VIVUS INC Form 8-K July 16, 2010

# 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)

July 15, 2010

# VIVUS, INC.

(Exact name of registrant as specified in its charter)

**Delaware** (State or other jurisdiction of incorporation)

**001-33389** (Commission File Number)

**94-3136179** (IRS Employer Identification No.)

1172 CASTRO STREET

**MOUNTAIN VIEW, CA 94040** 

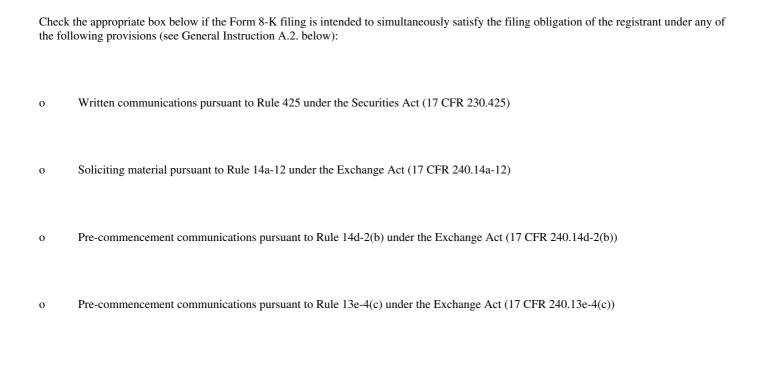
(Address of principal executive offices, including zip code)

(650) 934-5200

(Registrant s telephone number, including area code)

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(Former name or former address, if changed since last report)



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On July 15, 2010, VIVUS, Inc. issued a press release titled VIVUS Comments on FDA Advisory Committee Panel Meeting on Qnexa® (phentermine/topiramate) Controlled Release Capsules for the Treatment of Obesity. A copy of the press release is attached hereto as Exhibit 99.1.

#### Item 9.01. Financial Statements and Exhibits

(d) Exhibits.

Exhibit No. Description

99.1 Press Release dated July 15, 2010

2

#### **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.

VIVUS, INC.

By: /s/ Lee B. Perry
Lee B. Perry
Vice President and Chief Accounting Officer

Date: July 15, 2010

3

#### EXHIBIT INDEX

Exhibit No. Description

99.1 Press Release dated July 15, 2010

4