



US00PP31896P2

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

(10) **Patent No.:** **US PP31,896 P2**  
(45) **Date of Patent:** **Jun. 23, 2020**

- (54) **STRAWBERRY PLANT NAMED ‘DRISSTRAWSEVENTYTWO’**
- (50) Latin Name: *Fragaria x ananassa*  
Varietal Denomination: **DrisStrawSeventyTwo**
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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 0 days.
- (21) Appl. No.: **16/501,200**
- (22) Filed: **Mar. 5, 2019**
- (51) **Int. Cl.**  
**A01H 5/08** (2018.01)  
**A01H 6/74** (2018.01)
- (52) **U.S. Cl.**  
USPC ..... **Plt./208**
- (58) **Field of Classification Search**  
USPC ..... **Plt./208, 209**  
See application file for complete search history.

- PP11,554 P 10/2000 Sjulín et al.
- PP11,639 P 11/2000 Mowrey et al.
- PP12,186 P2 11/2001 Gilford et al.
- PP12,436 P2 3/2002 Amorao et al.
- PP12,577 P2 4/2002 Amorao et al.
- PP12,817 P2 7/2002 Gilford et al.
- PP12,889 P2 8/2002 Lamb et al.
- PP12,899 P2 9/2002 Mowrey et al.
- PP13,386 P2 12/2002 Mowrey et al.
- PP13,469 P3 1/2003 Larson et al.
- PP14,005 P3 7/2003 Amorao et al.
- PP14,062 P3 8/2003 Amorao et al.
- PP14,109 P3 8/2003 Gilford et al.
- PP14,771 P3 5/2004 Amorao et al.
- PP15,145 P2 9/2004 Mowrey et al.
- PP15,308 P2 11/2004 Sjulín et al.
- PP15,375 P2 11/2004 Mowrey et al.
- PP15,435 P2 12/2004 Sjulín et al.
- PP15,596 P2 3/2005 Amorao et al.
- PP15,731 P2 4/2005 Amorao et al.
- PP15,752 P2 5/2005 Gilford et al.
- PP16,070 P2 10/2005 Gilford et al.
- PP16,238 P2 2/2006 Amorao et al.
- PP16,241 P2 2/2006 Mowrey et al.
- PP16,298 P2 2/2006 Gilford et al.
- PP16,299 P2 2/2006 Gilford et al.
- PP16,475 P2 4/2006 Gilford et al.
- PP16,558 P3 5/2006 López
- PP18,000 P2 9/2007 Meulenbroek
- PP18,040 P3 9/2007 Mowrey et al.
- PP18,041 P3 9/2007 Gilford
- PP18,458 P2 1/2008 Ferguson et al.
- PP18,575 P3 3/2008 Amorao et al.
- PP18,878 P2 6/2008 Mowrey et al.
- PP19,240 P2 9/2008 Gilford et al.
- PP19,673 P3 2/2009 Ferguson et al.
- PP19,767 P2 2/2009 Shaw et al.
- PP20,248 P3 9/2009 Rogers et al.
- PP20,363 P2 9/2009 Chandler
- PP20,701 P2 2/2010 Gilford et al.
- PP20,731 P2 2/2010 Mowrey et al.
- PP20,733 P2 2/2010 Mowrey et al.
- PP20,735 P2 2/2010 Ferguson

- (56) **References Cited**  
U.S. PATENT DOCUMENTS
- PP1,745 P 8/1958 Lang
- PP3,981 P 11/1976 Bringhurst et al.
- PP4,487 P 11/1979 Bringhurst et al.
- PP4,538 P 5/1980 Bringhurst et al.
- PP5,262 P 7/1984 Voth et al.
- PP5,265 P 7/1984 Voth et al.
- PP5,266 P 7/1984 Bringhurst et al.
- PP5,300 P 10/1984 Johnson, Jr.
- PP5,480 P 5/1985 Nakagawa
- PP5,840 P 12/1986 Johnson, Jr. et al.
- PP6,191 P 5/1988 Johnson, Jr. et al.
- PP6,231 P 7/1988 Johnson, Jr. et al.
- PP6,578 P 1/1989 Voth et al.
- PP6,579 P 1/1989 Bringhurst et al.
- PP7,024 P 9/1989 Johnson, Jr. et al.
- PP7,172 P 2/1990 Voth et al.
- PP7,522 P 5/1991 Johnson, Jr. et al.
- PP7,614 P 8/1991 Bringhurst et al.
- PP7,615 P 8/1991 Bringhurst et al.
- PP8,086 P 1/1993 Nelson et al.
- PP8,205 P 4/1993 Nelson et al.
- PP8,649 P 3/1994 Sjulín et al.
- PP8,661 P 3/1994 Bringhurst et al.
- PP8,708 P 5/1994 Voth et al.
- PP8,745 P 5/1994 Sjulín et al.
- PP9,130 P 5/1995 Sjulín et al.
- PP9,909 P 6/1997 Ackerman et al.
- PP10,221 P 2/1998 Sjulín et al.
- PP10,534 P 8/1998 Sjulín et al.
- PP10,642 P 10/1998 Amorao et al.
- PP11,035 P 8/1999 Mowrey et al.
- PP11,277 P 3/2000 Gilford et al.
- PP11,279 P 3/2000 Gilford et al.
- PP11,522 P 9/2000 Amorao et al.
- PP11,548 P 10/2000 Amorao et al.

