

Edgar Filing: ADVANCED BATTERY TECHNOLOGIES, INC. - Form NT 10-Q

ADVANCED BATTERY TECHNOLOGIES, INC.
Form NT 10-Q
August 16, 2004

SECURITIES & EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

FORM 12b-25

Notification of Late Filing

ADVANCED BATTERY TECHNOLOGIES, INC.

Commission File Number 0-13337

(Check one)

Form 10-K and Form 10-KSB Form 11-K Form 20-F

Form 10-Q and Form 10-QSB Form N-SAR

For the period ended: June 30, 2004

Transition Report on Form 10-K and Form 10-KSB

Transition Report on Form 20-F

Transition Report on Form 11-K

Transition Report on Form 10-Q and Form 10-QSB

Transition Report on Form N-SAR

For the transition period ended: _____

Nothing in this form shall be construed to imply that the Commission has verified any information contained herein.

If the notification relates to a portion of the filing checked above, identify the item(s) to which the notification relates:

PART I
REGISTRANT INFORMATION

Full name of Registrant ADVANCED BATTERY TECHNOLOGIES, INC.

Former name, if applicable _____

100 Wall Street, 15th Floor, New York, NY 10005

Address of principal executive office

PART II

If the subject report could not be filed without unreasonable effort or expense and the registrant seeks relief pursuant to Rule 12b-25(b), the following should be completed. (Check box if appropriate) [X]

(a) The reasons described in reasonable detail in Part III of this form could

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not be eliminated without unreasonable effort or expense;

(b) The subject annual report, semi-annual report, transition report on Form 10-K 10-KSB, 20-F, 11-K or Form N-SAR, or portion thereof will be filed on or before the 15th calendar day following the prescribed due date; or the subject quarterly report or transition report on Form 10-Q, 10-QSB, or portion thereof will be filed on or before the fifth calendar day following the prescribed due date; and

(c) The accountant's statement or other exhibit required by Rule 12b-25(c) has been attached if applicable.

PART III
NARRATIVE

Advanced Battery Technologies, Inc. is unable to file its Quarterly Report on Form 10-QSB within the required time because there was a delay in completing the adjustments necessary to close its books for the quarter.

PART IV
OTHER INFORMATION

(1) Name and telephone number of person to contact in regard to this notification:

John C. Leo 212-232-0120 x 221

(2) Have all other periodic reports required under Section 13 or 15(d) or the Securities Exchange Act of 1934 or Section 30 of the Investment Company Act of 1940 during the preceding 12 months or for such shorter period that the registrant was required to file such report(s) been filed. Yes [X] No []

(3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal year will be reflected by the earnings statements to be included in the subject report or portion thereof. Yes [] No [X]

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state the reasons why a reasonable estimate of the results cannot be made.

ADVANCED BATTERY TECHNOLOGIES, INC.

Name of Registrant as Specified in its Charter

Has caused this notification to be signed on its behalf by the undersigned thereunto duly authorized.

Date: August 16, 2004

By: /s/ John C. Leo

John C. Leo
Chief Financial Officer