

1 A comparative analysis of stably expressed genes across diverse angiosperms exposes flexibility  
2 in underlying promoter architecture

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## 8 Abstract

9 Promoters regulate both the amplitude and pattern of gene expression—key factors needed for  
10 optimization of many synthetic biology applications. Previous work in *Arabidopsis* found that  
11 promoters that contain a TATA-box element tend to be expressed only under specific conditions  
12 or in particular tissues, while promoters which lack any known promoter elements, thus  
13 designated as Coreless, tend to be expressed more ubiquitously. To test whether this trend  
14 represents a conserved promoter design rule, we identified stably expressed genes across  
15 multiple angiosperm species using publicly available RNA-seq data. Comparisons between core  
16 promoter architectures and gene expression stability revealed differences in core promoter usage  
17 in monocots and eudicots. Furthermore, when tracing the evolution of a given promoter across  
18 species, we found that core promoter type was not a strong predictor of expression stability. Our  
19 analysis suggests that core promoter types are correlative rather than causative in promoter  
20 expression patterns and highlights the challenges in finding or building constitutive promoters  
21 that will work across diverse plant species.

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## 23 Introduction

24 Precise control over gene expression is essential for development and survival. One of the first  
25 regulatory steps in expression regulation is transcription initiation, which is controlled by DNA  
26 regions designated as promoters. Current understanding of eukaryotic promoters is still  
27 remarkably limited, and we have difficulty even identifying a precise promoter region given an  
28 arbitrary sequence (Donczew & Hahn, 2017). A core promoter region is functionally defined as  
29 the minimal region required for transcription initiation, associated with binding of RNA  
30 Polymerase II (RNAPII) and General Transcription Factors (GTFs). Proximal and distal cis-  
31 regulatory elements contribute to the modulation of the core promoter's activity and give it its  
32 characteristic expression profile. A sequence containing the proximal cis-regulatory elements as  
33 well as the core promoters is often referred to as the “promoter” region (Andersson & Sandelin,  
34 2020; Biłas et al., 2016; Haberle & Stark, 2018; Schmitz et al., 2022). In practice, cloning and  
35 analysis projects often pick an arbitrary length (e.g., up to 2000 base pairs or until the next

36 coding sequence) upstream of the transcription start site to define as the promoter region  
37 (Andersson & Sandelin, 2020; Schmitz et al., 2022).

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39 Many core promoter elements have been identified within the core promoter region that are  
40 important in directing RNAPII and determining the transcription start site (TSS). The TATA-box  
41 motif is the most well-understood of the core promoter elements, yet TATA-box-containing  
42 promoters only account for about 20% of eukaryotic promoters and about 30% of *Arabidopsis*  
43 promoters (Donczew & Hahn, 2017; Molina & Grotewold, 2005). In plants, additional core  
44 promoter types were proposed by Yamamoto and colleagues based on their identification of  
45 over-represented motifs around a fixed distance from the transcription start site (Yamamoto et  
46 al., 2007, 2009). Y patch, or pyrimidine patch, motifs are C and T rich motifs whose presence  
47 had been recently shown experimentally to associate with stronger expression (Jores et al.,  
48 2021). CA and GA are additional core promoter elements, represented in approximately 20% and  
49 1% of genic promoters, respectively (Yamamoto et al., 2009). Unlike the TATA-box which has a  
50 known GTF-binding protein associated with it, the molecular mechanism of the Y patch, CA and  
51 GA elements remain largely unknown. Core promoters that do not contain any of the identified  
52 core promoter types have been termed Coreless (Yamamoto et al., 2009, 2011). In *Arabidopsis*,  
53 Coreless promoters tend to be expressed more weakly but more broadly than those that contain  
54 TATA-boxes (Das & Bansal, 2019; Yamamoto et al., 2011).