(Continued)

**OTHER PUBLICATIONS**

“An Early Season with Many highs”, Berry Gardens, Available Online at <<https://www.berrygardens.co.uk/an-early-season-with-many-highs/>>, Aug. 21, 2017, 6 pages.

Fear et al., Unpublished U.S. Appl. No. 15/998,014, filed Jun. 11, 2018, titled “Strawberry Plant Variety Named ‘DrisStrawFiftyEight’”.

Ferguson et al. Unpublished U.S. Appl. No. 15/998,317, filed Aug. 3, 2018, titled “Strawberry Plant Variety Named ‘DrisStrawSixty’”.

Katie, “My Green Pod”, Available online at <<https://www.mygreenpod.com/articles/its-strawberry-time/>>, May 30, 2017, 3 pages.

(Continued)

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(57) **ABSTRACT**

A new and distinct variety of strawberry plant named ‘DrisStrawSeventyTwo’, selected for its upright plant architecture, yield potential, medium fruit size, shelf life, and flavor, is disclosed.

**5 Drawing Sheets**

(56)

**References Cited**

## U.S. PATENT DOCUMENTS

- |              |    |         |                          |
|--------------|----|---------|--------------------------|
| PP20,775     | P2 | 2/2010  | Mowrey et al.            |
| PP20,922     | P2 | 4/2010  | Gilford et al.           |
| PP21,538     | P2 | 11/2010 | Gilford et al.           |
| PP21,559     | P2 | 12/2010 | Ferguson et al.          |
| PP21,762     | P2 | 3/2011  | Stewart et al.           |
| PP22,040     | P3 | 7/2011  | Stewart et al.           |
| PP22,218     | P2 | 11/2011 | Ferguson                 |
| PP22,247     | P2 | 11/2011 | Ferguson                 |
| PP23,107     | P2 | 10/2012 | Ferguson et al.          |
| PP23,148     | P2 | 10/2012 | Gilford et al.           |
| PP23,377     | P2 | 2/2013  | Ferguson et al.          |
| PP23,378     | P2 | 2/2013  | Pullen et al.            |
| PP23,382     | P2 | 2/2013  | Ferguson et al.          |
| PP23,383     | P2 | 2/2013  | Ferguson et al.          |
| PP23,400     | P2 | 2/2013  | Ferguson et al.          |
| PP23,401     | P2 | 2/2013  | Pullen et al.            |
| PP23,459     | P2 | 3/2013  | Stewart et al.           |
| PP23,506     | P3 | 4/2013  | Ferguson et al.          |
| PP23,517     | P3 | 4/2013  | Ferguson et al.          |
| PP24,096     | P3 | 12/2013 | Fear et al.              |
| PP24,317     | P3 | 3/2014  | Ferguson et al.          |
| PP24,333     | P3 | 3/2014  | Vitten et al.            |
| PP24,395     | P3 | 4/2014  | Vitten et al.            |
| PP24,533     | P3 | 6/2014  | Ferguson et al.          |
| PP24,745     | P2 | 8/2014  | Vitten et al.            |
| PP25,408     | P3 | 4/2015  | Vitten et al.            |
| PP25,437     | P3 | 4/2015  | Vitten et al.            |
| PP25,698     | P3 | 7/2015  | Ferguson et al.          |
| PP25,699     | P3 | 7/2015  | Stewart et al.           |
| PP25,747     | P3 | 7/2015  | Kibbe et al.             |
| PP25,866     | P3 | 9/2015  | Ferguson et al.          |
| PP26,800     | P3 | 6/2016  | Stewart et al.           |
| PP26,801     | P3 | 6/2016  | Stewart et al.           |
| PP26,802     | P3 | 6/2016  | Rodriguez Alcazar et al. |
| PP27,442     | P2 | 12/2016 | Kibbe et al.             |
| PP27,645     | P3 | 2/2017  | Vitten et al.            |
| PP27,682     | P3 | 2/2017  | Kibbe et al.             |
| PP27,711     | P3 | 2/2017  | Vitten et al.            |
| PP27,813     | P3 | 3/2017  | Ferguson et al.          |
| PP29,289     | P3 | 5/2018  | Vitten et al.            |
| PP29,728     | P2 | 10/2018 | Stewart et al.           |
| PP29,729     | P2 | 10/2018 | Kibbe et al.             |
| PP29,730     | P2 | 10/2018 | Kibbe et al.             |
| PP29,731     | P2 | 10/2018 | Ferguson et al.          |
| PP29,747     | P2 | 10/2018 | Vitten et al.            |
| PP29,748     | P2 | 10/2018 | Vitten et al.            |
| PP29,749     | P2 | 10/2018 | Stewart et al.           |
| 2003/0079263 | P1 | 4/2003  | Gilford et al.           |
| 2013/0276182 | P1 | 10/2013 | Fear et al.              |

