

# DEPOMED INC

## FORM 8-K

(Current report filing)

Filed 01/29/13 for the Period Ending 01/29/13

Address	7999 GATEWAY BLVD. SUITE 300 NEWARK, CA 94560
Telephone	510-744-8000
CIK	0001005201
Symbol	DEPO
SIC Code	2834 - Pharmaceutical Preparations
Industry	Pharmaceuticals
Sector	Healthcare
Fiscal Year	12/31

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**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): **January 29, 2013**

**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)

**(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 January 29, 2013, Depomed, Inc. (“Depomed”) filed a complaint in the United States District Court for the District of New Jersey against Purdue Pharma L.P. and affiliated companies (collectively, “Purdue”) for infringement of U.S. Patent Nos. 6,340,475; 6,635,280; and 6,723,340 (collectively, the “Depomed Patents”). The complaint alleges infringement of the Depomed Patents arising from Purdue’s commercialization of OxyContin® (oxycodone hydrochloride controlled-release) in the United States.

The Depomed Patents relate to Depomed’s Acuforn® drug delivery technology. U.S. Patent Nos. 6,340,475 and 6,635,280 will expire in 2016, and U.S. Patent No. 6,723,340 will expire in 2021.

**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: January 29, 2013

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