



USOOPP08635P

# United States Patent [19]

[11] Patent Number: Plant 8,635

Barr

[45] Date of Patent: Mar. 8, 1994

[54] *RHAPHIOLEPIS INDICA* "HINES DARKLEAF"

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[57] **ABSTRACT**

[73] Assignee: Hines Nurseries, Inc., Houston, Tex.

The new plant is a hybrid *Rhaphiolepis indica* plant characterized by its unique deep purple foliage in winter that is a darker purple than any other *Rhaphiolepis indica* cultivar. It is also unique for its compact, low growth habit.

[21] Appl. No.: 928,267

[22] Filed: Aug. 10, 1992

[51] Int. Cl.<sup>5</sup> ..... A01H 5/00

[52] U.S. Cl. .... Plt./67.5

[58] Field of Search ..... Plt. 67.5

3 Drawing Sheets

## 1

### BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct plant cultivar of the variety *Rhaphiolepis indica* (L.) Lindl shrub commonly known as "Indiana Hawthorn" in the Rosaceae family. I call this new cultivar by the cultivar name 'Hines Darkleaf'.

This new *Rhaphiolepis indica* selection was discovered in a block of *Rhaphiolepis indica* seedlings during the spring of 1986 as a new found seedling of unknown parentage growing in a cultivated area at a containerized commercial nursery in Houston, Tex. This plant was recognized as distinct from other *Rhaphiolepis indica* cultivars, and was selected and isolated for further evaluation. The new *Rhaphiolepis indica* selection has been reproduced by asexual propagation under my direction at Fort Bend County, Tex., through numerous generations by vegetative cuttings. Successive generations produced in this manner have demonstrated that the novel and distinctive characteristics of this new variety are fixed and hold true under asexual propagation from generation to generation.

This new selection has many desirable and distinctive characteristics which render it unique from other *Rhaphiolepis indica* cultivars. This new cultivar has the following combination of characteristics which distinguish it from other varieties: Unique deep purplish/black foliage in winter is a darker and deeper purple than that of any other *Rhaphiolepis indica* cultivar. It is also unique for its compact, low, prostrate growth habit.

My new variety is illustrated in the accompanying photographic drawings which depict the colors of the new variety as nearly true as is reasonably possible to make the same in a color illustration of this character.

### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 shows a plant of the 'Hines Darkleaf' cultivar (left photograph in the figure) and a plant of *Rhaphiolepis indica* 'Ballerina' (right photograph in the figure) taken in the spring to show a comparison of these two plants. These two plants were grown under culturally identical conditions (pruning, transplanting, and fertilization). The plants are both two to five years old from cutting to the size shown in the photograph;

FIG. 2 is a close-up of the flowers of the 'Hines Darkleaf' variety;

## 2

FIG. 3 is a photograph of the cultivar 'Hines Darkleaf' planted in the landscape for approximately one year from a number five container;

FIG. 4 is a photograph of a 'Hines Darkleaf' plant displaying its winter foliage;

FIG. 5 is a close-up of the winter foliage of the 'Hines Darkleaf' variety; and

FIG. 6 is a close-up of the spring flush of growth of the 'Hines Darkleaf' variety.

### DETAILED PLANT DESCRIPTION

The following is a detailed description of the new *Rhaphiolepis indica* variety. This description is based on observations of no fewer than 20 specimens for each specified characteristic. Color determinations and comparisons are all based on The Royal Horticultural Society Colour Chart. The following descriptions are based upon mature development in Fort Bend County, Tex.

Origin: Hybrid seedling.

Parentage: Unknown.

Classification: Hybrid.

Form: Low, compact, prostrate.

Height: About 61 to 76 cm, spread about 183 cm or more.

Foliage:

Apex.—Cuspidate.

Arrangement.—Alternate.

Base.—Narrow cuneate.

Margins.—Recurved entire.

Shape.—Elliptic to obovate.

Surface.—Glabrous, coriaceous.

Juvenile foliage.—Pubescent.

Type.—Simple.

Size.—Average Length — about 7.5 to 8.8 cm (leaf apex to leaf base); Average Width — about 2.5 to 3.7 cm.

Color:

A. Winter color.—1. Upper leaf surface of mature leaves: near to RHS 187A with black undertones. 2. Lower leaf surface of mature leaves: near to RHSA 138A. 3. Upper leaf surface of young (immature) leaves: Tip portion near to RHS 59A, near to 143A at the base of the leaf. 4. Stems are near to 59A. 5. Lower leaf surface of young (immature) leaves: near to RHS Green 143C.