## OTHER PUBLICATIONS

- Mendoza et al., Unpublished U.S. Appl. No. 16/350,139, filed Oct. 2, 2018, titled "Strawberry Plant Variety Named 'Dris-StrawSixtySeven'".
- Mendoza et al., Unpublished U.S. Appl. No. 15/998,020, filed Jun. 12, 2018, titled "Strawberry Plant Variety Named 'Dris-StrawSixtyOne'".
- Mendoza et al., Unpublished U.S. Appl. No. 15/998,169, filed Jul. 12, 2018, titled "Strawberry Plant Variety Named 'Dris-StrawSixtyThree'".
- Mendoza et al., Unpublished U.S. Appl. No. 15/998,170, filed Jul. 12, 2018, titled "Strawberry Plant Variety Named 'Dris-StrawSixtyTwo'".
- Pakozdi et al., Unpublished U.S. Appl. No. 15/998,015, filed Jun. 11, 2018, titled "Strawberry Plant Variety Named 'Dris-StrawFiftyNine'".
- Pakozdi et al., Unpublished U.S. Appl. No. 15/998,028, filed Jun. 14, 2018, titled "Strawberry Plant Variety Named 'Dris-StrawSixtyFive'".
- Pakozdi et al., Unpublished U.S. Appl. No. 16/501,182, filed Mar. 5, 2019, titled "Strawberry Plant Variety Named 'Dris-StrawSeventyFour'".
- Pakozdi et al., Unpublished U.S. Appl. No. 16/501,198, filed Mar. 5, 2019, titled "Strawberry Plant Variety Named 'Dris-StrawSeventyThree'".
- Stewart et al., Unpublished U.S. Appl. No. 15/998,031, filed Jun. 14, 2018, titled "Strawberry Plant Variety Named 'DrisStrawSixtyFour'".
- Stewart et al., Unpublished U.S. Appl. No. 16/350,432, filed Nov. 14, 2018, titled "Strawberry Plant Variety Named 'Dris-StrawSixtySix'".

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## STRAWBERRY PLANT NAMED 'DRISSTRAWSEVENTYTWO'

Latin name:

Botanical classification: *Fragaria* x *ananassa*.

Varietal denomination: The varietal denomination of the claimed variety of strawberry plant is 'DrisStrawSeventyTwo'.

### BACKGROUND OF THE INVENTION

Cultivated strawberry is a hybrid species of the genus *Fragaria* that is grown worldwide for its fruit. Modern strawberry was first bred in Brittany, France, in the 18<sup>th</sup> century by crossing *Fragaria virginiana* with *Fragaria chiloensis*. Strawberry fruit is an aggregate accessory fruit, with the fleshy part of the fruit being derived from the receptacle that holds the ovaries.

Strawberry varieties vary widely in color, size, shape, flavor, season of ripening, degree of fertility, and susceptibility to disease. Certain varieties vary in foliage, and some vary in the relative development of their reproductive organs. Typically, strawberry flowers appear hermaphroditic in structure, but function as either male or female. Generally, commercial production of strawberry plants involves propagation from runners and distribution as either plugs or bare root plants. Cultivation is either perennial or annual plasticulture. During the off season, strawberries can also be produced in greenhouses.

Strawberry fruit is widely appreciated for its characteristic bright red color, aroma, juicy texture, and sweetness. Strawberry fruit is a popular fruit that is generally consumed either fresh or in prepared foods, such as preserves and baked goods.

Strawberry is an important and valuable fruit crop. Accordingly, there is a need for new varieties of strawberry plants. In particular, there is a need for improved varieties of strawberry plant that are stable, high yielding, and agronomically sound.

### SUMMARY OF THE INVENTION

In order to meet these needs, the present invention is directed to an improved variety of strawberry plant. In particular, the invention relates to a new and distinct variety of strawberry plant (*Fragaria* x *ananassa*), which has been denominated as 'DrisStrawSeventyTwo'.

Strawberry plant variety 'DrisStrawSeventyTwo' was discovered in East Malling, Kent, United Kingdom in June of 2014, and originated from a cross between the female parent 'UUK 125-001' (unpatented) and the male parent 'UUK 143-001' (unpatented). 'DrisStrawSeventyTwo' was first asexually propagated via stolons in the Netherlands in July of 2014.

