

NovaBay Pharmaceuticals, Inc.  
Form 8-K  
January 14, 2009

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) January 8, 2009

NovaBay Pharmaceuticals, Inc.

(Exact name of registrant as specified in its charter)

|   |  |   |
|---|--|---|
| California<br>(State or other jurisdiction<br>of incorporation)                           | 001-33678<br>(Commission<br>File Number) | 68-0454536<br>(IRS Employer<br>Identification No.)<br>94608<br>(Zip Code) |
| 5980 Horton Street, Suite 550, Emeryville, CA<br>(Address of principal executive offices) |  |   |
| 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 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.

NovaBay Pharmaceuticals Inc is reporting that effective at the close of business on January 8, 2009, John (Jack) James O'Reilly resigned from his position as Member of the Board of Directors. Mr. O'Reilly's decision to resign was the result of hearing loss that has been increasingly preventing him from playing a full role within the company.

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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.

Dated: January 14, 2009

NOVABAY PHARMACEUTICALS, INC.

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