

NovaBay Pharmaceuticals, Inc.  
Form 8-K  
December 31, 2008

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) December 31, 2008

NovaBay Pharmaceuticals, Inc.

(Exact name of registrant as specified in its charter)

California  
(State or other jurisdiction  
of incorporation)

001-33678  
(Commission  
File Number)

68-0454536  
(IRS Employer  
Identification No.)

5980 Horton Street, Suite 550, Emeryville, CA  
(Address of principal executive offices)

94608  
(Zip Code)

Registrant's telephone number, including area code (510) 899-8800

Not Applicable

(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:

- 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))



Item 3.01 Notice of Delisting or Failure to Satisfy a Continued Listing Rule or Standard; Transfer of Listing;

NovaBay Pharmaceuticals, Inc. has notified the Toronto Stock Exchange (TSX) of its intent to voluntarily remove its listing of common stock from the TSX in order to consolidate trading on the American Stock Exchange (AMEX) to achieve cost saving.

Item 9.01            Financial Statements and Exhibits  
    (d)                Exhibits

Exhibit No.	Description
99.1	Press release of NovaBay Pharmaceuticals, Inc. dated December 31, 2008

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.

Dated: December 31, 2008

NOVABAY PHARMACEUTICALS, INC.

By: /s/ THOMAS PAULSON  
Thomas J. Paulson  
Chief Financial Officer and Treasurer