

U.S. PATENT DOCUMENTS

PP6,679 P	3/1989	Moore
PP6,782 P	5/1989	Jennings
PP13,525 P3	1/2003	Fear
PP13,758 P3	5/2003	Fear
PP13,759 P3	5/2003	Fear

PP14,682 P3	4/2004	Fear
PP14,765 P2	5/2004	Fear et al.
PP14,780 P2	5/2004	Fear et al.
PP15,058 P2	8/2004	Fear et al.
PP17,162 P3	10/2006	Clark et al.
PP17,983 P2	9/2007	Cabrera Avalos
PP22,002 P2	7/2011	Sills et al.
PP22,449 P3	1/2012	Clark
PP23,497 P3	3/2013	Clark et al.
PP23,725 P3	7/2013	Sills et al.
PP24,249 P3	2/2014	Clark
PP24,609 P3	7/2014	Sills et al.
PP24,701 P3	7/2014	Sills et al.
PP24,878 P2	9/2014	Sills et al.
PP25,502 P3	5/2015	Sills et al.
PP26,501 P3	3/2016	Sills et al.
PP26,611 P3	4/2016	Sills et al.
PP26,774 P3	5/2016	Sills et al.
PP27,129 P2	9/2016	Sills et al.
PP27,130 P2	9/2016	Sills et al.
PP27,146 P2	9/2016	Sills et al.
2016/0183424 P1	6/2016	Sills et al.
2016/0249505 P1	8/2016	Sills et al.

OTHER PUBLICATIONS

Sills et al., U.S. Appl. No. 14/999,063, filed Mar. 25, 2016, titled "Blackberry plant named DrisBlackSixteen".

Voss, Donald H., "The Royal Horticultural Society Colour Chart 2001", Journal American Rhododendron Society, vol. 56, No. 1, 2001, 3 pages.

Williams et al., "DNA Polymorphisms Amplified by Arbitrary Primers are useful as Genetic Markers", Nucleic Acids Research, vol. 18, No. 22, 1990, pp. 6531-6535.

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(57) **ABSTRACT**

This invention relates to a new and distinct variety of blackberry plant named 'DrisBlackTwelve', particularly characterized by having medium to high vigor, medium-sized, black fruit and medium to high yield, is disclosed.

2 Drawing Sheets

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

BACKGROUND OF THE NEW PLANT

The present invention relates to a new and distinct blackberry cultivar designated 'DrisBlackTwelve' and botanically known as *Rubus* L. subgenus *Rubus*. This new blackberry variety was identified in Santa Cruz County, Calif. in June 2008 and originated from a cross between the proprietary female parent blackberry plant 'BM711 (858A5)' (unpatented) and the proprietary male parent blackberry plant 'BJ111.1' (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. 'DrisBlackTwelve' was subsequently asexually propagated by tissue culture and root cuttings and underwent further testing at a nursery in Santa Cruz County, Calif. from 2012

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to 2014. The present invention has been found to be stable and reproduce true to type through successive asexual propagations.

5 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.

10 1. Medium to high vigor;
2. Medium-sized, black berries; and
3. Medium to high yield.

15 DESCRIPTION OF THE PHOTOGRAPHS

This new blackberry plant is illustrated by the accompanying photographs which show the plant's canes, flowers, fruit, and 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 without spines. FIG. 2 shows the flowers at various stages. FIG. 3 shows the upper and lower surfaces of the leaves. 5

DESCRIPTION OF THE NEW VARIETY

The following descriptions of 'DrisBlackTwelve' are based on observations made in Santa Cruz County, Calif. on 10 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. 15 'DrisBlackTwelve' 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.—'DrisBlackTwelve'. 30

Parentage:

Female parent.—Proprietary blackberry plant named 'BM711 (858A5)' (unpatented).

Male parent.—Proprietary blackberry plant named 'BJ111.1' (unpatented).

Plant:

Vigor.—Medium to high.

Growth habit.—Upright to semi-upright.

Productivity.—Medium.

Propagation.—Tissue culture and root cuttings.

Self-fruitfulness.—Partially self-fruitful.

Time of bud burst.—March.

Canes:

Fruiting lateral length (4th lateral from tip).—Medium; 34.8 cm.

Number of fruit per lateral.—12. 45

Fruiting on current year's cane.—Present.

Cane internodal distance.—6.2 cm.

