



## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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| <b>(51) International Patent Classification <sup>6</sup> :</b><br><b>C12N 15/11, 5/14, A01H 5/00</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>A1</b> | <b>(11) International Publication Number:</b> <b>WO 99/00492</b><br><b>(43) International Publication Date:</b> 7 January 1999 (07.01.99)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>(21) International Application Number:</b> PCT/AU98/00493<br><b>(22) International Filing Date:</b> 26 June 1998 (26.06.98)<br><b>(30) Priority Data:</b><br>PO 7593 26 June 1997 (26.06.97) AU<br><b>(71) Applicants (for all designated States except US):</b> COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION [AU/AU]; Cooperative Research Centre for Tropical Plant Pathology, Limestone Avenue, Campbell, ACT 2602 (AU). THE STATE OF QUEENSLAND acting through its DEPARTMENT OF PRIMARY INDUSTRIES [AU/AU]; Cooperative Research Centre for Tropical Plant Pathology, Primary Industries Building, 80 Ann Street, Brisbane, QLD 4000 (AU). THE UNIVERSITY OF QUEENSLAND [AU/AU]; Cooperative Research Centre for Tropical Plant Pathology, St. Lucia, QLD 4067 (AU). BUREAU OF SUGAR EXPERIMENT STATIONS [AU/AU]; Cooperative Research Centre for Tropical Plant Pathology, 50 Meiers Road, Indooroopilly, QLD 4068 (AU). QUEENSLAND UNIVERSITY OF TECHNOLOGY [AU/AU]; Cooperative Research Centre for Tropical Plant Pathology, 2 George Street, Brisbane, QLD 4000 (AU). KATHOLIEKE UNIVERSITEIT LEUVEN [BE/BE]; Naamestraat 22, B-3000 Leuven (BE). |           | <b>(72) Inventors; and</b><br><b>(75) Inventors/Applicants (for US only):</b> SCHENK, Peer, Martin, Philipp [DE/AU]; 76 Lancelot Street, Tennyson, QLD 4105 (AU). SÁGI, László [HU/BE]; Waversebaan 27/12, B-3001 Heverlee (BE). REMY, Serge [BE/BE]; Stationstraat 4, B-3910 Neerpelt (BE). SWENNEN, Rony, Leon [BE/BE]; Banhagestraat 73, B-3052 Blanden (BE). DIETZGEN, Ralf, Georg [AU/AU]; 72 Nyes Crescent, Buderim, QLD 4556 (AU). GEERING, Andrew, David, William [AU/AU]; 28 Peppertree Street, Sinnamon Park, QLD 4073 (AU). McMICHAEL, Lee, Anne [AU/AU]; 44 Almeida Street, Indooroopilly, QLD 4068 (AU). THOMAS, John, Edwin [AU/AU]; 539 Mt. Crosby Road, Anstead, QLD 4070 (AU). GROF, Christopher, Peter, Leslie [AU/AU]; 3 Cheppen Street, The Gap, QLD 4061 (AU). ELLIOTT, Adrian, Ross [AU/AU]; 26 Grimes Street, Auchentree, QLD 4066 (AU).<br><b>(74) Agent:</b> CULLEN & CO.; Level 12, 240 Queen Street, Brisbane, QLD 4000 (AU).<br><b>(81) Designated States:</b> AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE, ES, FI, GB, GE, GH, GM, GW, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ, VN, YU, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG).<br><br><b>Published</b><br><i>With international search report.</i> |
| <b>(54) Title:</b> PLANT AND VIRAL PROMOTERS<br><br><b>(57) Abstract</b><br><br>The invention provides plant and viral promoters that can be used to confer high-level gene expression on transgenic plants. Representative promoters can be isolated from the genome of Australian banana-infecting badnaviruses from cultivars Mysore, Williams and Goldfinger. The invention further provides constructs which include the disclosed promoters operatively linked to a coding sequence. Still further provided are a method of expressing the product of a gene in a plant cell, plant cells having DNA constructs within their genomes, and plants comprising the transgenic cells.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |