

FARO TECHNOLOGIES INC
Form 8-K
May 06, 2011

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): May 4, 2011

FARO TECHNOLOGIES, INC.

(Exact name of registrant as specified in its charter)

Florida
(State or other jurisdiction)

0-23081
(Commission)

59-3157093
(IRS Employer)

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(State of incorporation)

(File Number)

(Identification No.)

250 Technology Park,

Lake Mary, Florida

(Address of principal executive offices)

Registrant's telephone number, including area code: (407) 333-9911

32746

(Zip Code)

N/A

(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 (see General Instruction A.2. below):

- 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 8.01. Other Events.

On May 4, 2011, FARO Technologies, Inc. (the Company) issued a press release announcing that the U.S. District Court for the District of Massachusetts has ruled in the Company s favor in its on-going patent dispute with Nikon Metrology, finding that with respect to U.S. Patent No. 6,611,617, Nikon s patent is unenforceable due to inequitable conduct. The patent dispute with respect to U.S. Patent No. 7,313, 264 remains ongoing, and the Company believes it does not infringe patent 7,313,264 and that it is invalid and unenforceable. A copy of the press release is filed as Exhibit 99.1 hereto and is incorporated herein by reference. The Company is not including the information contained on or available through its website referenced in the press release as part of, or incorporating such information into, this Current Report on Form 8-K.

Item 9.01. Financial Statements and Exhibits.

(d) Exhibits

| Exhibit Number | Description |
|-----------------------|----------------------------------|
| 99.1 | Press release dated May 4, 2011. |

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

FARO Technologies, Inc.

(Registrant)

May 6, 2011

/s/ Keith Bair

By: Keith Bair

Its: Chief Financial Officer

EXHIBIT INDEX

| Exhibit Number | Description |
|---------------------------|----------------------------------|
| 99.1 | Press release dated May 4, 2011. |