

DEPOMED INC
Form 8-K
August 21, 2014

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): **August 19, 2014**

DEPOMED, INC.

(Exact name of registrant as specified in its charter)

001-13111

(Commission File Number)

California
(State or other jurisdiction of
incorporation)

94-3229046
(I.R.S. Employer Identification No.)

7999 Gateway Blvd, Suite 300, Newark, California 94560

(Address of principal executive offices, with zip code)

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(510) 744-8000

(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))
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Item 8.01 Other Events

On August 19, 2014, Judge Joel A. Pisano of the United States District Court for the District of New Jersey ruled in favor of Depomed, Inc. (the Company) in the Company's patent litigation lawsuit against Actavis Elizabeth LLC and Actavis, Inc. (collectively, "Actavis") related to an Abbreviated New Drug Application ("ANDA") filed by Actavis seeking to market generic versions of the Company's Gralise® (gabapentin) product prior to the expiration of the Company's patents asserted in the litigation. Judge Pisano's ruling finds that Actavis infringes all seven of the Company's patents asserted in the litigation and upholds the validity of the patents. The latest expiration of the infringed patents is February 2024. The Company previously announced settlements with two other Gralise ANDA filers providing for generic entry on January 1, 2024.

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.

DEPOMED, INC.

Date: August 21, 2014

By:

/s/ Matthew M. Gosling
Matthew M. Gosling
Senior Vice President and General Counsel