Number of new canes during flowering.—5-6.

New cane strength (observed full-grown shoot after picking).—Medium. 50

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

Young shoots.—Quantity: 5-6. Time of emergence from soil: February. Anthocyanin coloration (during rapid growth): Medium; RHS 183A (Dark greyed-purple). Intensity of green color: Medium; RHS 144A (Medium yellow-green).

Dormant cane.—Length: 4-5 ft pruned. Diameter (in central third): 1.0-1.5 cm. Cross section (from mid cane observed at end of first growing season): Rounded to angular. Color: RHS 148B (Medium yellow-green). Number of branches: 20-23. Distribution of branches: Only on upper half. Anthocyanin coloration: Medium; RHS 143A (Medium green). 65 Spines: Absent.

Leaves:

Type.—Palmate.

Predominant number of leaflets.—Five.

Overlapping or relative position of lateral leaflets.—Overlapping.

Color.—Upper surface: Dark; RHS 137A (Dark green). Lower surface: Medium; RHS 144B (Medium yellow-green).

Glossiness of upper side.—Weak to medium.

Cross section profile.—Convex (margins rolled backwards).

Leaflets.—Shape: Ovate. Margin: Doubly serrate. Depth of incisions: 2-5 cm. Type of incision margin: Bi-serrate. Apex: Truncate. Base: Obtuse. Rachis length between terminal leaflet and adjacent lateral leaflet: 54.6 mm.

Lateral leaflet (basal pair).—Length: 127.6 mm. Width: 89.1 mm. Length/width ratio: 1.4.

Terminal leaflet.—Length: Medium; 139.8 mm. Width: Medium; 107.6 mm. Length/width ratio: 1.3. Lobing: Absent. Undulation of margin (rippling of margin): Medium. Blistering between veins (rugosity): Medium. Shape: Ovate. Tip: Truncate. Base: Obtuse. Margin: Doubly serrate. Cross-section: U-shaped.

Petiole.—Length: 29.3 mm. Diameter: 2.5 mm. Pigmentation: Upper surface: Medium; RHS 157C (Green white). Lower surface: Medium; RHS 157C (Green white). Color: RHS 144A (Medium yellow-green).

Stipule.—Size: Length of 7-12 mm and width of 1 mm. Orientation: Clasping. Color: RHS 143C (Strong yellow-green).

Inflorescence:

Time of beginning of flowering on current year's cane.—June-August.

Flower diameter.—2-3 cm.

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

Petal.—Length: 21.89 mm. Width: 16.84 mm. Length/width ratio: 1.3. Color: RHS 155D (White).

Pedicel.—Length: 53.47 mm. Diameter: 1.56 mm. Color: RHS 143A (Medium green).

Fruit:

Length.—Medium; 32.66 mm.

Width.—Medium; 25.30 mm.

Ratio of length to width.—Medium to large; 1.3.

Size.—Medium.

Glossiness.—Medium to strong.

Shape in longitudinal section.—Medium ovate.

Weight (g/fruit).—9.94 g.

Soluble solids (%) (in Brix).—9.3.

Titratable acidity.—(% as citric acid): 0.91.

Seed weight (g/seed).—0.005176.

Number of drupelets/fruit.—Medium; 100.95.

Firmness.—Medium.

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

Mature: RHS 203A (Black).

Time of ripening on current year's cane.—July-October.

Harvest interval.—Mid-August-mid-November.

Yield.—Total yield from plants that were two-years old or older ranged from 9,200 lb/acre to 41,100 lb/acre during a three year period when grown in Watsonville, Calif.

Disease, pest, and stress resistance: Not tested.

COMPARISON WITH PARENTAL AND
COMMERCIAL VARIETIES

‘DrisBlackTwelve’ differs from the proprietary female parent ‘BM711 (858A5)’ (unpatented) in that ‘DrisBlackTwelve’ is thornless, whereas ‘BM711 (858A5)’ has thorns.

‘DrisBlackTwelve’ differs from the proprietary male parent ‘BJ111.1’ (unpatented) in that ‘DrisBlackTwelve’ has larger fruit and later production than ‘BJ111.1’.