'DrisStrawSeventyTwo' was subsequently asexually propagated via stolons and underwent further testing in East Malling, Kent, United Kingdom for 5 years (2014 to 2018). The present variety has been found to be stable and reproduce true to type through successive asexual propagations via stolons.

'DrisStrawSeventyTwo' exhibits the following distinguishing characteristics when grown under normal horticultural practices in East Malling, Kent, the United Kingdom:

1. Upright plant growth habit;
2. Strong plant vigor; and
3. Improved shelf life.

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'DrisStrawSeventyTwo' was selected for its upright plant architecture, yield potential, medium fruit size, shelf life, and flavor.

### DESCRIPTION OF THE DRAWINGS

This new strawberry plant is illustrated by the accompanying photographs. The colors shown are as true as can be reasonably obtained by conventional photographic procedures. The photographs are of plants that are nine to eleven months old.

FIG. 1 illustrates whole fruit of variety 'DrisStrawSeventyTwo'.

FIG. 2 illustrates whole fruit and longitudinal sections of the fruit of variety 'DrisStrawSeventyTwo'.

FIG. 3 illustrates the upper surfaces of flowers of variety 'DrisStrawSeventyTwo'.

FIG. 4 illustrates the lower surfaces of flowers of variety 'DrisStrawSeventyTwo'.

FIG. 5 illustrates plants of variety 'DrisStrawSeventyTwo'.

### DESCRIPTION OF THE NEW VARIETY

The following detailed descriptions set forth the distinctive characteristics of 'DrisStrawSeventyTwo'. The data which define these characteristics is based on observations taken in East Malling, Kent, the United Kingdom from 2014 to 2018. 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. 'DrisStrawSeventyTwo' has not been observed under all possible environmental conditions. The botanical description of 'DrisStrawSeventyTwo' was taken from plants that were nine to eleven months old. The indicated values represent averages calculated from measurements of several 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*, 2<sup>nd</sup> edition by James G. Harris and Melinda Woolf Harris, unless where otherwise defined.

### DETAILED BOTANICAL DESCRIPTION OF THE PLANT

Classification:

*Species*.—*Fragaria* x *ananassa*.

*Common name*.—Strawberry.

*Denomination*.—'DrisStrawSeventyTwo'.

Parentage:

*Female parent*.—Strawberry variety 'UUK 125-001' (unpatented).

*Male parent*.—Strawberry variety 'UUK 143-001' (unpatented).

Plant:

*Height*.—53.9 cm.

*Diameter*.—38.3 cm.

*Number of crowns per plant*.—4.6.

*Growth habit*.—Upright

Stolon:

*Average number of daughter plants per square foot*.—20-28.

*Diameter at bract*.—2.5 mm.

*Anthocyanin coloration*.—Present.

*Anthocyanin color*.—RHS 144B (Strong yellow-green).

*Stolon color*.—RHS N144C (Strong yellow-green).

*Length*.—36 cm.

Leaf:

*Number of leaflets*.—Three only.

*Color of upper surface*.—RHS 139A (Dark yellowish green).

*Color of lower surface*.—RHS 138B (Moderate yellow-green).

*Venation pattern*.—Pinnate.

*Variation*.—Absent.

*Average leaf size*.—Large.

*Terminal leaflets*.—Length: 10.9 cm. Width: 9.2 cm. Length/width ratio: 1.2. Number of teeth/terminal leaflet: 18.2. Shape of base: Obtuse. Margin: Serrate to crenate. Shape in cross section: Concave.

*Petiole*.—Length: 39.3 cm. Diameter: 4.1 mm. Attitude of hairs: Slightly outwards. Bract frequency (number present on each petiole): 0. Color: RHS 145A (Strong yellow-green).

*Petiolule*.—Length: 8.5 mm. Diameter: 2.1 mm. Color: RHS 145B (Light yellow-green).

*Stipule*.—Length: 1.8 cm. Width: 6.2 mm. Anthocyanin color: RHS N144D (Strong yellow-green).

Inflorescence:

*Position in relation to foliage*.—Same level.

*Peduncle*.—Length: 3 cm. Diameter: 0.4 cm. Color: RHS 144B (Strong yellow-green).

*Pedicle*.—Attitude of hairs: Slightly outwards.

*Flower bud*.—Length: 7 mm. Diameter: 10 mm. Color: RHS 146B (Moderate yellow-green).

*Flower*.—Flower diameter (petal tip to petal tip on non-flattened flower): 26.3 mm. Typical and observed number of flowers per plant: 36.3. Arrangement of petals: Free. Stamen: Present.