**B. Summer color.**—1. Upper leaf surface of mature leaves: near to RHS 147A. 2. Lower leaf surface of mature leaves: near to RHS 146B with veins near to RHS 137D. 3. Upper leaf surface of young (immature) leaves: near to RHS 178C, changing to near 164A. 4. Lower leaf surface of young (immature) leaves: near to RHS Colour 171A, changing to near to 172B.

**Inflorescence:** Flowers are in linear panicles average 10.3 cm.

**Bloom period:** February to late April, peak time March to mid-April; sporadic bloom in September to November.

**Petal color:** Near to RHS 54C and 155C.

**Flower diameter:** About 2.1 cm.

**Petal shape:** Ovate (curled).

**Petal number:** Five.

**Peduncle:** About 0.20 cm.

**Fruit:** Drupelike pome, color near to RHS 202A.

**DESCRIPTION OF OTHER POTENTIALLY SIMILAR RHAPHIOLEPIS CULTIVARS**

The following descriptions and comparisons are based on an average of not less than twenty specimens for each specified characteristic. The comparisons were formulated from side-by-side evaluation of container grown specimens of each of the specimens listed below. This cultivar was chosen on the basis that it is believed to be the most similar cultivar to 'Hines Darkleaf'. Comparison plants are, as nearly as possible, all the same age and have been grown in the same environment with the same cultural techniques.

*Rhaphiolepis indica* 'Ballerina' (U.S. Plant Pat. No. 2,972)

**Flower color:** Deep rosy pink, Red-Purple near to 55B.

**Plant habit:** Compact, mounding upright.

**Plant height:** 90–120 cm.

**Leaf length:** About 6.5 cm.

**Leaf width:** About 2.7 cm.

**Leaf margins:** Undulated.

Following is a further comparison of these cultivars:

	'HINES DARKLEAF'	'BALLERINA'
<b>Plant Structure:</b>		
<b>Growth habit</b>	low, compact, prostrate	compact, mounding, upright
<b>Overall size</b>	height 2 to 2.5', spread 6' or more	height 3', spread 4' or more*
<b>Angle of the main branches</b>	0% angle to soil line for 15 cm then the branch bends on a 30% angle to soil line	85% angle to the soil line
<b>Diameter of branches</b>	1 cm	1 cm
<b>Average number of leaves per main branch</b>	30	28
<b>Range of internode length of main branch</b>	1 to 2 cm	.5 to 1.5 cm
<b>Average sub-branches per main branch</b>	8	4.5
<b>Average internode length on sub-branch</b>	.7 to 1.2 cm	.5 to 1 cm

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	'HINES DARKLEAF'	'BALLERINA'
5 <b>Average number of leaves per sub-branch</b>	10	7
<b>Foliage:</b>		
<b>Shape of leaves</b>	elliptic to obovate	obovate to oblanceolate
10 <b>Margins</b>	recurved entire	undulate
<b>Apex</b>	cuspidate	acute
<b>Base</b>	narrow cuneate	attenuate
<b>Average size of leaf</b>	length 8.0 cm, width 3.38 cm	length 6.5 cm, width 2.7 cm
<b>Type of leaves</b>	simple	simple
15 <b>Surface texture</b>	glabrous, coriaceous	coriaceous
<b>Winter Foliage Color:</b>		
<b>Upper surface of mature leaf</b>	RHS 187A, greyed purple with black undertones	RHS 137A
20 <b>Lower surface of mature leaf</b>	RHS 138A	RHS 142B
<b>Upper surface of juvenile leaf</b>	RHS 59A	RHS 178B
<b>apex</b>		
<b>Upper surface of juvenile leaf</b>	RHS 143A	RHS 178B
25 <b>base</b>		
<b>Lower surface of juvenile leaf</b>	RHS 143C	RHS 176C
<b>Summer Foliage Color:</b>		
<b>Upper surface of mature leaf</b>	RHS 147A	1060/1 pg. 200, ivy green*
30 <b>Lower surface of mature leaf</b>	RHS 146B	960/3 pg. 187, spinach green**
<b>Upper surface of juvenile leaf</b>	RHS 178C changing to 164A	
<b>Average petiole length</b>	1.4 cm	.7 cm
35 <b>Flower:</b>		
<b>Blooming habit</b>	February to late April, peak time March to mid-April; sporadic blooms in September to November in Houston, Texas	February to May; peak time April to May; sporadic blooms in August to October* February to late April, peak time March to mid-April; sporadic blooms in September to November in Houston, Texas
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45 <b>Shape of inflorescence</b>	linear panicle	broad pyramidal panicle
<b>Average length and description of panicle</b>	10.3 cm, slightly hairy	9.8 cm, slightly hairy
50 <b>Color of peduncle</b>	apex RHS 143C, base 59A	RHS 184A
<b>Range of pedicel per peduncle</b>	13.6	16.25
<b>Range of flowers per pedicel</b>	1 to 2	1
55 <b>Shape of flower and average size</b>	rotate; 2.1 cm in diameter	rotate; 2.4 cm in diameter
<b>Number of petals</b>	5	5
<b>Petal shape</b>	ovate (curled)	obovate
<b>Overall color of flower</b>	single bicolor pink petals with a circle of white surrounding the yellow stamens; as the flower matures the outer edge of the petals begins to turn white	single solid pink, pink petals with yellow stamens
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65 <b>Petal color</b>	RHS 54C, 155C	RHS 55B
<b>Average number of stamens per</b>	19.4	19