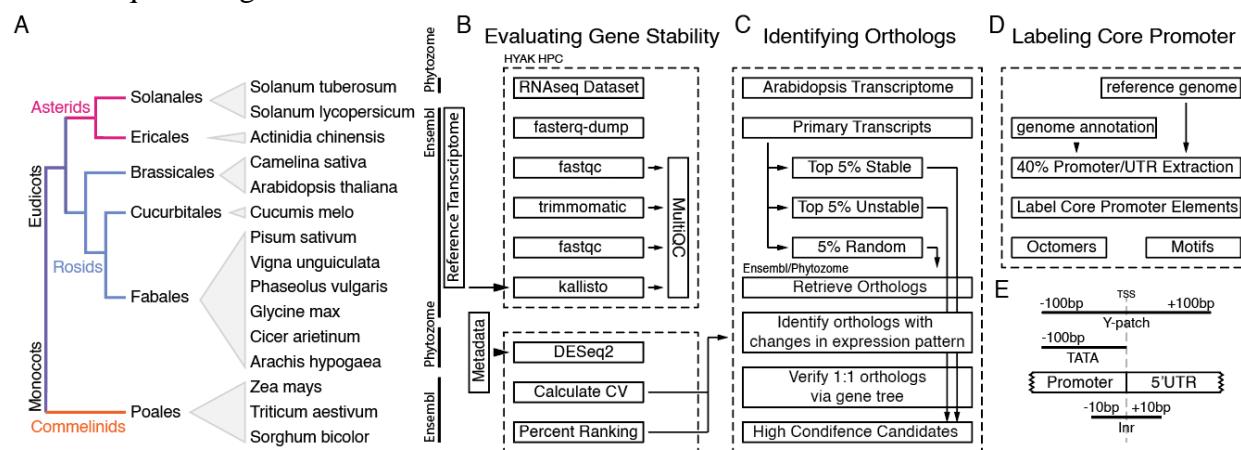
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56 Constitutive promoters, defined here as promoters that are on in all tissues at all times, are  
57 versatile tools in synthetic biology due to their desirable expression pattern (Yang & Nemhauser,  
58 2022; Zhou et al., 2023). They are often used to drive expression of components used in  
59 synthetic circuits or metabolic engineering (Brophy et al., 2022; Patron, 2020; South et al., 2019;  
60 Wu et al., 2014). Core promoter regions of constitutive promoters (such as the Cauliflower  
61 Mosaic Virus 35S promoter) have often been used as the starting point to build synthetic  
62 promoters by introducing natural cis-elements or synthetic TF-binding sites upstream of these  
63 core promoter regions to artificially tune expression strength or confer new expression patterns  
64 (Ali & Kim, 2019; Belcher et al., 2020; Brophy et al., 2022; Brückner et al., 2015; Cai et al.,  
65 2020; Moreno-Giménez et al., 2022). However, a lack of understanding of the design constraints  
66 around promoters had made engineering synthetic promoters challenging. Current approaches  
67 often require trial and error or high throughput screening to identify functional synthetic  
68 promoters (Belcher et al., 2020; Brophy et al., 2022; Brückner et al., 2015; Cai et al., 2020;  
69 Moreno-Giménez et al., 2022). A better understanding of the contributions and limitations of  
70 core promoters in controlling expression patterns can therefore be essential in engineering better  
71 synthetic promoters.

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73 Here, by leveraging publicly available RNA-seq atlases of fifteen angiosperms, we were able to  
74 map gene expression pattern onto core promoter type in multiple genomic contexts. While  
75 TATA-box-containing promoters are over-represented in conditionally-expressed genes in all of  
76 the species we examined, the pattern for Coreless promoters was less clear. In most eudicots,

77 Coreless promoters were over-represented in stably expressed genes, but the opposite trend was  
78 observed in monocots. Additionally, by identifying orthologous gene groups within these  
79 species, we were able to track changes in core promoter type and expression pattern for groups  
80 of evolutionarily related promoters. We found that stably expressed genes are also more likely to  
81 have orthologs in other species compared to unstably expressed genes, and the orthologs tend to  
82 retain similar expression patterns. Lastly, we show that changes in core promoter types do not  
83 explain changes in expression pattern. This evolution-guided approach reveals design rules  
84 surrounding core promoter architecture and expression patterns.

## 85 Results:

86 We began this project by identifying species with RNA-seq Atlases, which we defined as  
87 datasets containing at least ten different tissue samples and with samples that represented at least  
88 two distinct developmental stages. Details regarding the dataset and their references can be found  
89 in Supplemental Table S1. Figure 1A shows a phylogenetic tree of the fifteen species that fit our  
90 criteria, which spans a range of angiosperms including multiple monocots and eudicots. The  
91 datasets were processed through a custom pipeline (Figure 1B-D). In brief, Kallisto was used for  
92 RNA-seq quantification and MultiQC was used to summarize all the outputs up till DESeq2  
93 (Supplemental Data S7) (Bray et al., 2016; Ewels et al., 2016). For each species, normalized  
94 counts from each tissue were then converted to stability information using the coefficient of  
95 variation (CV) as a metric. In this analysis, lower CV corresponds to more stable expression,  
96 meaning comparable expression in all tissues. Higher CV, on the other hand, means less stable  
97 and more tissue-specific expression. To facilitate comparison between species, we used  
98 percentile rank of CV as the primary metric, which represents the percentage of CVs that are less  
99 than or equal to a given value.

