

VIVUS INC
Form 8-K
June 08, 2010

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)

June 8, 2010

VIVUS, INC.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction of
incorporation)

001-33389
(Commission File Number)

94-3136179
(IRS Employer
Identification No.)

1172 CASTRO STREET

MOUNTAIN VIEW, CA 94040

UNITED STATES

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(Address of principal executive offices, including zip code)

(650) 934-5200

(Registrant's telephone number, including area code)

N/A

(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 7.01. Regulation FD Disclosure

On June 8, 2010, VIVUS, Inc. (the Company) will present a poster entitled "A Randomized, Double-Blind, Placebo-Controlled, Parallel-Group Study of Phentermine/Topiramate CR (VI-0521) for the Treatment of Obstructive Sleep Apnea/Hypopnea Syndrome in Obese Adults," beginning at 10:15 a.m. CT at SLEEP 2010, the 24th annual meeting of the Associated Professional Sleep Societies, LLC, in San Antonio, Texas. The poster presentation is based on the results of VI-0521 study, which evaluated the safety and efficacy of Qnexa®, the Company's investigational drug candidate, for the treatment of obstructive sleep apnea. A graphical representation of the poster (including the reproduction of its contents) to be presented by the Company is attached hereto 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 Act of 1934, as amended (the Exchange Act), or incorporated by reference into any of the Registrant's filings under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in any such filing.

Item 9.01. Financial Statements and Exhibits

(d) Exhibits.

Exhibit No.	Description
99.1	Poster dated June 8, 2010, entitled, "A Randomized, Double-Blind, Placebo-Controlled, Parallel-Group Study of Phentermine/Topiramate CR (VI-0521) for the Treatment of Obstructive Sleep Apnea/Hypopnea Syndrome in Obese Adults" and a reproduction of the contents thereof.

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.

VIVUS, INC.

By: /s/ Lee B. Perry

Lee B. Perry

Vice President and Chief Accounting Officer

Date: **June 8, 2010**

EXHIBIT INDEX

Exhibit No.	Description
99.1	Poster dated June 8, 2010, entitled, A Randomized, Double-Blind, Placebo-Controlled, Parallel-Group Study of Phentermine/Topiramate CR (VI-0521) for the Treatment of Obstructive Sleep Apnea/Hypopnea Syndrome in Obese Adults and a reproduction of the contents thereof.