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MIDDLEBY CORP  
Form 8-K  
February 17, 2004

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 16, 2004

THE MIDDLEBY CORPORATION  
(Exact Name of Registrant as Specified in its Charter)

Commission File No. 1-9973

Delaware  
(State or Other Jurisdiction of  
Incorporation or Organization)

36-3352497  
(I.R.S. Employer Identification No.)

1400 Toastmaster Drive, Elgin, Illinois  
(Address of Principal Executive Offices)

60120  
(Zip Code)

Registrant's Telephone No., including Area Code (847) 741-3300

Item 7. Financial Statements and Exhibits

(c) Exhibits.

99.1 Press release dated February 16, 2004 of The Middleby Corporation.

Item 9. Regulation FD Disclosure

On February 16, 2004, The Middleby Corporation issued a press release announcing its financial results for the quarter ended January 3, 2004. A copy of that press release is attached as Exhibit 99.1.

The information in this Form 8-K is being furnished pursuant to "Item 12. Results of Operations and Financial Condition" of Form 8-K in accordance with SEC Release Nos. 33-8216 and 34-47583 (March 27, 2003). Such information, including any exhibits, shall not be deemed "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, nor shall it be deemed incorporated by reference into any filing made under the securities Act of 1933, except as expressly set forth by specific reference in such filing.

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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 thereunto duly authorized.

THE MIDDLEBY CORPORATION

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(Registrant)

Date February 16, 2004

By: /s/ Timothy J. FitzGerald

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Timothy J. FitzGerald  
Vice President,  
Chief Financial Officer