

MYLAN LABORATORIES INC

Form S-8 POS

December 11, 2003

As filed with the Securities and Exchange Commission on December 10, 2003.

Registration No. 333-98811

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

**POST-EFFECTIVE AMENDMENT NO. 1
TO
FORM S-8
REGISTRATION STATEMENT
UNDER
THE SECURITIES ACT OF 1933**

Mylan Laboratories Inc.
(Exact Name of Issuer as specified in its charter)

| | |
|--|---|
| Pennsylvania (State or other jurisdiction of incorporation or organization) | 25-1211621 (I.R.S. Employer Identification No.) |
| 1500 Corporate Drive Canonsburg, Pennsylvania (Address of principal executive offices) | |
| 15317 (Zip Code) | |

Mylan Laboratories Inc.
1997 Incentive Stock Option Plan
(Full Title of Plan)

Edward J. Borkowski
Chief Financial Officer
1500 Corporate Drive
Canonsburg, Pennsylvania 15317
(Name and address of agent for service)

(724) 514-1800
(Telephone number, including area code, of agent for service)

Copy to:
Richard E. Wood, Esquire
Kirkpatrick & Lockhart LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, Pennsylvania 15222

DEREGISTRATION

This Post-Effective Amendment No. 1 relates to the Registration Statement on Form S-8 filed by Mylan Laboratories Inc. (the Registrant) with the Securities and Exchange Commission (the Commission) on August 27, 2002 (File No. 333-98811) (the Registration Statement). The Registration Statement is hereby incorporated by reference. Pursuant to Item 512(a)(3) of Regulation S-K, and in accordance with the undertakings contained in Part II of this Registration Statement, the Registrant hereby files this Post-Effective Amendment No. 1 to remove from registration all of the securities registered under this Registration Statement that remain unissued as of the date hereof. This Registration Statement registered 11,250,000 shares of Common Stock, par value \$.50 per share, of the Registrant (Common Stock) (such share amount and all other information herein having been adjusted for both the three-for-two stock split effective January 27, 2003, and the three-for-two stock split effective October 8, 2003) under the Registrant's 1997 Incentive Stock Option Plan (the Plan). Effective as of July 25, 2003, pursuant to action by the Stock Option Committee of the Board of Directors of the Registrant, no further grants of Options (as defined in the Plan) will be made, and any shares of Common Stock remaining available under the Plan will no longer be available for issuance thereunder, *provided* that shares of Common Stock subject to Options granted under the Plan prior to July 25, 2003, will remain available for issuance under the Plan, and the Plan will remain in effect to the extent necessary to administer such previously granted Options. As of the date hereof, 5,903,864 of the 11,250,000 shares of Common Stock covered by the Registration Statement have been issued or are issuable under the Plan. The Registrant hereby removes from registration 5,346,136 shares of Common Stock registered pursuant to this Registration Statement.

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SIGNATURES

Pursuant to the requirements of the Securities Act of 1933, the Registrant certifies that it has reasonable grounds to believe that it meets all of the requirements for filing on Form S-8 and has duly caused this Post-Effective Amendment No. 1 to Registration Statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of Canonsburg, Commonwealth of Pennsylvania, on December 5, 2003.

MYLAN LABORATORIES INC.

By: /s/ Edward J. Borkowski

Edward J. Borkowski
Chief Financial Officer

Pursuant to the requirements of the Securities Act of 1933, as amended, this Post-Effective Amendment No. 1 to Registration Statement has been signed by the following persons in the capacities indicated.

| <u>SIGNATURE</u> | <u>TITLE</u> | <u>DATE</u> |
|---|-----------------------|------------------|
| <u>/s/ Milan Puskar</u> | Chairman and Director | December 5, 2003 |
| <u>Milan Puskar</u> <u>/s/ Robert J. Coury</u> | | |
| <u>Robert J. Coury Vice Chairman, Chief Executive Officer and</u> <u>Director (Principal Executive Officer) December 5, 2003 /s/</u> <u>Edward J. Borkowski</u> | | |
| <u>Edward J. Borkowski Chief Financial Officer</u> <u>(Principal Financial Officer) December 5, 2003 /s/ Gary E.</u> <u>Sphar</u> | | |
| <u>Gary E. Sphar Vice President and Corporate Controller</u> <u>(Principal Accounting Officer) December 5, 2003 /s/ Wendy</u> <u>Cameron</u> | | |
| <u>Wendy Cameron Director December 5, 2003 /s/ Laurence S.</u> <u>DeLynn</u> | | |
| <u>Laurence S. DeLynn Director December 5, 2003 /s/ John C.</u> <u>Gaisford, M.D.</u> | | |
| <u>John C. Gaisford, M.D. Director December 5, 2003 /s/</u> <u>Douglas J. Leech</u> | | |
| <u>Douglas J. Leech Director December 5, 2003 /s/ Joseph C.</u> <u>Maroon, M.D.</u> | | |
| <u>Joseph C. Maroon, M.D. Director December 5, 2003 /s/</u> <u>Patricia A. Sunseri</u> | | |
| <u>Patricia A. Sunseri Director December 5, 2003 /s/ C.B. Todd</u> | | |
| <u>C.B. Todd Director December 5, 2003</u> | | |

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SIGNATURE

TITLE

DATE

/s/ Randall L. Vanderveen, Ph.D., R.Ph

Randall L. Vanderveen, Ph.D., R.Ph Director December 5,
2003 /s/ Stuart A. Williams, Esq.

Stuart A. Williams, Esq Director December 5, 2003