

TERCICA INC
Form 8-K
May 06, 2005

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Washington, DC 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): May 5, 2005

TERCICA, INC.

(Exact name of registrant as specified in its charter)

Delaware

(State or other jurisdiction of incorporation)

000-50461
(Commission File Number)

26-0042539
(IRS Employer Identification No.)

Edgar Filing: TERCICA INC - Form 8-K

651 Gateway Boulevard, Suite 950

South San Francisco, CA 94080-7111

(Address of principal executive offices, including Zip Code)

Registrant's telephone number, including area code: (650) 624-4900

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))
-

Item 2.02 Results of Operations and Financial Condition.

On May 5, 2005, Tercica, Inc. issued a press release announcing its financial results for the first quarter of 2005. A copy of the press release concerning the foregoing results is furnished as Exhibit 99.1 to this report and is incorporated herein by reference. On May 5, 2005, the Company also held a conference call (the Conference Call) to, among other things, announce certain information regarding its results of operations and financial condition for the quarter ended March 31, 2005. During the Conference Call, the Company reported, among other things, the following information:

The Company reiterated its 2005 guidance with respect to the net loss being \$50-55 million and the cash used for operating activities being \$47-52 million; and

The Company announced that on April 22, 2005, it and its co-plaintiff Genentech had filed a second amended complaint in the patent infringement litigation case against Insmmed, that discovery requests had been received by the parties to the litigation and that the original scheduling of the Case Management Conference for May 13, 2005 had not changed.

The information under Item 12 of this report, including Exhibit 99.1 hereto, 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 liability of that section, and shall not be incorporated by reference into any registration statement or other document filed under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

Item 9.01. Financial Statements and Exhibits

Press Release entitled Tercica Reports First Quarter 2005 Financial Results, dated May 5, 2005.

EXHIBIT INDEX

Number	Description
99.1	Press Release entitled Tercica Reports First Quarter 2005 Financial Results, dated May 5, 2005.