

MYRIAD GENETICS INC
Form 8-K
July 09, 2013

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): July 9, 2013

MYRIAD GENETICS, INC.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction
of incorporation)

0-26642
(Commission
File Number)

87-0494517
(IRS Employer
Identification No.)

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320 Wakara Way

Salt Lake City, Utah 84108

(Address of principal executive offices) (Zip Code)

Registrant's telephone number, including area code: (801) 584-3600

Not Applicable

(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 (*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))

ITEM 8.01 Other Events.

On July 9, 2013, the University of Utah, the University of Pennsylvania, the Hospital for Sick Children, Endorecherche, Inc. and Myriad Genetics, Inc. (collectively, the Patent Owners) filed a lawsuit in the United States District Court for the District of Utah against Ambry Genetics Corp. (Ambry), a molecular diagnostic testing company located in Aliso Viejo, California, alleging infringement of claims in patents owned by the Patent Owners covering synthetic DNA and methods-of-use related to the BRCA1 and BRCA2 genes.

The lawsuit alleges that the testing process employed by Ambry infringes claims in 10 patents owned or licensed by the Patent Owners covering synthetic primers, probes and arrays, as well as methods of testing, related to the BRCA1 and BRCA2 genes. As part of the lawsuit, the Patent Owners are seeking a preliminary injunction to prevent Ambry from selling products that use the intellectual property protected by these patents, including Ambry s BRCAplus, BreastNext, OvaNext and CancerNext tests. The Patent Owners also are seeking up to treble damages for any profits lost as a result of a finding that Ambry s infringement is willful.

On June 13, 2013, the United States Supreme Court affirmed the patent eligibility of synthetic DNA and underscored the importance and applicability of method-of-use patents for gene-based diagnostic tests in *Association for Molecular Pathology v. Myriad Genetics*.

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 hereunto duly authorized.

MYRIAD GENETICS, INC.

Date: July 9, 2013

By: /s/ Peter D. Meldrum
Peter D. Meldrum
President and Chief Executive Officer

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font-size:1pt">**TO VOTE:**

IN PERSON: You may vote your shares in person by attending the Annual Meeting.

- OR -

TELEPHONE: To vote by telephone, please visit www.voteproxy.com to view the materials and to obtain the toll free number to call. You may enter your voting instructions up until 11:59 PM Eastern Time on May 27, 2015.

Matters to be acted on:

THE BOARD OF DIRECTORS RECOMMENDS A VOTE FOR THE ELECTION OF DIRECTORS AND FOR PROPOSAL 2.

1. To elect eight (8) directors to the Board of Directors of the Company to serve until the next annual meeting of stockholders and until their successors are duly elected and qualified.
2. Advisory resolution to approve executive compensation.

NOMINEES: George G. Beasley	(For All Classes of Common Stockholders)	3. In their discretion, the proxies are authorized to vote upon such other business as may properly come before the Annual Meeting of stockholders
Bruce G. Beasley	(For All Classes of Common Stockholders)	
Caroline Beasley	(For All Classes of Common Stockholders)	
Brian E. Beasley	(For All Classes of Common Stockholders)	
Joe B. Cox	(For All Classes of Common Stockholders)	
Allen B. Shaw	(For All Classes of Common Stockholders)	
Mark S. Fowler	(For Class A Common Stockholders)	
Herbert W. McCord	(For Class A Common Stockholders)	

and any adjournment thereof.

These items of business are more fully described in the proxy statement. The record date for the Annual Meeting is March 31, 2015. Only stockholders of record at the close of business on that date may vote at the meeting or any adjournment thereof.

Please note that you cannot use this notice to vote by mail.