VIACELL INC Form 8-K September 22, 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): September 21, 2005 **VIACELL, INC.** 

(Exact name of registrant as specified in its charter)

Delaware 000-51110 04-3244816

(State or other jurisdiction of (Commission (I.R.S. Employer of incorporation or organization) File Number) 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):

- o Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- o Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- o Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- o 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 dated September 21, 2005

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Item 8.01 Other Events

ViaCell, Inc. (ViaCell) issued a press release on September 21, 2005 announcing that the U.S. Food and Drug Administration (FDA) has placed a clinical hold on ViaCell s Phase I clinical trial evaluating CB001, an investigational cord blood stem cell product for hematopoietic stem cell transplantation in patients affected by a variety of cancers. The clinical hold is not in response to any new events in the study, but rather formalizes a previously announced agreement between ViaCell and the FDA to suspend enrollment in the Phase I clinical trial. A copy of the press release dated September 21, 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 September 21, 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: September 22, 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 rele

Press release issued by ViaCell, Inc. (ViaCell) on September 21, 2005 announcing that the U.S. Food and Drug Administration (FDA) has placed a clinical hold on ViaCell s Phase I clinical trial evaluating CB001, an investigational cord blood stem cell product for hematopoietic stem cell transplantation in patients affected by a variety of cancers. The clinical hold is not in response to any new events in the study, but rather formalizes a previously announced agreement between ViaCell and the FDA to suspend enrollment in the Phase I clinical trial.