

INSMED INC  
Form 8-K  
January 03, 2005

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**  
**WASHINGTON, DC 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): December 30, 2004

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**INSMED INCORPORATED**

(Exact Name of Registrant as Specified in Its Charter)

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Virginia

(State or Other Jurisdiction of Incorporation)

0-30739  
(Commission File Number)

54-1972729  
(IRS Employer Identification No.)

4851 Lake Brook Drive, Glen Allen, Virginia

23060

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(Address of Principal Executive Offices)

(Zip Code)

**(804) 565-3000**

**(Registrant's Telephone Number, Including Area Code)**

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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:

- .. 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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**INFORMATION TO BE INCLUDED IN THE REPORT**

**Item 8.01. Other Events.**

On December 30, 2004, Insmmed Incorporated (the Company ) issued a press release in response to a lawsuit filed by Tercica, Inc. in the U.S. District Court for Northern California against the Company. The Company's press release is attached as Exhibit 99.1 to this report on Form 8-K and incorporated herein by reference.

**Item 9.01. Financial Statements and Exhibits.**

99.1 Press Release issued by Insmmed Incorporated on December 30, 2004

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**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.

**Insmmed Incorporated**

Date: December 30, 2004

By:           /s/ Kevin P. Tully          

Name: Kevin P. Tully C.G.A.,  
Title: Principal Financial Officer,

Treasurer and Controller

**EXHIBIT INDEX**

| <b>Exhibit No.</b> | <b>Description</b>                                                 |
|--------------------|--------------------------------------------------------------------|
| 99.1               | Press Release issued by Insmmed Incorporated on December 30, 2004. |