

OSCIENT PHARMACEUTICALS CORP  
Form 8-K  
October 12, 2006

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# SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

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## FORM 8-K

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### CURRENT REPORT

Pursuant to

Section 13 or 15(d) of

**THE SECURITIES EXCHANGE ACT OF 1934**

Date of Report (Date of Earliest Event Reported): October 5, 2006

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## OSCIENT PHARMACEUTICALS CORPORATION

(Exact name of registrant as specified in its charter)

Massachusetts  
(State or other jurisdiction  
of incorporation)

0-10824  
(Commission File Number)

04-2297484  
(I.R.S. Employer

Identification Number)

1000 Winter Street, Suite 2200

Waltham, Massachusetts 02451

(Address of principal executive offices, including zip code)

(781) 398-2300

(Registrant's telephone number, including area code)

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## Edgar Filing: OSCIENT PHARMACEUTICALS CORP - Form 8-K

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 2.02 RESULTS OF OPERATIONS AND FINANCIAL CONDITION.**

On October 11, 2006, Oscient Pharmaceuticals Corporation (the Company) issued a press release disclosing preliminary revenue results for the quarter ended September 30, 2006. The press release is attached hereto as Exhibit 99.1. The information under this Item 2.02 in this Current Report on Form 8-K and in Exhibit 99.1 attached hereto shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934 (the Exchange Act) or otherwise subject to the liabilities of that section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933 or the Exchange Act, regardless of any general incorporation language in such filing.

**ITEM 8.01. OTHER EVENTS.**

On October 5, 2006, the Company issued a press release announcing that the promotion of FACTIVE<sup>(R)</sup> (gemifloxacin mesylate) tablets has begun by Pfizer, S.A. de C.V. in Mexico. The press release is attached hereto as Exhibit 99.2.

On October 9, 2006, the Company issued a press release announcing that FACTIVE tablets are the subject of five poster presentations at the Third International Symposium on Resistant Gram-Positive Infections. The press release is attached hereto as Exhibit 99.3.

**ITEM 9.01. FINANCIAL STATEMENTS AND EXHIBITS.**

(d) Exhibits

- 99.1 Press Release issued by Oscient Pharmaceuticals Corporation on October 11, 2006.
- 99.2 Press Release issued by Oscient Pharmaceuticals Corporation on October 5, 2006.
- 99.3 Press Release issued by Oscient Pharmaceuticals Corporation on October 9, 2006.

SIGNATURE

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.

OSCIENT PHARMACEUTICALS CORPORATION

By: /s/ PHILIPPE MAITRE

Name: Philippe Maitre

Title: Senior Vice President and Chief Financial Officer

Date: October 10, 2006

EXHIBIT INDEX

| <b>Exhibit<br/>Number</b> | <b>Description</b>   |
|---------------------------|--|
| 99.1                      | Press Release issued by Oscient Pharmaceuticals Corporation on October 11, 2006. |
| 99.2                      | Press Release issued by Oscient Pharmaceuticals Corporation on October 5, 2006.  |
| 99.3                      | Press Release issued by Oscient Pharmaceuticals Corporation on October 9, 2006.  |