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VICAL INC Form 8-K February 10, 2004

UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

FORM 8-K

CURRENT REPORT Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of report (Date of earliest event reported): February 10, 2004

VICAL INCORPORATED (Exact Name of Registrant as Specified in Charter)

Delaware UUU-ZIU00 (State or Jurisdiction (Commission File Number) (I.R.S. Employer Identification No.) Delaware

000-21088

93-0948554

10390 Pacific Center Court San Diego, California (Address of Principal Executive Offices)

92121-4340 (Zip Code)

Registrant's telephone number, including area code: (858) 646-1100

ITEM 12. RESULTS OF OPERATIONS AND FINANCIAL CONDITION.

On February 10, 2004, Vical Incorporated issued a press release announcing its financial results for the quarter and year ended December 31, 2003. A copy of the press release is attached as Exhibit 99.1 to this Current Report.

The information in this Current Report, and the exhibit attached hereto, is being furnished and shall not be deemed "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, regardless of any general incorporation language in such filing.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

VICAL INCORPORATED

Date: February 10, 2004 By: /s/ MARTHA J. DEMSKI

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Martha J. Demski

Vice President, Chief Financial Officer,

Treasurer and Secretary

Exhibit Index

Exhibit

Number Description

99.1 Press Release issued by Vical Incorporated on February 10, 2004