AVANIR PHARMACEUTICALS Form 8-K February 10, 2005

# 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): February 10, 2005

### **Avanir Pharmaceuticals**

(Exact Name of Registrant as Specified in Charter)

California	001-15803	33-0314804
(State or other jurisdiction	(Commission	(IRS Employer
of incorporation)	File Number)	Identification No.)

11388 Sorrento Valley Road, San Diego, California

(Address of Principal Executive Offices)

92121

(Zip Code)

Registrant s telephone number, including area code: 858-622-5200

### **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):

- 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 9.01 Financial Statements and Exhibits.

**SIGNATURES** 

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

On February 10, 2005, the Company issued a press release announcing its results of operations for the three months ended December 31, 2004. A copy of this press release is furnished herewith as Exhibit 99.1.

The information in this Form 8-K and the Exhibit attached hereto shall not be deemed filed for purposes of Section 18 of the Securities Exchange of 1934, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, except as shall be expressly set forth by specific reference in such filing.

## Item 9.01 Financial Statements and Exhibits.

Exhibit No. Description

99.1 Press release, dated February 10, 2005

#### **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.

**Avanir Pharmaceuticals** 

(Registrant)

Date: February 10, 2005 /s/ Gregory P. Hanson, CMA

Gregory P. Hanson, CMA

**VP Finance & CFO** 

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## **Exhibit Index**

Exhibit No. Description

99.1 Press release, dated February 10, 2005