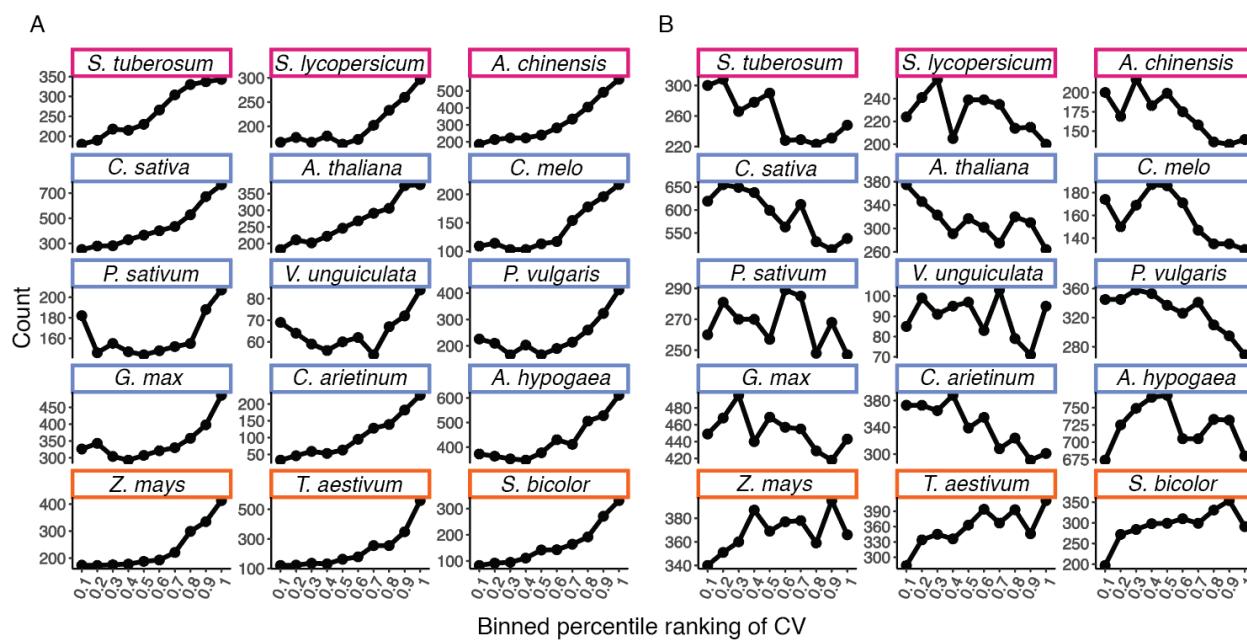


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101 Figure 1. An outline of the bioinformatics pipelines. A) The fifteen angiosperms included in this study and their  
102 phylogenetic relationship. B-D) The three major data processing steps performed in the study. Detailed parameters  
103 are included in the Methods section. Reference genomes, transcriptomes and gene orthologs were retrieved via  
104 either Ensembl (Cunningham et al., 2021) or Phytozome (Goodstein et al., 2012) databases depending on the  
105 species. E) Regions searched for each core promoter motif.

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108 To determine whether the characteristic differences in expression patterns between different core  
109 promoter types seen in *Arabidopsis* holds across all the species in our dataset, we extracted the -  
110 100bp to +100bp region around the TSS as the “core promoter region” for 40% of all promoters  
111 in each species (Figure 1D). TATA box, Y patch, and Inr motifs were screened according to  
112 methods detailed in Jores et al. 2021. The regions scanned for each motif are more relaxed than  
113 their known regions in *Arabidopsis*, as we applied the scan to multiple species and wanted to  
114 avoid falsely labeling promoters as Coreless. Illustration of the regions scanned for each core  
115 promoter type are illustrated in Figure 1E.  
116

117 Forty percent of all promoters for each species were labeled as either TATA or Y patch. If a  
118 promoter did not contain either element, we labeled them as “Coreless”. It is important to note  
119 that the definition of Coreless promoters introduced by Yamamoto and colleagues is somewhat  
120 more strict than the definition used here, as they also screened for the relatively rare CA and GA  
121 core promoter elements (Yamamoto et al., 2009). We then plotted the distribution of CV for each  
122 species, broken down by core promoter types (Fig. 2). Similar results for Y patch, Inr and a  
123 random set of promoters that serve as a control are in Supplemental Figure S2.  
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Figure 2. Distribution of relative specificity or uniformity of TATA-box-containing and Coreless promoters. Higher Coefficient of Variation (CV) rankings indicate more specificity, while lower CV rankings indicate more uniformity. A random subsampling of forty percent of promoters from each species are shown here. A) TATA-box containing promoters, and B) Promoters termed Coreless as they lacked both TATA-box and Y-path motifs. Colors correspond to phylogeny shown in Figure 1A.

