

Edgar Filing: AVOCENT CORP - Form 8-K

AVOCENT CORP  
Form 8-K  
August 23, 2006

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) August 18, 2006  
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AVOCENT CORPORATION  
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(Exact name of registrant as specified in its charter)

DELAWARE	000-30575	91-2032368
(State or other jurisdiction of incorporation)	(Commission File Number)	(IRS Employer Identification No.)

4991 CORPORATE DRIVE	HUNTSVILLE, AL 35805
(Address of principal executive offices)	(Zip Code)

Registrant's telephone number, including area code (256) 430-4000  
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n/a  
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(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:

- 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 7.01 Regulation FD Disclosure.

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On August 18, 2006, Avocent Corporation entered into a Settlement and Patent License Agreement with ClearCube Technology, Inc. under which ClearCube has licensed certain patents from Avocent and is evaluating certain other Avocent technologies for potential license. As a result of the Agreement, the two companies dismissed the litigation between them. On August 23, 2006, Avocent publicly disseminated a press release announcing the settlement, and the information contained in the press release is incorporated herein by reference and furnished as Exhibit 99.22 hereto.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits.

Exhibit Number	Description of Exhibit
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99.22	Press release issued August 23, 2006

### SIGNATURES

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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.

AVOCENT CORPORATION

Date: August 23, 2006

By: /s/ Edward H. Blankenship

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Edward H. Blankenship  
Senior Vice President of Finance and  
Chief Financial Officer

### EXHIBIT INDEX

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Exhibit	Description
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99.22	Press release issued August 23, 2006