*Petal*.—Length: 9.3 mm. Width: 8.9 mm. Length/width ratio: 1.0. Typical and observed petal number: 5.1. Color of upper side: RHS NN155B (White). Color of underside: RHS NN155B (White). Shape of apex: Rounded. Shape of base: Concave to convex. Margin: Entire.

*Calyx*.—Diameter (sepal tip to sepal tip, measured on back of flower): 23.8 mm.

*Sepal*.—Length (sepal tip to point of attachment to receptacle): 11.3 mm. Width: 4.0 mm. Typical and observed sepal number: 10.1. Color: RHS 137A (Moderate olive green).

Fruit:

*Length*.—38.0 mm.

*Width*.—34.3 mm.

*Length/width ratio*.—1.3.

*Fruit hollow length*.—15.4 mm.

*Fruit hollow width*.—9.8 mm.

*Fruit hollow length/width ratio*.—1.6.

*Shape*.—Conical.

*Color*.—RHS 44B (Vivid reddish orange).

*Position of achenes*.—Below surface.

*Position of calyx attachment*.—Level with fruit.

*Attitude of sepals*.—Upwards.

*Color of flesh (excluding core)*.—RHS 42A (Vivid reddish orange).

*Color of core*.—RHS 42D (Moderate reddish orange).

*Average weight per berry*.—21.5 grams.

Production:

*Flowering interval*.—Late April to early June.

*Harvest interval*.—Late May to late June.

*Type of bearing*.—Not remontant.

*Productivity*.—0.650 kg to 0.700 kg of fruit per plant per season from nine- to eleven-month-old plants when grown in East Malling, Kent, the United Kingdom.

Resistance to diseases:

*Powdery mildew (podosphaera macularis)*.—Moderately resistant.

*Verticillium wilt*.—Moderately resistant.

#### COMPARISON WITH PARENTAL AND COMMERCIAL VARIETIES

‘DrisStrawSeventyTwo’ differs from the female parent ‘UUK 125-001’ (unpatented) in that ‘DrisStrawSeventyTwo’ is more productive, has a lower cull rate (non-marketable fruit), larger fruit size, improved shelf life, and much improved fruit sweetness as compared to ‘UUK 125-001’.

‘DrisStrawSeventyTwo’ differs from the male parent ‘UUK 143-001’ (unpatented) in that ‘DrisStrawSeventyTwo’ is higher yielding, has a significantly lower cull rate (non-marketable fruit), has a more attractive fruit appearance, and has a significantly improved shelf life as compared to ‘UUK 143-001’. Further, ‘DrisStrawSeventyTwo’ produces darker berries as compared to ‘UUK 143-001’. The fruit of ‘DrisStrawSeventyTwo’ is also marginally sweeter than that of ‘UUK 143-001’.

‘DrisStrawSeventyTwo’ differs from the commercial variety ‘DrisStrawFiftyFive’ (U.S. Plant Pat. No. 29,747) in that plants of ‘DrisStrawSeventyTwo’ have an upright growth habit, whereas plants of ‘DrisStrawFiftyFive’ have a semi-upright growth habit. Further, plants of ‘DrisStrawSeventyTwo’ have strong vigor, whereas plants of ‘DrisStrawFiftyFive’ have medium vigor. Moreover, plants of ‘DrisStrawSeventyTwo’ have inflorescence on the same level with foliage, whereas plants of ‘DrisStrawFiftyFive’ have inflorescence beneath foliage. In addition, fruit of ‘DrisStrawSeventyTwo’ have achenes below surface, whereas fruit of ‘DrisStrawFiftyFive’ have achenes level with surface. Lastly, ‘DrisStrawSeventyTwo’ has an improved shelf life as compared to ‘DrisStrawFiftyFive’.

‘DrisStrawSeventyTwo’ differs from the commercial variety ‘DrisStrawFortyFive’ (U.S. Plant Pat. No. 27,645) in that plants of ‘DrisStrawSeventyTwo’ have strong vigor, whereas plants of ‘DrisStrawFortyFive’ have medium vigor. Further, terminal leaflets of ‘DrisStrawSeventyTwo’ have a serrate to crenate margin, whereas terminal leaflets of ‘DrisStrawFortyFive’ have a serrate margin. Moreover, flowers of ‘DrisStrawSeventyTwo’ have a free arrangement of petals, whereas flowers of ‘DrisStrawFortyFive’ have an overlapping arrangement of petals. In addition, fruit of ‘DrisStrawSeventyTwo’ have an upwards attitude of sepals, whereas fruit of ‘DrisStrawFortyFive’ have an outwards attitude of sepals. Lastly, ‘DrisStrawSeventyTwo’ is higher yielding and has a significantly improved shelf life as compared to ‘DrisStrawFortyFive’.

