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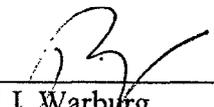
ATTACHMENT E  
DECLARATION UNDER 37 CFR 1.730(c)

An Application for Extension of Patent Term Under 35 U.S.C. 156 for Letters Patent of the United States No. 6,313,146, granted to Van Wagenen et al. on November 6, 2001, is being filed herewith.

I, Richard J. Warburg, declare the following:

1. I am a Patent Attorney authorized to practice before the Patent and Trademark Office, and have authority to act on behalf of NPS Pharmaceuticals Inc. and The Brigham and Women's Hospital in this matter.
2. I have reviewed and understand the contents of the Application for Extension of Patent Term under 35 U.S.C. 156, including its attachments and supporting papers, submitted herewith.
3. I believe the patent is eligible for extension pursuant to 37 CFR 1.710.
4. I believe the patent term is extendible in accordance with 35 U.S.C. 156 and the applicable regulations.
5. I believe the subject patent meets the conditions for extension of the term of a patent as set forth in 37 CFR 1.720.

Respectfully submitted,

By   
Richard J. Warburg  
Reg. No. 32,327