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ELITE PHARMACEUTICALS INC /DE/
Form 8-K
April 05, 2005

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

March 30, 2005

Date of Report (Date of earliest event reported)

ELITE PHARMACEUTICALS, INC.

(Exact name of registrant as specified in its charter)

| | | |
|---|-----------------------------|--------------------------------------|
| Delaware | 333-45241 | 22-3542636 |
| ----- | ----- | ----- |
| (State or other jurisdiction of incorporation) | (Commission File Number) | (IRS Employer Identification No.) |

165 Ludlow Avenue, Northvale, New Jersey 07647

(Address of principal executive offices)

(201) 750-2646

(Registrant's telephone number, including area code)

(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))

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ITEM 1.01. ENTRY INTO MATERIAL DEFINITIVE AGREEMENT.

On March 30, 2005, Elite Pharmaceuticals, Inc's., a Delaware corporation (the "REGISTRANT") wholly owned subsidiary entered into an agreement with a privately held specialty dermatological marketing company and a privately held boutique formulation development company for the development and marketing of a generic controlled release drug delivery system in an undisclosed area. The agreement provides for the development and manufacture of the drug by the Registrant and its sale to the marketing company for distribution, and the formulation development company to be responsible for the requisite submissions, if any to the FDA. The Registrant is to share in profits, if any from sales of the drug. Prior to obtaining an ANDA, the agreement may be terminated by the marketing company at any time upon 30 days notice.

The drug is a generic equivalent to a branded drug, which the Registrant believes has addressable market revenues of approximately \$80 million per year.

ITEM 9.01. FINANCIAL STATEMENTS AND EXHIBITS

c) Exhibits

10.1 Product Development, Manufacturing and Distribution Agreement, dated as of March 30, 2004*

99.1. Copy of Press Release, dated April 5, 2005

* The Registrant has requested confidential treatment with respect to the referenced exhibit. In the event that the Securities and Exchange Commission should deny such request in whole or in part, such exhibit or the relevant portions thereof shall be filed by amendment to this Current Report on Form 8-K.

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 hereunto duly authorized.

Dated: April 5, 2005

ELITE PHARMACEUTICALS, INC.

By: /s/ BERNARD BERK

Name: Bernard Berk
Title: Chief Executive Officer