We claim:

1. A new and distinct variety of strawberry plant named ‘DrisStrawSeventyTwo’ as shown and described herein.

\* \* \* \* \*

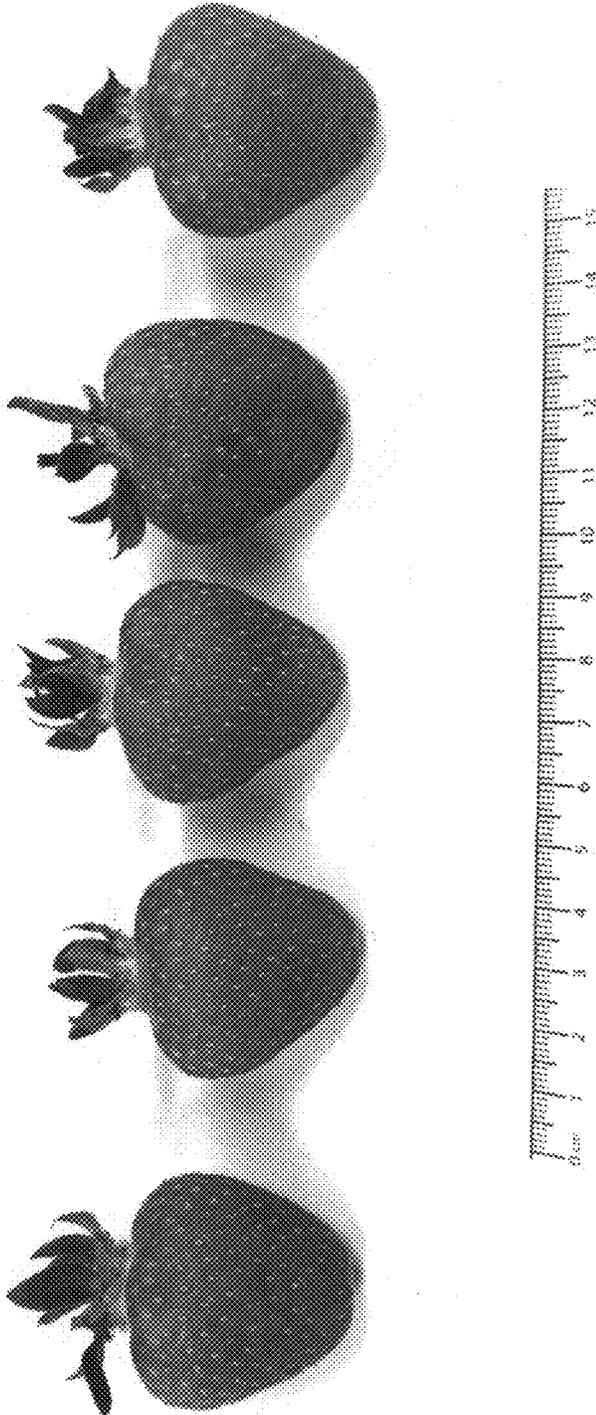


FIG. 1

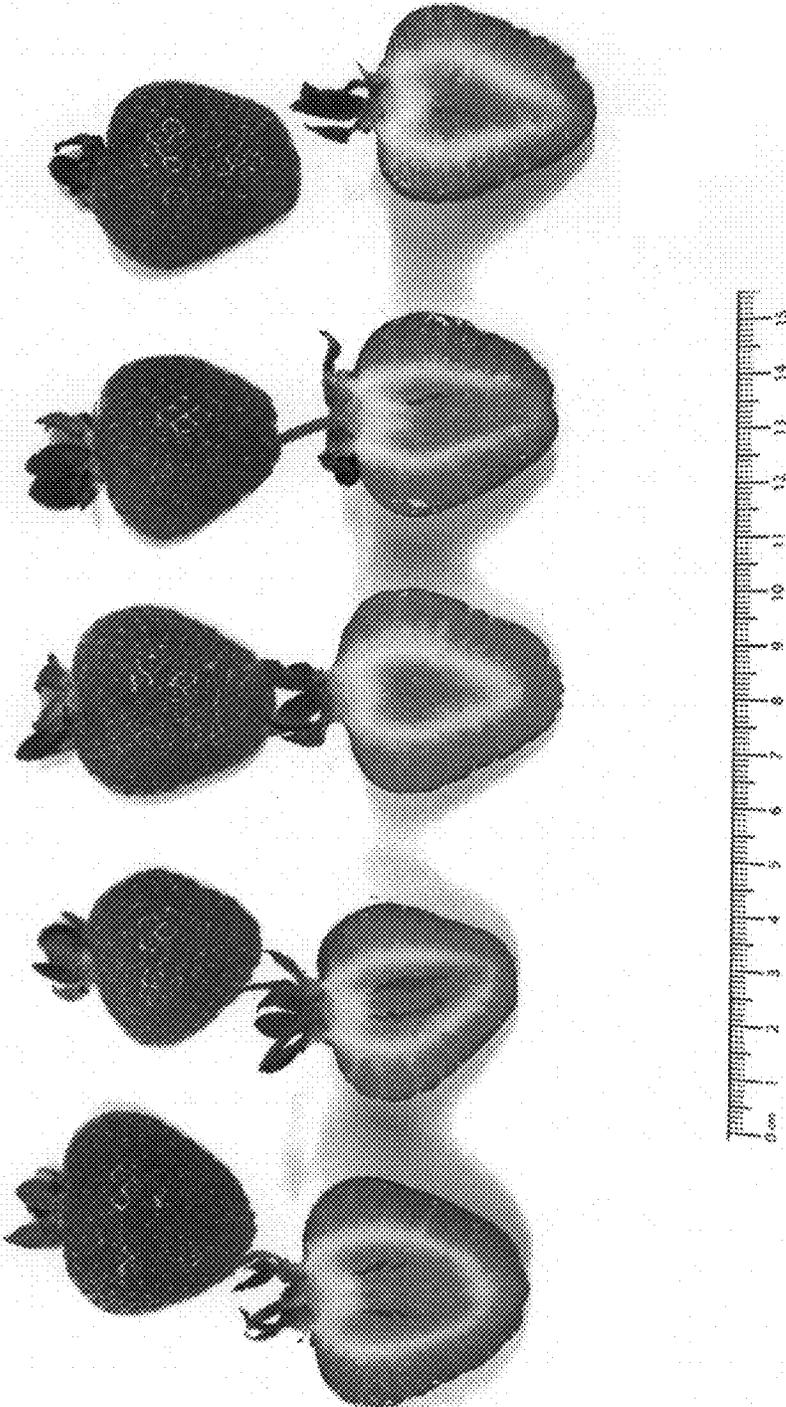


FIG. 2

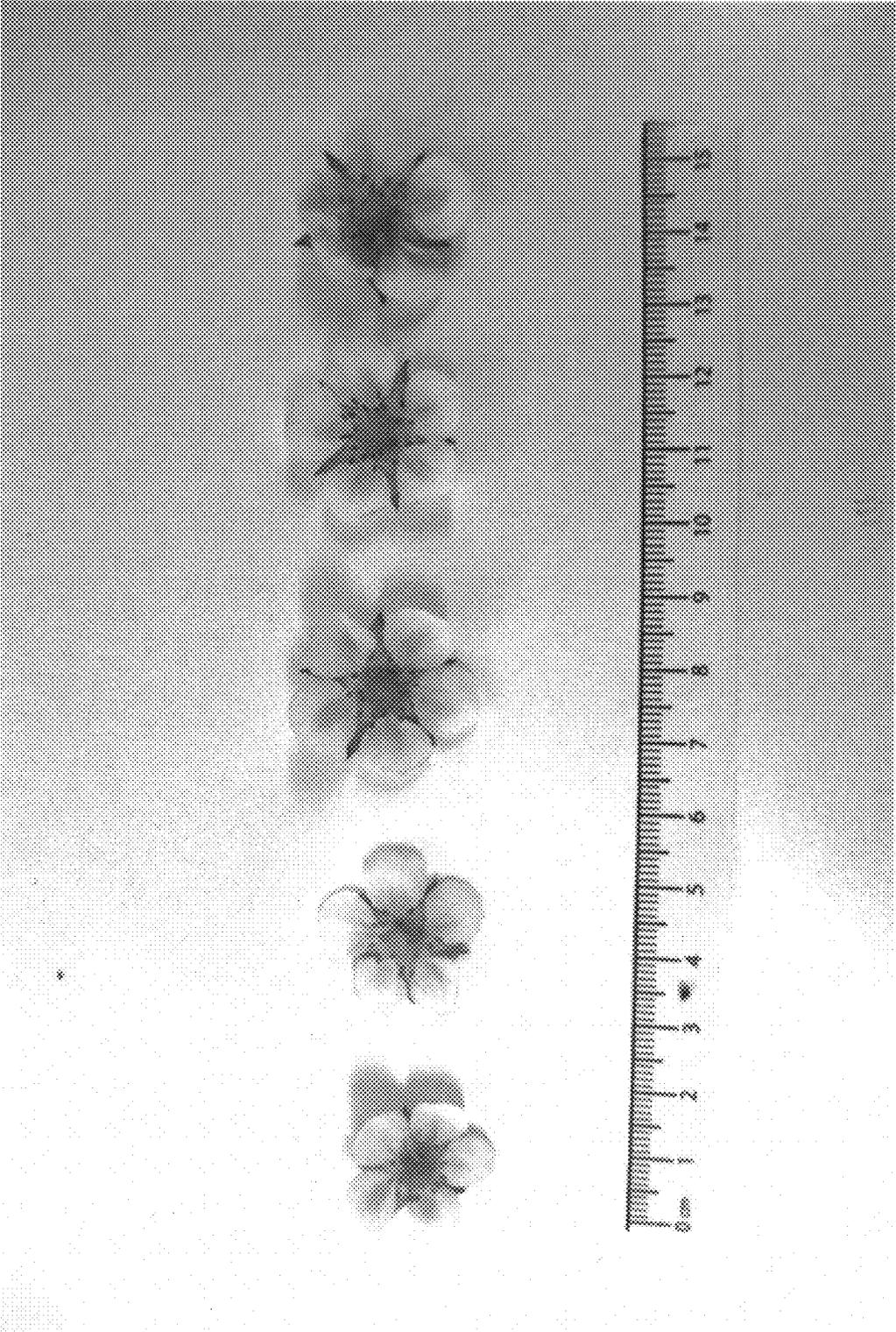


FIG. 3

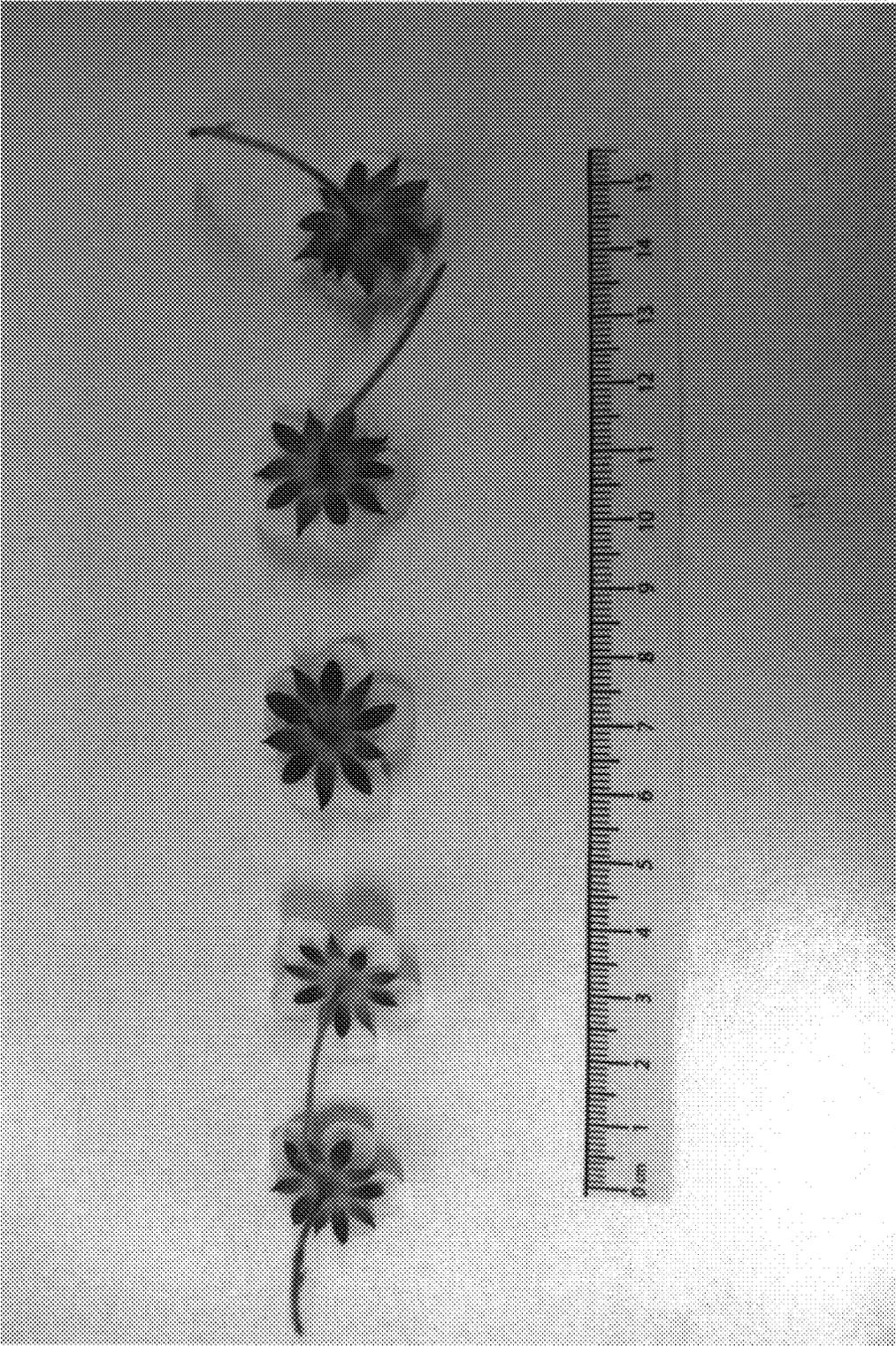


FIG. 4



FIG. 5