

Edgar Filing: BURST COM - Form NT 10-Q

BURST COM  
Form NT 10-Q  
May 16, 2001

U.S. Securities and Exchange Commission  
Washington, D.C.

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COMMISSION FILE NUMBER
33-35580-D

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CUSIP NUMBER
7372

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NOTIFICATION OF LATE FILING

Form 10-K  Form 11-K  Form 28-F  Form 10-Q

For period ended: March 31, 2001

Read attached instruction sheet before preparing form.  
Please print or type.

Nothing in this form shall be construed to imply that the Commission has verified any information contained herein.

If the certification relates to a portion of the filing checked above, identify the item(s) to which the notification relates: entire report

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Part I - Registrant Information

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Full Name of Registrant                      Burst.com, Inc.

Former Name if Applicable                      Instant Video Technologies, Inc.

Address of Principal Executive Officer (Street and Number)

613 Fourth Street, Suite 201

City, State and Zip Code                      Santa Rosa, CA 95404

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Part II - Rules 12b-25 (b) and (c)

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If the subject report could not be filed without unreasonable effort or expense and the registrant seeks relief pursuant to Rule 12b-25(b), the following should be completed. (Check box if appropriate)

- (a) The reasons described in reasonable detail in Part III of this form could not be eliminated without - unreasonable effort or expense;
- (b) The subject annual report / portion thereof will be filed on or before the fifteenth calendar day following the prescribed due date; or the subject quarterly report / portion thereof will be filed on or before the fifth calendar day following the prescribed due date; and
- (c) The accountant's statement or other exhibit required by Rule

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12b-25(s) has been attached if applicable.

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Part III - Narrative  
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State below in reasonable detail the reason why the Form 10-K, 11-K, 28-F or 10-Q or portion thereof, could not be filed within the prescribed time period.

The Form 10-Q could not be filed within the prescribed time period because of recent events requiring disclosure on the 10-Q. Such delays could not be eliminated by the Registrant without unreasonable effort or expense. The form 10-Q will be filed as soon as practicable, but in no event later than the fifth business day following the prescribed due date.

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Part IV - Other Information  
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(1) Name and telephone number of person to contact in regard to this notification.

Jeffrey D. Wilson	415	672-3137
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(Name)	(Area Code)	(Telephone Number)

(2) Have all other periodic reports required under Section 13 or 15(d) of the Securities Exchange Act of 1934 or Section 30 of the Investment Company Act of 1940 during the preceding 12 months or for such shorter period that the registrant was required to file such report(s) been filed? If the answer is no, identify report(s).  Yes  No

(3) Is it anticipated that any significant change in results of operations from the corresponding period for the last fiscal year will be reflected by the earnings statements to be included in the subject report or portion thereof?  Yes  No

If so, attach an explanation of the anticipated change, both narratively and quantitatively, and, if appropriate, state the reasons why a reasonable estimate of the results cannot be made.

Revenue recorded for the three months ended March 31, 2001 was \$31,323 versus 75,012 in 2000. The revenue decline was due to curtailment of sales, support and product marketing activity occurring in November 2000.

Costs and expenses during the three months ended March 31, 2001 were approximately \$2,400,000 as compared to \$3,812,907 during the three months ended March 31, 2000. The approximate \$1,400,000 decrease was primarily a result of staff reductions in all departments and in sales, marketing, product support and product development in particular.

General and administrative expense increased by approximately \$1,000,000 due to severance costs, fixed asset disposition losses and write-downs, lease termination costs as well as the cost of continuing efforts to obtain strategic alliances or dispose of our technology.

Due to the relocation of the Company's headquarters and reductions in finance and legal staff and budget, additional time is needed before a reasonable

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estimate can be made.

Burst.com, Inc.

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Name of Registrant as specified in charter

has caused this notification to be signed on its behalf by the undersigned thereunto duly authorized.

Date: May 16, 2001

By: /s/ Richard Lang

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Richard Lang, Chairman  
and Chief Executive Officer

INSTRUCTION: The form may be signed by an executive officer of the registrant or by any other duly authorized representative. The name and title of the person signing the form shall be typed or printed beneath the signature. If the statement is signed on behalf of the registrant by an authorized representative (other than an executive officer), evidence of the representative's authority to sign on behalf of the registrant shall be filed with the form.

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ATTENTION

International misstatements or omissions of fact constitute  
Federal Criminal Violations (Sec 18 U.S.C. 1001)