



US00PP32274P2

(12) **United States Plant Patent**
Hermans

(10) **Patent No.:** **US PP32,274 P2**

(45) **Date of Patent:** **Oct. 6, 2020**

(54) **BUXUS PLANT NAMED ‘HER2009B01’**

CPC A01H 5/00
See application file for complete search history.

(50) Latin Name: ***Buxus hybrid***
Varietal Denomination: **HER2009B01**

(56) **References Cited**

(71) Applicant: **Herplant BVBA**, Beerse (BE)

PUBLICATIONS

(72) Inventor: **Didier Hermans**, Beerse (BE)

PLUTO Plant Variety Database Apr. 23, 2020. p. 1.*

(73) Assignee: **HERPLANT BVBA**, Beerse (NL)

* cited by examiner

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

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(21) Appl. No.: **16/602,565**

(57) **ABSTRACT**

(22) Filed: **Oct. 31, 2019**

A new cultivar of *Buxus* plant named ‘HER2009B01’ that is characterized by its low, bushy plant habit, its eaves that are small in size and medium green in color, its suitability for use for low hedges and shaping into balls and for use in historical gardens, and its resistance to *Calonectria pseudonaviculata* (box blight).

(51) **Int. Cl.**
A01H 5/00 (2018.01)

(52) **U.S. Cl.**
USPC **Plt./226**

(58) **Field of Classification Search**
USPC **Plt./226**

2 Drawing Sheets

1

2

Botanical classification: *Buxus hybrid*.
Variety denomination: ‘HER2009B01’.

CROSS REFERENCE TO A RELATED APPLICATIONS

This application is co-pending with a U.S. Plant Patent Application filed for plants derived from the same breeding program that are entitled *Buxus* Plant Named ‘HER2009B03’ (U.S. Plant patent application Ser. No. 16/602,568). *Buxus* Plant Named ‘HER2010B02’ (U.S. Plant patent application Ser. No. 16/602,567), and *Buxus* Plant Named ‘HER2010B04’ (U.S. Plant patent application Ser. No. 16/602,566). This application is related to a European plant breeders’ rights application filed on Mar. 5, 2018, application No. 2018/0654. There have been no offers for sale anywhere in the world prior to the effective filing date of this Application and no accessibility to one of ordinary skill in the art could have been derived from the printed plant breeder’s rights documents.

BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct cultivar of *Buxus* of hybrid origin and will be referred to hereafter by its cultivar name, ‘HER2009B01’. ‘HER2009B01’ is a new cultivar of boxwood grown for use as an ornamental landscape plant and particularly useful as a low hedge and for shearing into balls and for historical gardens.

The new cultivar was developed from an ongoing breeding program conducted under the direction of the Inventor at his nursery in Lilsedijk, Beerse, Belgium. ‘HER2009B01’ arose from crosses made between un named and unpatented proprietary seedlings for *Buxus* from the Inventor’s breeding program in 2009 and 2010. The seeds from various crosses

were pooled and the exact parentage is unknown. The resulting seedlings underwent bio assay tests followed by field examinations to initially make selections that showed good resistance against *Calonectria pseudonaviculata* (box blight). The Inventor selected the new cultivar as a single unique plant from amongst the seedlings of the above crosses in 2015.

Asexual propagation of the new cultivar was first accomplished under the direction of the Inventor by stem cuttings in 2015 in Lilsedijk, Beerse, Belgium. Asexual propagation of the new cultivar by stem cuttings has determined that the characteristics are stable and are reproduced true to type in successive generations.

SUMMARY OF THE INVENTION

The following traits have been repeatedly observed and represent the characteristics of the new cultivar. These attributes in combination distinguish ‘HER2009B01’ as a unique cultivar of *Buxus*.

1. ‘HER2009B01’ exhibits a low, bushy plant habit.
2. ‘HER2009B01’ exhibits leaves that are small in size and medium green in color.
3. ‘HER2009B01’ exhibits suitability for use for low hedges and shaping into balls and for use in historical gardens.
4. ‘HER2009B01’ exhibits resistance to *Calonectria pseudonaviculata* (box blight).

‘HER2009B01’ can be most closely compared to *Buxus sempervirens* cultivar ‘Suffruticosa’ (not patented) and *Buxus* cultivars derived from the same breeding; ‘HER2010B02’, ‘HER2009B03’, and ‘HER2010B04’. ‘Suffruticosa’ is similar to ‘HER2009B01’ in having a low growing plant habit. ‘Suffruticosa’ differs from ‘HER2009B01’ in having leaves that are round in shape when young, lighter green, softer, and in being very sus-

ceptible to box blight. ‘HER2010B02’, ‘HER2009B03’, and ‘HER2010B04’ are all similar to ‘HER2009B01’ in having resistance to box blight. ‘HER2010B02’ differs from ‘HER2009B01’ in having a more upright plant habit. ‘HER2009B03’ differs from ‘HER2009B01’ in having a much more upright plant habit and a faster growth rate. ‘HER2010B04’ differs from ‘HER2009B01’ in having a spreading growth habit and stems that are slightly twisted and leaves that are moderately to strongly undulate.

STATEMENT REGARDING PRIOR DISCLOSURES BY THE INVENTOR

The Applicant asserts that no publications or advertisements relating to sales, offers for sale, or public distribution occurred more than one year prior to the effective filing date of this application. Any information about the claimed plant would have been obtained from a direct or indirect disclosure from the Inventor. The Applicant claims a prior art exemption under 35 U.S.C. 102(b)(1) for disclosure and/or sales prior to the filing date but less than one year prior to the effective filing date. Disclosure includes but may not be limited to a catalogue listing in 2019 for availability in 2020 by Herplant.

BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying colored photographs illustrate the overall appearance and distinct characteristics of the new *Buxus*. The photographs were taken of a plant 8.5 years in age as grown outdoors in a 5-gallon container at a nursery in Beerse, Belgium.

The photograph in FIG. 1 provides a side view of the plant habit of ‘HER2009B01’.

The photograph in FIG. 2 provides a close-up view of the young foliage of ‘HER2009B01’.

The photograph in FIG. 3 provides a close-up view of the mature foliage of ‘HER2009B01’.

The colors in the photographs are as close as possible with the photographic and printing technology utilized and the color values cited in the detailed botanical description accurately describe the colors of the new *Buxus*.

DETAILED BOTANICAL DESCRIPTION

The following is a description of 3-year-old plants as grown outdoors in 17-cm containers in Beerse, Belgium. The phenotype of the new cultivar may vary with variations in environmental, climatic, and cultural conditions, as it has not been tested under all possible environmental conditions. The color determination is in accordance with The 2015 Colour Chart of The Royal Horticultural Society, London, England, except where general color terms of ordinary dictionary significance are used.

General description:

Plant type.—Evergreen shrub.

Plant habit.—Low growing and bushy.

Plant shape.—Broad obovate to near globular.

Height and spread.—Reaches an average of 15.8 cm in height and 25 cm in diameter as grown in a 17-cm container, reaches 45 cm in height and width as an 8.5-year-old plant as grown outdoors in a 5-gallon container.

Hardiness.—At least in U.S.D.A. Zones 6 to 10.

Diseases resistance.—Resistance observed to *Calonectria pseudonaviculata* (Box Blight).

Root description.—Fibrous, 161A in color.

Propagation.—Stem cuttings.

Root development.—Cutting taken in mid-July initiate roots in 6 to 8 weeks with a young rooted plant produced in 8 to 10 weeks.

Growth rate.—Low to moderate.

Branch description:

Branch shape.—Quadrangular, four narrow wings; average of 0.3 mm in width.

Branch color.—Young stems; 144A to 144B, mature stems; 143B, bark and older stems; 161D.

Branch aspect.—Average of 50° from vertical.

Branch size.—9.4 cm in length, 1 mm in diameter.

Branch strength.—Strong.

Branch surface.—Matte and glabrous.

Branch number.—An average of 3 main stems, average of 21 lateral branches.

Branching habit.—Very freely branching.

Internode length.—Average of 1.5 cm.

Foliage description:

Leaf shape.—Obovate (can be elliptic when mature).

Leaf division.—Simple.

Leaf arrangement.—Opposite.

Leaf base.—Narrow acute.

Leaf aspect.—Moderately undulate.

Leaf apex.—Un-deep emarginate to obtuse.

Leaf fragrance.—Light fresh fragrance.

Leaf venation.—Pinnate, midrib; upper surface 143A, lower surface mid rib matches leaf color and is densely covered with small glands NN155B in color.

Leaf margins.—Entire, moderately undulate.

Leaf arrangement.—Opposite.

Leaf attachment.—Petiolate.

Leaf surface.—Both surfaces smooth, glabrous, glossy and non-rugose.

Leaf size.—Up to an average of 1.95 cm in length and 1.1 cm in width.

Leaf quantity.—Average of 14 (7 pairs).

Leaf color.—Young upper surface; 144A, young lower surface 144B, mature upper surface; between NN137A and 147A, mature lower surface between 144A and 144B.

Petioles.—Average of 1 mm in length and width, surface smooth, glabrous and slightly glossy, strong, upper and lower surface color 144B.

Inflorescence description: No flowers have been observed to date.

It is claimed:

1. A new and distinct cultivar of *Buxus* plant named ‘HER2009B01’ as herein illustrated and described.

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FIG. 1



FIG. 2

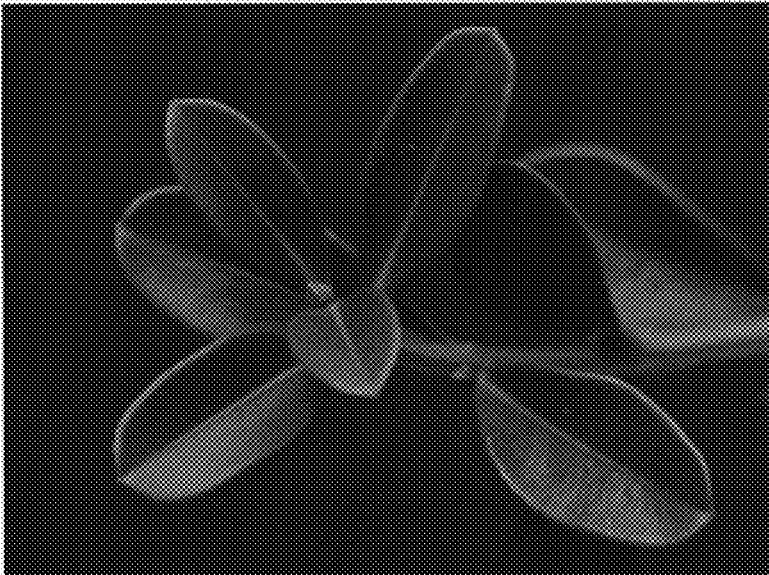


FIG. 3