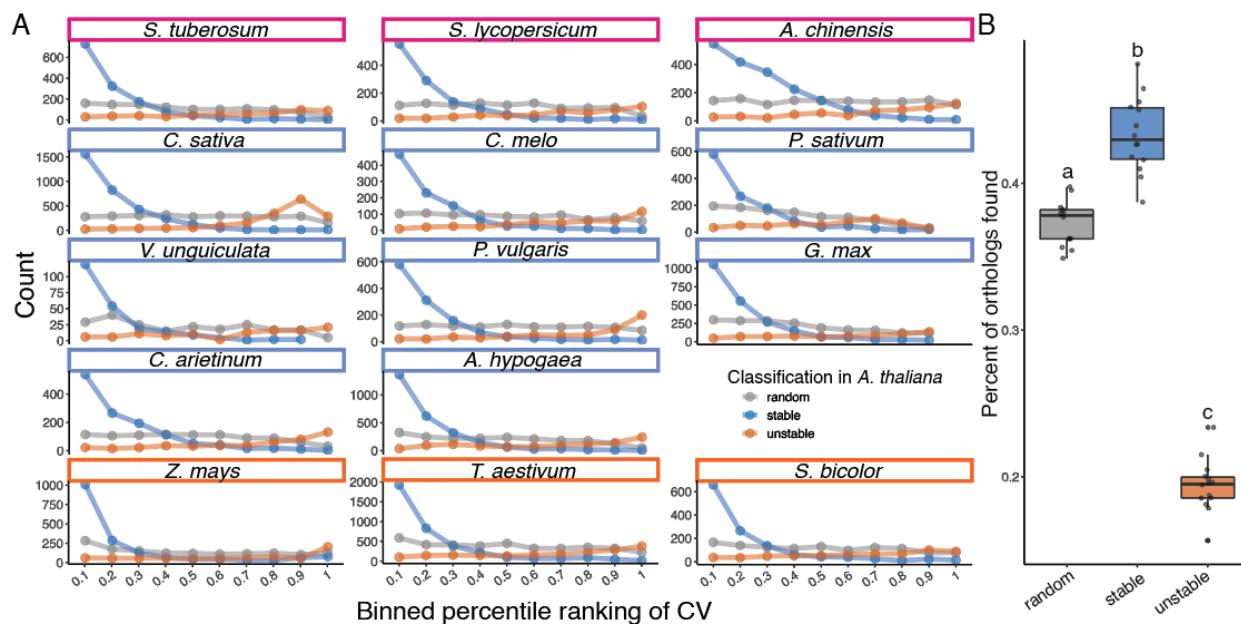
133 Using microarray data, Yamamoto and colleagues had found that Coreless promoters are under-  
134 represented in genes that responds to stimulus (i.e. more constitutively expressed) (Yamamoto et  
135 al., 2011). However, we did not see the same trend until we removed the lowest expressing  
136 transcripts from the analysis (transcripts with an average of less than 1 read). These extremely  
137 low read counts are likely to be unreliable and an analysis of the weak-expressing genes that we  
138 removed revealed that they bias towards higher CV when compared to the rest of the genes in the  
139 dataset (Supplemental Figure S3). This same minimum read number requirement was then  
140 applied to the rest of the species.

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142 Overall, the expected trend of TATA box-containing promoters being over-represented in  
143 unstable genes is observed across all the species analyzed (Fig. 2). In contrast, the trend of  
144 Coreless promoters being associated with more stably expressed genes was weaker and only  
145 observed in a subset of the eudicots. The monocots (*Zea mays*, *Triticum aestivum*, and *Sorghum*  
146 *bicolor*) all exhibited a strong trend of Coreless promoters associating with unstable genes (e.g.,  
147 those with higher CV values), along with an enrichment of Y patch-containing promoters being  
148 associated with stable expression (Fig. 2 and Supplemental Figure S2). This inverted pattern  
149 could be explained in two ways given that a promoter not labeled as containing a TATA box or  
150 Y patch is labeled as Coreless. Under this classification scheme, an apparent enrichment by one  
151 category of promoters could reflect a surplus of that type of promoter in a particular CV ranking  
152 bin or a depletion of the other two promoter categories in that same bin. The latter explanation  
153 seems more likely for the Y patch promoters in monocots, but further experimental tests are  
154 required to fully resolve this question. The surprising pattern of Coreless genes “flipping” their  
155 behavior in monocots might also reflect an as yet undefined promoter element that is lumped into  
156 the Coreless category here. For example, there may be slight differences in TATA motif, as has  
157 been described for maize (Mejía-Guerra et al., 2015). Accounting for this known source of  
158 variation, we did not see any significant decrease in the Coreless trend towards conditionally-  
159 expressed genes (Supplemental Figure S2).

