DEPOMED INC Form 8-K September 16, 2015

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): September 15, 2015

DEPOMED, INC.

(Exact name of registrant as specified in its charter)

California (State or other jurisdiction of incorporation)

001-13111 (Commission File Number)

94-3229046 (IRS Employer Identification No.)

7999 Gateway Blvd., Suite 300, Newark, California 94560 (Address of principal executive offices) (Zip Code)

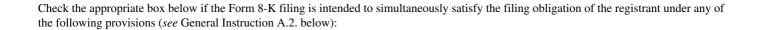
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(510) 744-8000

(Registrant s telephone number, including area code)

Not Applicable

(Former Name or Former Address, if Changed Since Last Report)



- o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- o 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.
-	5, Depomed, Inc. (the <u>Company</u>) filed a patent infringement lawsuit in the United States District Court for the District of stavis Elizabeth LLC, Actavis, Inc. and Actavis LLC (collectively, <u>Actavis</u>).
Nucynta® ER (tapenta Orange Book for Nucy suit against Actavis. S	and an Abbreviated New Drug Application (<u>AND</u> A) with the U.S. Food and Drug Administration (<u>FDA</u>) to market generated hydrochloride, extended release) tablets and it served Paragraph IV certifications on the patents then listed in FDA so that ER. At the time, Janssen Pharmaceuticals, Inc. owned the rights to Nucynta ER and it filed a patent infringement subsequently, U.S. Patent No. 8,536,130 (<u>130 patent</u>) issued and was listed in the Orange Book for Nucynta ER, but Paragraph IV certification on this patent.
The Company believes	s that Actavis s proposed generic product would infringe the 130 patent if its generic products are approved.
	2

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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.

DEPOMED, INC.

Date: September 15, 2015

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

3