‘DrisBlackTwelve’ differs from the commercial variety ‘DrisBlackNine’ (U.S. Plant Pat. No. 26,774) in that ‘DrisBlackTwelve’ has an upright to semi-upright growth habit, palmate type leaves and medium ovate shaped fruit, whereas ‘DrisBlackNine’ has an upright growth habit, intermediate

type leaves and oblong shaped fruit. Additionally, ‘DrisBlackTwelve’ has medium to large sized drupelets, whereas ‘DrisBlackNine’ has small to medium sized drupelets.

‘DrisBlackTwelve’ differs from commercial variety ‘DrisBlackTen’ (U.S. Plant Pat. No. 26,611) in that ‘DrisBlackTwelve’ has medium productivity and palmate type leaves, whereas ‘DrisBlackTen’ has high productivity and odd-pinnate type leaves. Additionally, ‘DrisBlackTwelve’ has medium to strongly glossy, medium sized fruit, whereas ‘DrisBlackTen’ has medium glossy, large sized fruit.

We claim:

1. A new and distinct variety of blackberry plant named ‘DrisBlackTwelve’, substantially as described and illustrated herein.

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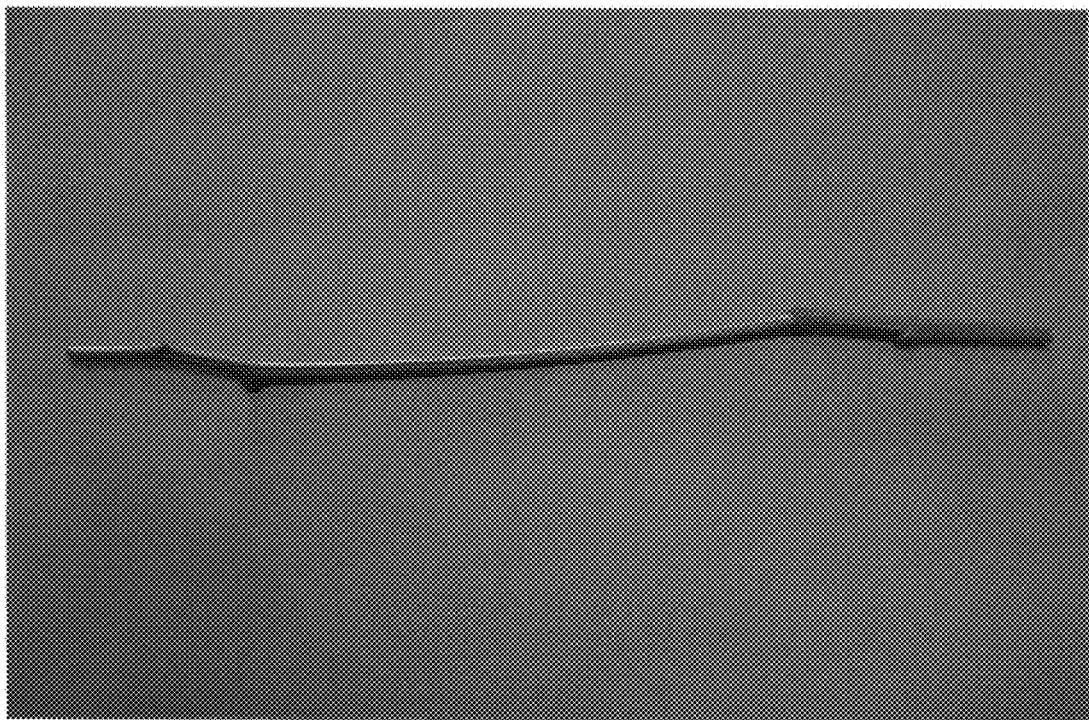