160 To determine whether core promoter type is tightly linked to expression stability for a given  
161 gene, we identified a set of orthologous genes (Figure 1C). *Arabidopsis thaliana* is the most well-  
162 annotated genome, and it has 47,684 transcripts with a non-zero transcript count in at least one of  
163 the sampled tissues. Of this total, we retained only the primary transcripts of each non-  
164 mitochondrial and non-chloroplast gene, resulting in a final total of 26,842 genes. The top 5%  
165 most stable and top 5% least stable genes were selected based on CV, along with a randomly  
166 selected control set of equal size (n=1343 genes in each category). The sets of genes were used to  
167 query the Ensembl or Phytozome database for orthologs in the rest of the 14 species in our  
168 dataset (Cunningham et al., 2021; Goodstein et al., 2012). The orthologs were searched for in the  
169 database where their reference transcriptome was downloaded to ensure matching of the target  
170 transcript name with the transcript counts. Orthologs of *Arachis hypogaea*, *Cicer arietinum*, and  
171 *Solanum tuberosum* were found using Phytozome, and the remaining species were found in  
172 Ensembl.

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Orthologous genes tended to retain their expression pattern across species (Fig. 3A). While orthologs corresponding to the random set of *Arabidopsis* genes were spread quite uniformly across distribution of CV rankings, the orthologs of the top 5% stable set of *Arabidopsis* genes were skewed heavily towards the more stable, lower percentage CV rankings. The orthologs of the 5% least stable set of *Arabidopsis* genes showed a more subtle skew towards higher CV ranking. This trend was more visible in some species than others, partially due to the overall lower gene counts. One notable trend was that the least stable gene set retrieved significantly fewer orthologs compared to the random or most stable gene sets (Fig. 3B). This is possibly because stable genes are associated with more fundamental cellular functions, and therefore more likely to be conserved across species (Klepikova et al., 2016). Following a similar logic, unstable genes tend to be more tissue-specific, and therefore are more easily lost during species divergence.

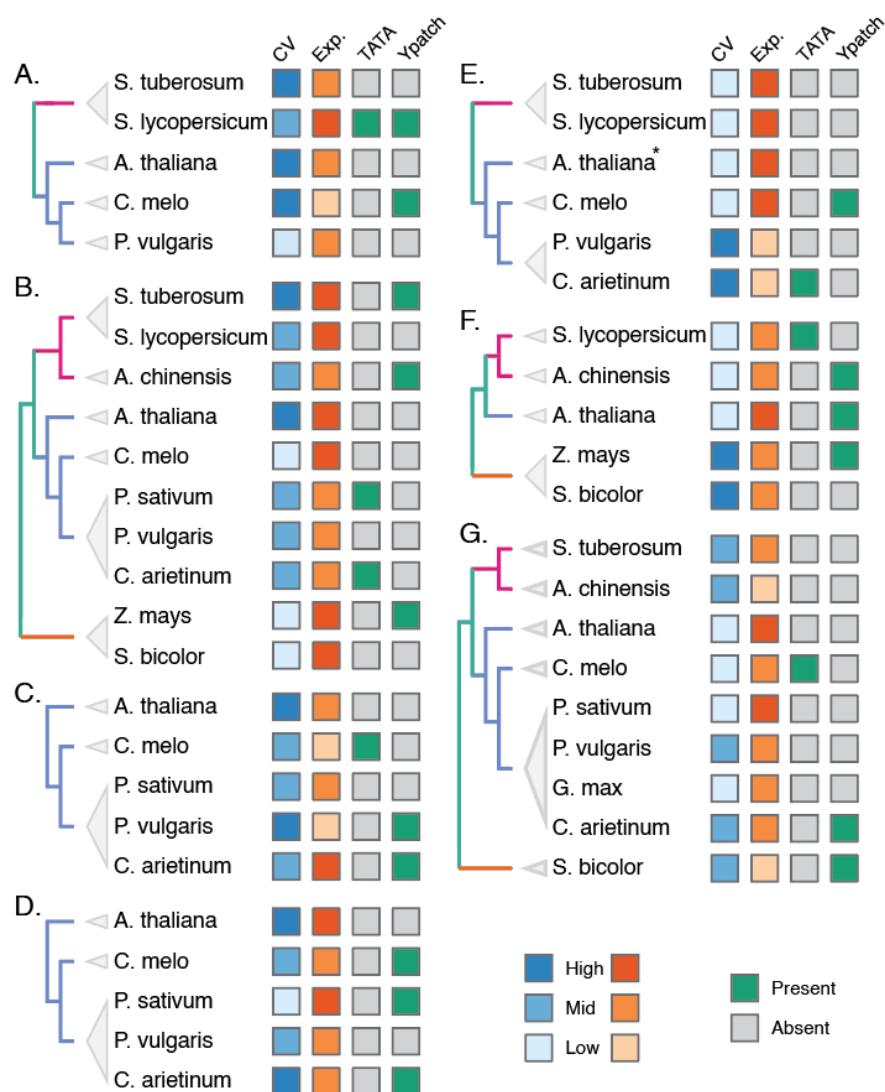


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Figure 3. Genes that show uniform expression in *A. thaliana* tend to behave similarly in other species. A) Distribution of CVs for orthologs of stable (blue), unstable (orange) or random (grey) *A. thaliana* genes. The color of boxes around species names corresponds to Figure 1A. B) Percent of orthologs found for each set of *A. thaliana* genes for each species. Each dot corresponds to a single species. Statistical tests were performed by one-way ANOVA followed by Tukey HSD. All three groups are significantly different from one another.

