IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VANDERBILT UNIVERSITY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Civil Action No.: 05-506-SLR**
	)	
ICOS CORPORATION,	)	
	)	
Defendant.	)	
	)	

STIPULATION BY ICOS

Pursuant to the Court's instruction during the Pretrial Conference held on December 18, 2007, and in the Memorandum Order of December 20, 2007 (D.I. 131), ICOS stipulates that, as is the case regarding other matters affecting the validity and/or enforceability of issued patents (such as whether a patent application adequately discloses the "best mode" for practicing the claimed invention(s) under 35 U.S.C. § 112), the U.S. Patent and Trademark Office does not generally, and did not, in fact, in this case, conduct an investigation into whether the inventorship identified on the patents-at-issue was correct, and accepted the representation that the identified inventor, Dr. Daugan, was the appropriate inventor.

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