

MERCADOLIBRE INC  
Form 8-K  
January 20, 2009

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

**Washington, D.C. 20549**

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**FORM 8-K**

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**CURRENT REPORT**

**Pursuant to Section 13 OR 15(d) of  
The Securities Exchange Act of 1934**

Date of Report (Date of earliest event reported) **January 20, 2009**

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**MercadoLibre, Inc.**

(Exact name of registrant as specified in its charter)

**Delaware**  
(State or other jurisdiction  
of incorporation)

**001-33647**  
(Commission File Number)

**98-0212790**  
(IRS Employer Identification No.)

**Tronador 4890, 8th Floor, Buenos Aires, Argentina**  
(Address of principal executive offices)

**C1430DNN**  
(Zip Code)

Registrant's telephone number, including area code: **011-54-11-5352-8000**

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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))

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**Item 2.02. Results of Operations and Financial Condition.**

This Current Report on Form 8-K and the selected summary statistical data press release attached hereto are being furnished by MercadoLibre, Inc. (the "Company") pursuant to Item 7.01 of Form 8-K in satisfaction of the public disclosure requirements of Regulation FD and pursuant to

## Edgar Filing: MERCADOLIBRE INC - Form 8-K

Item 2.02 of Form 8-K insofar as it discloses historical information regarding the Company's results of operations and financial condition for the three months and full year ended December 31, 2008.

On January 20, 2009, the Company issued a press release regarding selected summary statistical data for the t three months and full year ended December 31, 2008. A copy of this release is being furnished as Exhibit 99.1 to this Current Report on Form 8-K and is incorporated herein by reference.

In accordance with General Instruction B.2 of Form 8-K, the information in this Current Report on Form 8-K, including Exhibit 99.1, shall not be deemed "filed" for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liability of that section, nor shall it be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, except as shall be expressly set forth by specific reference in such a filing.

### Item 7.01. Regulation FD Disclosure.

The disclosure contained in Item 2.02 is incorporated herein by reference.

### Item 9.01. Financial Statements and Exhibits.

(c) Exhibits.

99.1 Press Release issued by the Company on January 20, 2009.

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### SIGNATURE

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.

**MercadoLibre, Inc.**

(Registrant)

/s/ NICOLÁS SZEKASY

**January 20, 2009**

(Date)

NICOLÁS SZEKASY

*Chief Financial Officer*

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### Exhibit Index

99.1 Press release dated January 20, 2009