195 Even when looking at genes that fell at the tail ends of the expression stability distribution from 196 *Arabidopsis*, we could find orthologs positioned across the full range of CV rankings (Fig. 3A). 197 In other words, expression stability of a given gene can vary dramatically across species. To 198 investigate this further, we curated a set of evolutionarily-related genes that showed this type of 199 switching behavior. Starting with the set of all the orthologs retrieved through Ensembl and

200 Phytozome, we first filtered the target orthologs to count only the highest expressing transcript  
201 for each gene, thereby limiting each gene to a single representative transcript. We filtered the list  
202 of orthologs to include *Arabidopsis* transcripts that had only a single ortholog found in the  
203 transcriptome of each other species. We considered any target transcripts that crossed the 50th  
204 percentile in CV as “changing expression pattern”, and we limited the *Arabidopsis* transcripts to  
205 those where transcripts changed expression pattern in at least two different species. These  
206 changes were mapped onto the phylogenetic tree to identify clusters where changes could be  
207 associated with a specific node.  
208  
209 Gene trees were built for the most promising candidates, and when more than one ortholog was  
210 found in the target species, those genes were removed from further analysis (Fig. 1C). These  
211 stringent parameters maximize the likelihood that the remaining candidates are true orthologs,  
212 and that any changes in expression pattern could be biologically significant. Seven high-  
213 confidence orthologous gene groups were found with three *Arabidopsis* transcripts  
214 (AT3G17020.1, AT3G18215.1, AT4G40045.1) that are from the top 5% stable genes list and  
215 four *Arabidopsis* transcripts (AT1G04700.1, AT5G17400.1, AT5G18910.1, AT5G20410.1) from  
216 the top 5% unstable genes list. A summary of the filters and numbers of target orthologs as well  
217 as *Arabidopsis* query transcripts left after each step can be found in Supplemental Table S4.  
218  
219 The promoters for these seven sets of orthologs were extracted and TATA, Y patch, Inr motifs  
220 were screened for as described above (for clarity, this analysis will be referred to as Motif Scan)  
221 (Figure 1D). In parallel, these promoters were also screened for TATA, Y patch, Inr, CA, GA  
222 octamers as defined in Yamamoto et al. 2009 (Octamer Scan), and an illustration of the regions  
223 scanned for each octamers can be found in Supplemental Figure S5. Comparing the two  
224 methods, the Motif Scan resulted in more identified core promoters due to its more relaxed  
225 parameters. Only two promoters were labeled as Y patch by the Octamer Scan but not the Motif  
226 Scan. A core promoter element was considered present if either method returned a positive result  
227 (Supplemental Table S6). Within each orthologous gene group, changes in the presence of  
228 TATA or Y patch elements did not appear to correlate with changes in expression patterns (Fig.  
229 4). In each group, there are examples of promoters having the same core promoter type but  
230 different expression patterns, as well as cases of promoters having the same expression pattern  
231 but different core promoter types. Since there were only seven TATA-box-containing promoters  
232 (~15.5% of the promoters), we were not able to observe instances where two related TATA-box  
233 containing promoters having different expression patterns, but there are multiple instances where  
234 changes in presence of TATA motif did not change expression pattern. This result suggests that  
235 the presence or absence of a TATA or Y patch is not sufficient to change expression pattern.  
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Figure 4. Individual gene trees where expression stability changes can be observed. A-D) The gene is unstably expressed in *A. thaliana* but stably expressed in another species. E-G) The gene is stably expressed in *A. thaliana* but unstably expressed in another species. CV and expression strength (Exp.) is grouped by percentile ranking of 0.66~1.00 (High), 0.33~0.66 (Mid), or 0.00~0.33 (Low) and color coded accordingly. Presence (green) or absence (grey) of TATA and Y patch motifs are indicated. \**A. thaliana* has no identifiable core promoter identified as the intergenic region is only 8 bp.

