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ACACIA RESEARCH CORP  
Form 8-K  
April 14, 2004

SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 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) April 13, 2004  
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ACACIA RESEARCH CORPORATION  
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(Exact Name of Registrant as Specified in Its Charter)

|  |                          |   |
|--|--------------------------|---|
| Delaware   | 000-26068                | 95-4405754                              |
| -----  | -----                    | -----                                   |
| State or Other Jurisdiction<br>of Incorporation) | (Commission File Number) | (I.R.S. Employer<br>Identification No.) |

|   |            |
|---|------------|
| 500 NEWPORT CENTER DRIVE, NEWPORT BEACH, CALIFORNIA | 92660      |
| -----   | -----      |
| (Address of Principal Executive Offices)            | (Zip Code) |

(949) 480-8300  
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(Registrant's Telephone Number, Including Area Code)

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(Former Name or Former Address, if Changed Since Last Report)

ITEM 5. OTHER EVENTS AND REQUIRED FD DISCLOSURE.

On April 13, 2004, Acacia Research Corporation (the "Company") entered into a Placement Agency Agreement with Thomas Weisel Partners LLC and Brean Murray & Co., Inc. relating to the offering of 3,000,000 shares (the "Offered Shares") of the Company's Acacia Research-CombiMatrix common stock, par value \$0.001 per share, pursuant to the Company's Registration Statement on Form S-3 (File No. 333-112885). A copy of such agreement is attached hereto as Exhibit 1.1. The Company filed a base prospectus and a prospectus supplement relating to the issuance and sale of the Offered Shares with the Securities and Exchange Commission on March 17, 2004 and April 14, 2004, respectively.

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On April 14, 2004, the Company issued a press release relating to the issuance and sale of the Offered Shares. A copy of such press release is attached hereto as Exhibit 99.1.

### ITEM 7. FINANCIAL STATEMENTS AND EXHIBITS

#### (c) Exhibits

| Number<br>----- | Description<br>-----  |
|-----------------|---|
| 1.1             | Placement Agency Agreement dated April 13, 2004 by and among the Company, Thomas Weisel Partners LLC and Brean Murray & Co., Inc. |
| 99.1            | Press Release issued by the Company on April 14, 2004   |

#### 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 THEREUNTO DULY AUTHORIZED.

ACACIA RESEARCH CORPORATION

Date: April 14, 2004

By: /s/ Paul R. Ryan

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Paul R. Ryan  
Chairman and Chief Executive Officer

#### EXHIBIT INDEX

| Exhibit No.<br>----- | Description<br>-----  | Page No.<br>----- |
|----------------------|---|-------------------|
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| 99.1                 | Press Release issued by the Company on April 14, 2004   | 99.1-1            |