FIG. 1

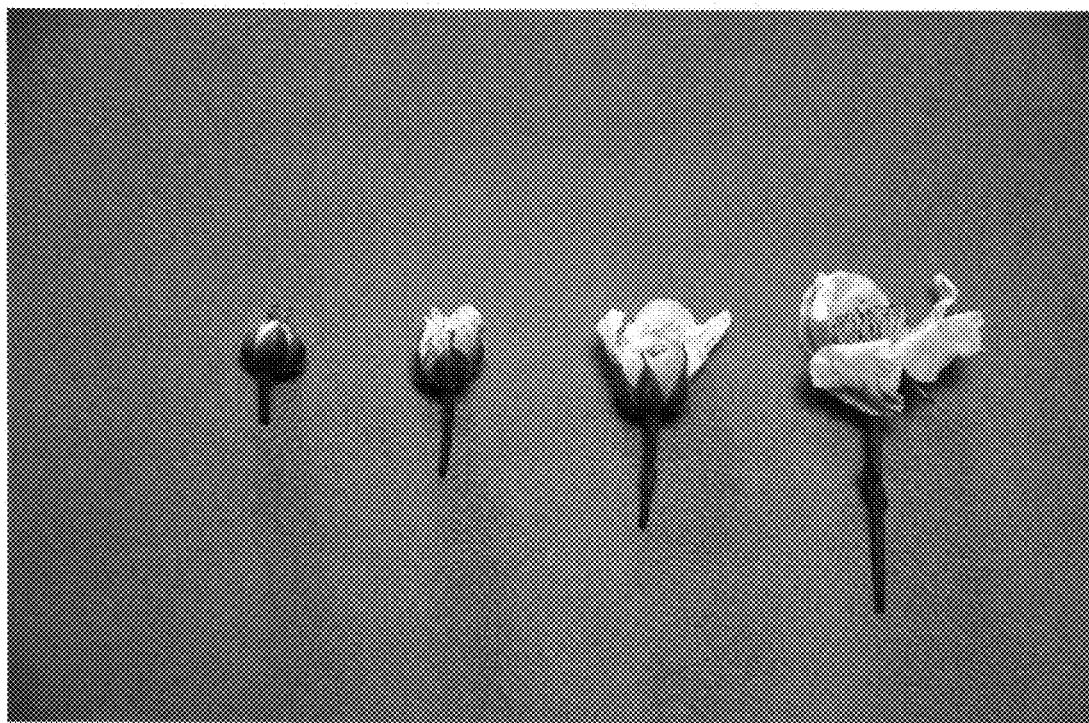


FIG. 2

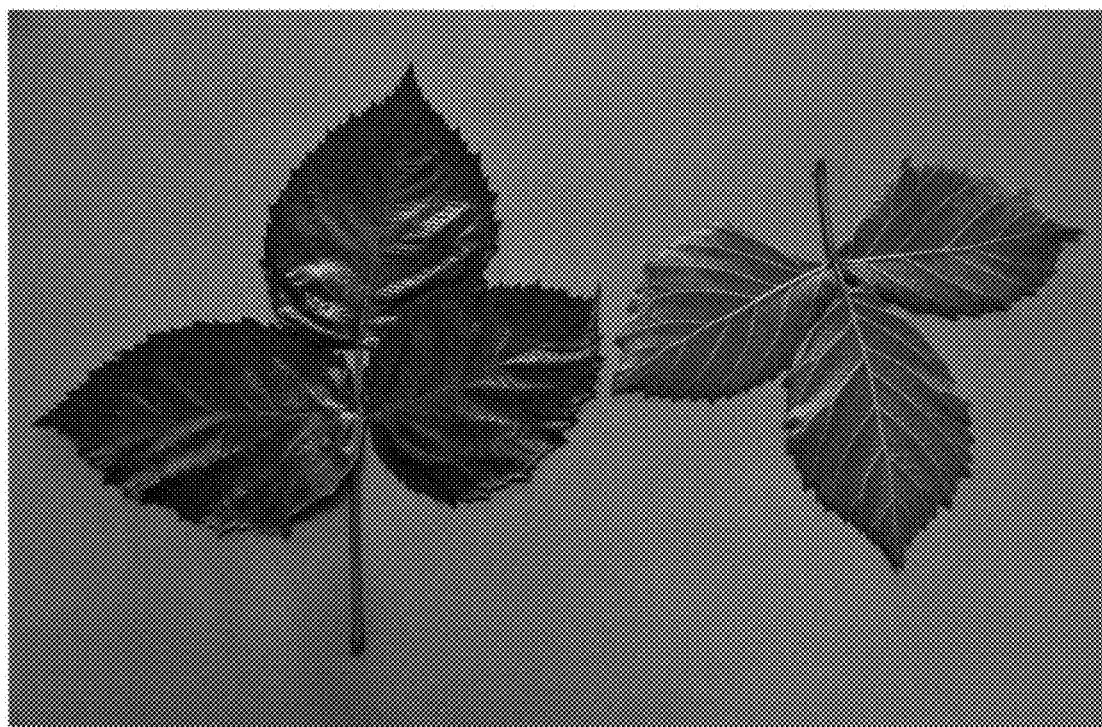


FIG. 3