

NovaBay Pharmaceuticals, Inc.  
Form 8-K  
August 18, 2008

**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 14, 2008

**NovaBay Pharmaceuticals, Inc.**

(Exact name of registrant as specified in its charter)

**California**  
(State or other jurisdiction

**001-33678**  
(Commission

**68-0454536**  
(IRS Employer

of incorporation)

File Number)

Identification No.)

**5980 Horton Street, Suite 550, Emeryville, CA**  
(Address of principal executive offices)

**94608**  
(Zip Code)

Registrant's telephone number, including area code (510) 899-8800

**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:

.. 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)

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

On August 14, 2008, NovaBay Pharmaceuticals, Inc. issued a press release announcing its financial results for the quarter ended June 30, 2008. A copy of the press release is attached as Exhibit No. 99.1 to this report.

The information contained in this report, including the exhibit attached hereto, is being furnished to the Securities and Exchange Commission and shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act ), or otherwise subject to the liability of that section, or incorporated by reference in any filing under the Exchange Act or the Securities Act of 1933, as amended, except as shall be expressly set forth by specific reference in any such filing.

**Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits.

| <b>Exhibit No.</b> | <b>Description</b>   |
|--------------------|--|
| 99.1               | Press Release, dated August 14, 2008, of NovaBay Pharmaceuticals, Inc. |

**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.

Dated: August 18, 2008

NOVABAY PHARMACEUTICALS, INC.

By: /S/ THOMAS J. PAULSON  
Thomas J. Paulson

Chief Financial Officer and Treasurer

**EXHIBIT INDEX**

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