Plant 8,635

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6

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	'HINES DARKLEAF'	'BALLERINA'
flower		
Average stamen length	.6 cm	.7 cm
Stamen color	new anther RHS 10B	RHS 10B
	new filament RHS 155C	RHS 155C
	old anther RHS 162A	RHS 162A
	old filament RHS 59D	RHS 59D
Style/flower	2	2

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	'HINES DARKLEAF'	'BALLERINA'
Color of style	RHS 160B	RHS 160B
Sepals	5 united	5 united

All information taken on *Rhaphiolepis* 'Hines Darkleaf' and 'Ballerina' was collected from comparable plant material of similar size and age at Hines Nursery in Houston, Texas unless otherwise stated.

\*Information taken from Plant Patent 2,972

\*\*Information not published in Plant Patent 2,972

I claim:

1. A new and distinct variety of *Rhaphiolepis indica* plant substantially as herein shown and described, and which is particularly characterized by its dark purple winter foliage and compact, low, prostrate growth habit.

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FIG. 1



FIG. 2



FIG. 3

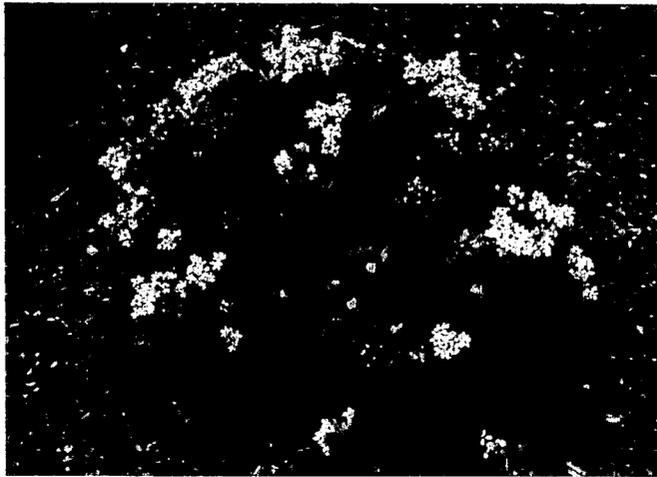


FIG. 4

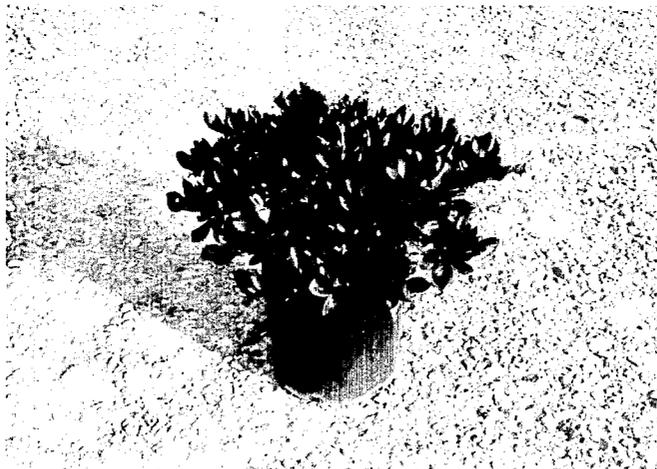


FIG. 5



FIG. 6



UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : Plant 8,635  
DATED : March 8, 1994  
INVENTOR(S) : William C. Barr

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

On the Title Page:

Item [56] References Cited, U.S. PATENT DOCUMENTS, after  
"[58]" insert the following reference:  
-- [56] Reference Cited  
U.S. PATENT DOCUMENT  
P.P. 2,972 6/1970 Bordier...Plt. 67.5 --.

Column 1, line 5, change "Indiana" to -- Indian --.  
Column 1, line 11, change "new found" to -- newfound --.  
Column 3, line 53, change "0% angle" to -- 0° angle --.  
and change "85% angle" to -- 85° angle --.  
Column 3, line 55, change "30%" to -- 30° --.

Signed and Sealed this

First Day of November, 1994

Attest:



BRUCE LEHMAN

Attesting Officer

Commissioner of Patents and Trademarks