

ACACIA RESEARCH CORP
Form DFAN14A
June 14, 2018

UNITED STATES

SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

SCHEDULE 14A

(Rule 14a-101)

INFORMATION REQUIRED IN PROXY STATEMENT

SCHEDULE 14A INFORMATION

Proxy Statement Pursuant to Section 14(a) of The Securities Exchange Act of 1934

(Amendment No.)

Filed by the Registrant

Filed by a Party other than the Registrant

Check the appropriate box:

Preliminary Proxy Statement

Confidential, for Use of the Commission Only (as permitted by Rule 14a-6(e)(2))

Definitive Proxy Statement

Definitive Additional Materials

Soliciting Material Under Rule
14a-12

ACACIA RESEARCH CORPORATION
(Name of Registrant as Specified in Its Charter)

SIDUS INVESTMENT PARTNERS, L.P.

SIDUS DOUBLE ALPHA FUND, L.P.

SIDUS DOUBLE ALPHA, LTD.

SIDUS ADVISORS, LLC

SIDUS INVESTMENT MANAGEMENT, LLC

MICHAEL J. BARONE

ALFRED V. TOBIA JR.

BLR PARTNERS LP

BLRPART, LP

BLRGP INC.

FONDREN MANAGEMENT, LP

FMLP INC.

BRADLEY L. RADOFF

CLIFFORD PRESS
(Name of Persons(s) Filing Proxy Statement, if Other Than the Registrant)

Payment of Filing Fee (Check the appropriate box):

No fee required.

Fee computed on table below per Exchange Act Rules 14a-6(i)(1) and 0-11.

(1) Title of each class of securities to which transaction applies:

(2) Aggregate number of securities to which transaction applies:

(3) Per unit price or other underlying value of transaction computed pursuant to Exchange Act Rule 0-11 (set forth the amount on which the filing fee is calculated and state how it was determined):

(4) Proposed maximum aggregate value of transaction:

(5) Total fee paid:

Fee paid previously with preliminary materials:

Check box if any part of the fee is offset as provided by Exchange Act Rule 0-11(a)(2) and identify the filing for which the offsetting fee was paid previously. Identify the previous filing by registration statement number, or the form or schedule and the date of its filing.

(1) Amount previously paid:

(2) Form, Schedule or Registration Statement No.:

(3) Filing Party:

(4) Date Filed:

Sidus Investment Management, LLC and BLR Partners LP, together with the other participants named herein (collectively, “Sidus”), has made a definitive filing with the Securities and Exchange Commission of a proxy statement and accompanying **BLUE** proxy card to be used to solicit votes for the election of Sidus’ slate of highly qualified director nominees to the Board of Directors of Acacia Research Corporation, a Delaware corporation (the “Company”), at the Company’s upcoming 2018 annual meeting of stockholders, or any other meeting of stockholders held in lieu thereof, and any adjournments, postponements, reschedulings or continuations thereof.

On June 14, 2018, Sidus issued the following press release, which was also posted by Sidus to www.rescueacacia.com:

Stockholders Overwhelmingly Support Sidus Investment Management and BLR Partners’ Campaign for Change at Acacia Research Corporation

Preliminary Results from Annual Meeting Indicate that Both Sidus Nominees – Clifford Press and Alfred V. Tobia Jr. – Have Been Elected to the Board by More than 4:1 Margin

NEW YORK, June 14, 2018 – Sidus Investment Management, LLC and BLR Partners LP (together, “Sidus,” “we” or “us”), collectively one of the largest stockholders of Acacia Research Corporation (“Acacia” or the “Company”) (NASDAQ: ACTG), with aggregate ownership of approximately 4.6% of the Company’s outstanding shares, today announced that, based on the preliminary report provided by their proxy solicitor, stockholders voted overwhelmingly to support the election of both Sidus nominees – Clifford Press and Alfred V. Tobia Jr. – to the Company’s Board at the 2018 Annual Meeting of Stockholders (the “Annual Meeting”), which was held today.

Alfred V. Tobia Jr., Co-Founder and Managing Member of Sidus Investment Management, said, “We are grateful to our fellow stockholders who voted for the election of Clifford Press and myself to the Acacia Board. We believe that the decisive results of this vote clearly indicate a mandate for significant change at this Company. We take this charge very seriously and will represent the best interests of all Acacia stockholders in the boardroom.”

Bradley L. Radoff, principal of BLR Partners, said, “We are pleased that Acacia’s stockholders agreed with us that change is desperately needed at the Company. As we have stated throughout this campaign, Acacia is in need of major corporate governance improvements. The resounding support that our nominees have received makes clear that the Board must act quickly to implement the mandate that has been given to the newly elected directors – including putting in place best in class governance practices.”

Final results of the Annual Meeting will be published by Acacia once they are certified by the Company’s inspector of elections.

For more information, and to see other communications and filings from Sidus, visit this link: <https://www.rescueacacia.com>.

Contacts

Investors:

John Ferguson

Saratoga Proxy Consulting LLC, (212) 257-1311

Clifford Press / Alfred V. Tobia Jr.

(212) 277-5635 / (212) 751-6644

Media:

Sloane & Company

Joe Germani / Kristen Duarte, 212-486-9500

jgermani@sloanepr.com / kduarte@sloanepr.com