

ACELRX PHARMACEUTICALS INC

Form 8-K

August 01, 2017

**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 1, 2017**

**ACELRX PHARMACEUTICALS, INC.**

(Exact name of registrant as specified in its charter)

**DELAWARE**

**001-35068**

**41-2193603**

(State of incorporation) (Commission File No.) (IRS Employer Identification No.)

**351 Galveston Drive**

**Redwood City, CA 94063**

(Address of principal executive offices and zip code)

Registrant's telephone number, including area code: **(650) 216-3500**

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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))

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

## **Item 2.02. Results of Operations and Financial Condition**

On August 1, 2017, AcelRx Pharmaceuticals, Inc. (the “*Company*”) issued a press release regarding its financial results for the second quarter and six months ended June 30, 2017, a business update and certain other information. The full text of the press release concerning the foregoing is furnished herewith as Exhibit 99.1.

The information contained in this Item 2.02 and in the accompanying Exhibit 99.1 to this Current Report shall be deemed to be “furnished” and shall not be deemed to be “filed” for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or otherwise subject to the liabilities of that Section or Sections 11 and 12(a)(2) of the Securities Act of 1933, as amended (the “Securities Act”). The information contained in this Item 2.02 and in the accompanying Exhibit 99.1 to this Current Report shall not be incorporated by reference into any filing with the U.S. Securities and Exchange Commission under the Securities Act or the Exchange Act made by the Company, whether made before or after the date hereof, regardless of any general incorporation language in such filing.

## **Item 8.01. Other Events**

On August 1, 2017, the Company issued a press release entitled “AcelRx Pharmaceuticals Reports Successful Outcome of ZALVISO Phase 3 IAP312 Study on Device Functionality” a copy of which is attached as Exhibit 99.2 to this Report.

## **Item 9.01. Financial Statements and Exhibits.**

### **(d) Exhibits.**

| <b><u>Exhibit<br/>Number</u></b> | <b><u>Description</u></b>                                                                                                                               |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 99.1                             | Press release dated August 1, 2017 entitled "AcelRx Pharmaceuticals Reports Second Quarter 2017 Financial Results and Provides Corporate Update"        |
| 99.2                             | Press release dated August 1, 2017 entitled "AcelRx Pharmaceuticals Reports Successful Outcome of ZALVISO Phase 3 IAP312 Study on Device Functionality" |

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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.

Date: August 1, 2017 ACELRX PHARMACEUTICALS, INC.

|     |                                                                                      |
|-----|--------------------------------------------------------------------------------------|
| By: | /s/ Jane<br>Wright-Mitchell<br>Jane<br>Wright-Mitchell<br><br>Chief Legal<br>Officer |
|-----|--------------------------------------------------------------------------------------|

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**EXHIBIT INDEX**

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|----------------------------------|---------------------------|
|----------------------------------|---------------------------|

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