## 245 Discussion:

246 Understanding the rules that govern the performance of natural promoters could inspire the  
247 construction of synthetic promoters that are able to retain their behavior over multiple  
248 generations in transgenic plants. Here, we mined RNA-seq atlases from fifteen different  
249 angiosperms to extract patterns connected to the relative specificity or uniformity of gene  
250 expression across developmental stages and tissue types. We found that the previously observed

251 trend that TATA-box-containing promoters are over-represented in conditionally expressed  
252 genes is highly conserved. In contrast, the relative uniformity versus specificity of expression  
253 from Coreless promoters is not as well conserved. Coreless promoters from eudicots analyzed in  
254 this study were, in general, more highly associated with stable expression patterns. Coreless  
255 promoters from monocot species, however, exhibited the opposite trend. In addition, we found  
256 that promoters tend to maintain their expression pattern across species, with the caveat that  
257 stably expressed genes are more likely to have identifiable orthologs when compared to unstably  
258 expressed genes. Lastly, by tracking expression pattern and promoter type within the  
259 evolutionary trajectory of individual genes, we could test the hypothesis that promoter  
260 architecture is responsible for the level and pattern of gene expression. We found that none of the  
261 core promoter types screened for in this work are consistently associated with changes in  
262 expression pattern or strength. This suggests that while there may be a correlation between  
263 promoter architecture and transcription parameters, the underlying molecular mechanism that  
264 determines whether a gene is conditionally or specifically expressed remains unknown.  
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266 While the general trend that TATA-box-containing promoters are found in genes that are only  
267 expressed in specific times and/or locations was highly conserved, close study of single gene  
268 phylogenies reveals that the TATA-box is not the determinant of this expression pattern. The  
269 overall lack of pattern for TATA and Y patch motifs on the phylogenetic tree also suggest that  
270 the gain and loss of these promoter elements, at least in the genes studied here, are sporadic  
271 events that do not experience strong positive selection for maintenance. In the future, it would be  
272 interesting to add the additional dimension of tracking the relative conservation versus  
273 divergence of the coding regions of the genes associated with each promoter type; however, the  
274 small number of promoters in each category would likely limit the potential to detect a clear  
275 pattern.  
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277 From a synthetic biology perspective, there are two major implications from the analysis  
278 described here. First, the hope of finding strong, constitutive natural promoters that work across  
279 diverse species may be even more challenging than we originally thought. For example, it is  
280 unlikely that there are natural promoter architectures that will work equally well as constitutive  
281 promoters in monocot and eudicot crops. Second, and more hopefully, our analysis suggests that  
282 the approach currently being taken by multiple labs for engineering synthetic promoters is likely  
283 to find solutions that work well across species (Belcher et al., 2020; Brophy et al., 2022; Cai et  
284 al., 2020; Moreno-Giménez et al., 2022). The overall scheme of many of these groups is to take a  
285 core promoter region containing a TATA-box, and then add natural cis-elements or synthetic  
286 transcription factor target sequences. We found that the same core promoter could support  
287 widely varied expression patterns. This is consistent with the emerging hypothesis that cis-  
288 elements contribute more to expression pattern than the core promoter itself (Cai et al., 2020),  
289 and that any desired expression pattern can be achieved regardless of core promoter type. Why  
290 Coreless promoters are enriched in constitutively expressed genes in eudicots, and whether this

291 mode of regulation leads to greater robustness of expression pattern over time, will require a  
292 more detailed understanding of transcription initiation events at a range of promoters in multiple  
293 species.  
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295 Methods

296 *Phylogenetic tree*

297 A phylogenetic tree was constructed referencing NCBI's Taxonomy Brower and Li et al. 2021.

298

299 *RNA-seq dataset processing*

300 RNA-seq atlases were located in the NCBI Sequence Read Archive (SRA) database. The  
301 references for the datasets can be found in Supplemental Table S1. The individual datasets were  
302 retrieved using sratoolkit-3.0.1 prefetch followed by fasterq-dump functions. Fastqc-0.11.9 were  
303 used to generate a QC report for each dataset. Trimmomatic-0.39 were used for adaptor and low  
304 quality ends trimming using the following settings: 'SLIDINGWINDOW:4:20 MINLEN:36'.  
305 ILLUMINA CLIP files TruSEq3-PE-2.fa was supplied for paired end data and TruSEq3-SE.fa  
306 were supplied for single end data. Reference transcriptome were downloaded from the Ensembl  
307 Plants (<http://plants.ensembl.org/index.html>) for *Arabidopsis thaliana*, *Camelina sativa*, *Cucumis*  
308 *melo*, *Glycine max*, *Phaseolus vulgaris*, *Pisum sativum*, *Vigna unguiculata*, *Sorghum bicolor*,  
309 *Zea mays*, *Solanum lycopersicum*, *Actinidia chinensis*, *Triticum aestivum*. and Phytozome  
310 (<https://phytozome-next.jgi.doe.gov>) for *Arachis hypogaea*, *Cicer arietinum*, and *Solanum*  
311 *tuberosum* (Cunningham et al., 2021; Goodstein et al., 2012). An index file was generated and  
312 the reads aligned and counted using Kallisto-0.44.0 with '-o counts -b 500'. For single end data,  
313 Fragment Length and Standard Deviation were required, but the information is difficult to locate,  
314 and so a default value of '-l 200 -s 20' were used across the board.

