

Edgar Filing: CIPHERGEN BIOSYSTEMS INC - Form 8-K

CIPHERGEN BIOSYSTEMS INC

Form 8-K

November 16, 2006

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): NOVEMBER 16, 2006

CIPHERGEN BIOSYSTEMS, INC.  
(Exact name of Registrant as specified in its charter)

|                                                                   |                             |                                            |
|-------------------------------------------------------------------|-----------------------------|--------------------------------------------|
| Delaware                                                          | 000-31617                   | 33-059-5156                                |
| (State or other jurisdiction of<br>incorporation or organization) | (Commission<br>File Number) | (I.R.S. Employer<br>Identification Number) |

6611 Dumbarton Circle  
Fremont, CA 94555  
(Address of principal executive offices)

(510) 505-2100 (Registrant's  
telephone number, including area code)

Not Applicable  
(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to  
simultaneously satisfy the filing obligation of the Registrant under any of the  
following provisions (see General Instruction A.2 below):

- ☐ Written communications pursuant to Rule 425 under the Securities  
Act (17 CFR 230.425)
- ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange  
Act (17 CFR 240.14a-12)
- ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the  
Exchange Act (17 CFR 240.14d-2(b))
- ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the  
Exchange Act (17 CFR 240.13e-4(c))

ITEM 7.01 REGULATION FD DISCLOSURE.

On November 16, 2006, the Company issued a press release announcing the  
completion of the exchange of outstanding convertible senior notes with certain  
holders. A copy of this press release is also furnished as Exhibit 99.1 to this  
report.

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The information contained in this Form 8-K shall not be deemed "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), or incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such a filing.

### ITEM 9.01 FINANCIAL STATEMENTS AND EXHIBITS.

#### (d) Exhibits

99.1 Press release of Ciphergen Biosystems, Inc., dated November 16, 2006

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### 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.

Ciphergen Biosystems, Inc.  
(Registrant)

Date: November 16, 2006

By: /s/ Gail S. Page

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Gail S. Page  
President and Chief Executive Officer

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### EXHIBIT INDEX

| Exhibit<br>Number | Description                                                         |
|-------------------|---------------------------------------------------------------------|
| 99.1              | Press release of Ciphergen Biosystems, Inc. dated November 16, 2006 |

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