

VIACELL INC
Form 8-K
October 28, 2005

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**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549**

**FORM 8-K
CURRENT REPORT
PURSUANT TO SECTION 13 OR 15(D) OF THE
THE SECURITIES EXCHANGE ACT OF 1934**
Date of report (Date of earliest event reported): October 27, 2005
VIACELL, INC.

(Exact name of registrant as specified in its charter)

| | | |
|--|-----------------------------|---|
| Delaware | 000-51110 | 04-3244816 |
| (State or other jurisdiction of of incorporation or organization) | (Commission File Number) | (I.R.S. Employer Identification No.) |
| 245 First Street, Cambridge, Massachusetts 02142 | | |

(Address of Principal Executive Offices) (Zip Code)

Registrant's telephone number, including area code: (617) 914-3400

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))
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Item 8.01 Other Events

Item 9.01 Financial Statements and Exhibits.

SIGNATURE

EX-99.1 Press release issued by ViaCell, Inc. on October 27, 2005

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Item 8.01 Other Events

ViaCell, Inc. (ViaCell) issued a press release on October 27, 2005 announcing that Viacell has entered into an agreement to settle pending litigation with CBR Systems, Inc. A copy of the press release dated October 27, 2005 is being filed as Exhibit 99.1 to this Current Report on Form 8-K.

Item 9.01 Financial Statements and Exhibits.

(c) Exhibits.

99.1 Press release issued by ViaCell dated October 27, 2005.

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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.

VIACELL, INC.

Date: October 27, 2005

By: /s/ Anne Marie Cook

Name: Anne Marie Cook

Title: Senior Vice President, Legal and General
Counsel

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EXHIBIT INDEX

The following exhibit is filed herewith:

| Exhibit | Description |
|---------|---|
| 99.1 | Press release issued by ViaCell, Inc. (ViaCell) on October 27, 2005 announcing that Viacell has entered into an agreement to settle pending litigation with CBR Systems, Inc. |