

LITHIUM TECHNOLOGY CORP
Form 10KSB/A
September 08, 2008

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 10-KSB/A

(Mark One)

ANNUAL REPORT UNDER SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934.
For the fiscal year ended December 31, 2007

OR

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934.

For the transition period from _____ to _____

Commission File Number 1-10446

LITHIUM TECHNOLOGY CORPORATION

(Name of Small Business Issuer in Its Charter)

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DELAWARE
(State or Other Jurisdiction of

13-3411148
(I.R.S. Employer

Incorporation or Organization)

Identification No.)

5115 CAMPUS DRIVE, PLYMOUTH MEETING, PENNSYLVANIA 19462

(Address of Principal Executive Offices) (Zip Code)

(610) 940-6090

(Issuer's Telephone Number, Including Area Code)

Securities registered under Section 12(b) of the Exchange Act: NONE.

Securities registered under Section 12(g) of the Exchange Act: COMMON STOCK, PAR VALUE, \$0.01

Check whether the issuer is not required to file reports pursuant to Section 13 or 15(d) of the Exchange Act.

Note: Checking the box above will not relieve any registrant required to file reports pursuant to Section 13 or 15(d) of the Exchange Act from their obligations under those Sections.

Check whether the issuer (1) filed all reports required to be filed by Section 13 or 15(d) of the Exchange Act during the past 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. Yes No

Check if there is no disclosure of delinquent filers in response to Item 405 of Regulation S-B contained in this form, and no disclosure will be contained, to the best of registrant's knowledge, in definitive proxy or information statements incorporated by reference in Part III of this Form 10-KSB or any amendment to this Form 10-KSB.

Indicate by check mark whether the registrant is a shell company (as defined in Rule 12b-2 of the Exchange Act). Yes No

Large accelerated filer an accelerated filer or a non-accelerated filer

State issuer's revenues for its most recent fiscal year. \$2,609,000.

State the aggregate market value of the voting and non-voting common equity held by non-affiliates computed by reference to the price at which the common equity was sold, or the average bid and asked prices of such common equity, as of a specified date within the past 60 days. Approximately \$31,781,589 as of May 2, 2008. The aggregate market value was based upon the mean between the closing bid and asked price for the common stock on May 2, 2008 as quoted by the OTC Pink Sheets \$0.072.

(APPLICABLE ONLY TO CORPORATE REGISTRANTS)

State the number of shares outstanding of each of the issuer's classes of common equity, as of the latest practicable date: As of May 2, 2008, 670,924,782 shares of common stock.

DOCUMENTS INCORPORATED BY REFERENCE

If the following documents are incorporated by reference, briefly describe them and identify the part of the Form 10-KSB (e.g., Part I, Part II, etc.) into which the document is incorporated: (1) any annual report to security-holders; (2) any proxy or information statement; and (3) any prospectus filed pursuant to Rule 424(b) or (c) of the Securities Act of 1933 (Securities Act). The listed documents should be clearly described for identification purposes (e.g., annual report to security holders for fiscal year ended December 24, 1990). None.

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Transitional Small Business Disclosure Format (check one): Yes No

EXPLANATORY NOTE

This Amendment No. 1 on Form 10-KSB/A to our Annual Report on Form 10-KSB for the fiscal year ended December 31, 2007 which was originally filed with the Securities and Exchange Commission on May 15, 2008 is being filed to amend our Certification filed pursuant to Exchange Act Rule 13a-14(a) to insert a new paragraph 4(b) of the Certification which refers to the design of our internal control over financial reporting.

Other than the change noted above, this Amendment No. 1 on Form 10-KSB/A does not change our previously reported consolidated financial statements or any of the other disclosures previously contained in the Form 10-KSB filed on May 15, 2008.

SIGNATURES

In accordance with Section 13 or 15(d) of the Securities Exchange Act of 1934, the registrant caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

LITHIUM TECHNOLOGY CORPORATION

Date: September 8, 2008

BY: /s/ Theo M.M Kremers
 Theo M.M Kremers, Chief Executive Officer
 (Principal Executive Officer)

Date: September 8, 2008

BY: /s/ Amir Elbaz
 Amir Elbaz, Chief Financial Officer
 (Principal Financial and Accounting Officer)

In accordance with the Securities Exchange Act of 1934, this report has been signed below by the following persons on behalf of the registrant and in the capacities and on the dates indicated.

| Signature | Title | Date |
|--|--|-------------------|
| /s/ Theo M.M Kremers Theo M.M Kremers | Chief Executive Officer & Director (Principal Executive Officer) | September 8, 2008 |
| /s/ Amir Elbaz Amir Elbaz | Chief Financial Officer, Executive Vice President, Treasurer and Director (Principal Financial and Accounting Officer) | September 8, 2008 |
| /s/ Christiaan A. van den Berg Christiaan A. van den Berg | Director | September 8, 2008 |
| /s/ Fred J Mulder Fred J Mulder | Director | September 8, 2008 |
| /s/ Andrew J. Manning Andrew J. Manning | Director | September 8, 2008 |
| /s/ Klaus Brandt Klaus Brandt | Director | September 8, 2008 |