315 Another Fastqc was performed on the trimmed files, and a final MultiQC-1.13 were run on the  
316 entire folder encompassing all the log files that Fastqc, Trimmomatic, and Kallisto generated.  
317 The MultiQC report was inspected to ensure the trimming step improved read quality and there  
318 were no major warnings.

319

320 *Normalizing count, Calculating CV and Percent Ranking*

321 (*Relevant files: 1\_Metadata\_from\_RUNselector.Rmd, 2\_MOR\_Normalization.Rmd*)

322 Using an R script, the raw counts for each species were normalized using the DESeq2 package  
323 using a metadata file curated from the original study for the RNA-seq datasets. The coefficient of  
324 variation across all samples for a given atlas was used as a metric for stability for each gene, and  
325 the percentile ranking for each gene was calculated. The geometric mean for each gene was also  
326 calculated across all samples.

327

328 *Extracting intergenic region and 5'UTR*

329 (*Relevant files: 3\_ExtractPromUTR(ALL\_Transcripts).ipynb,*  
330 *8\_ExtractPromUTR(Orthologs).ipynb*)

331 Gff3 annotation files and reference genomes were downloaded from Ensembl or Phytozome  
332 depending on where the reference transcriptomes were retrieved from. 40% of transcripts were  
333 selected from the total transcriptome and their intergenic region and 5'UTR were extracted from

334 the Gff3 annotation. Intergenic region and 5'UTRs of identified orthologs were extracted in a  
335 similar manner.

336

337 *Labeling core promoter types*

338 (*Relevant files: 4\_Label\_Promoters.Rmd, 9\_Motif\_Scan.Rmd, 10\_Octamer\_Scan.ipynb*)

339 Motif Scan: Intergenic regions and 5'UTR sequences are trimmed to only regions to be scanned  
340 for each core promoter types: TATA box (-100 to TSS), Y patch (-100 to +100), and Inr (-10 to  
341 +10). Intergenic regions shorter than 100bps were excluded from analysis. Each regions were  
342 scanned for their respective motifs according using motif files as well as methods outlined in  
343 (Jores et al., 2021). A motif is considered to be present when the relative motif scores are above  
344 0.85.

345

346 Octamer Scan: Intergenic regions and 5'UTR sequences were trimmed based on the positions  
347 relative to the TSS outlined in Yamamoto et al. 2009 (TATA, -45 to -18; Y Patch, -50 to +50;  
348 CA, -35 to -1; GA, -35 to +75). Each region was scanned for the presence of octamer motifs  
349 from the TATA, Y patch, GA, and CA lists outlined in Yamamoto et al. 2009. If the specified  
350 region contained at least one motif for a given promoter type, it was labeled as positive.

351

352 *Ortholog Analysis*

353 (*Relevant files: 5\_At\_gene\_ranking.Rmd, 6\_Identifying\_orthologs.Rmd,*

354 *7\_Processing\_orthologs.Rmd*)

355 The *Arabidopsis* transcriptome was filtered to only include primary transcripts, and mitochondria  
356 as well as chloroplast transcripts were removed. Top 5% stable genes by CV, bottom 5% stable  
357 genes by CV and a random set of 1343 genes (5%) were randomly selected.

358 Using biomaRt in R, the Ensembl and Phytozome databases were queried for orthologs for the  
359 selected set of *Arabidopsis* genes for each species (Durinck et al., 2009). Orthologs from *Arachis*  
360 *hypogaea*, *Cicer arietinum*, and *Solanum tuberosum* were retrieved from Phytozome, and the rest  
361 of the species from Ensembl. For analysis in Figure3B, significance test of done by ANOVA  
362 followed by Tukey's HSD. For each target gene that matched to an *Arabidopsis* transcript, only  
363 the highest expressing transcript was kept. If an *Arabidopsis* transcript retrieved more than one  
364 orthologs from a target species, these pairs of orthologs were removed from analysis. We only  
365 kept orthologous gene groups that had a “change” in expression pattern, defined as crossing the  
366 50<sup>th</sup> percentile CV, in two target species, and the remaining candidates were manually mapped  
367 onto the phylogenetic tree to identify gene groups that had changes in expression pattern that are  
368 consistent with the tree. This means having changes in expression pattern that are mostly found  
369 in the same clade. Gene trees were built for these candidates using blast-align-tree  
370 (<https://github.com/steinbrennerlab/blast-align-tree>) and the candidate lists were further trimmed  
371 based on the gene trees to ensure a 1:1 relationship between all members in the gene group.

372

373 *Data availability*

374 All scripts and datasets necessary to perform the analysis in the article are available at  
375 <https://doi.org/10.5061/dryad.9w0vt4bmk>  
376

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385 Author Contributions

386 Experimental design and analysis by EJYY, CJM and JLN. Research performed by EJYY and  
387 CJM. Manuscript written by EJYY, CJM and JLN.

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