

ALIGN TECHNOLOGY INC  
Form 8-K  
January 29, 2004

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

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**FORM 8-K**

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**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of  
the Securities Exchange Act of 1934**

**Date of Report (Date of earliest event reported):**

**January 29, 2004**

**Commission file number**

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**ALIGN TECHNOLOGY, INC.**

**(Exact Name of Registrant as Specified in Its Charter)**

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**Delaware**  
**(State or Other Jurisdiction of**

**0-32259**  
**(Commission File Number)**

**94-3267295**  
**(I.R.S. Employer**

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Incorporation or Organization)

Identification No.)

**881 Martin Avenue, Santa Clara, California 95050**

(Address of Principal Executive Offices)

**Registrant's telephone number, including area code (408) 470-1000**

**Not applicable**

(Former name or former address, if changed since last report)

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**ITEM 5. OTHER EVENTS**

On January 29, 2004, Align Technology, Inc. ( Align ) is announcing its financial results for its fourth quarter and full fiscal year ended December 31, 2003. These financial results are attached hereto as Exhibit 99.1. Exhibit 99.1 shall be deemed filed for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act ), and shall be deemed incorporated by reference in filings under the Securities Act of 1933, as amended, or the Exchange Act.

**ITEM 7. FINANCIAL STATEMENTS AND EXHIBITS**

(c) Exhibits.

| <b>Exhibit No.</b> | <b>Description</b>   |
|--------------------|--|
| 99.1               | Financial results for Align Technology, Inc. for its fourth quarter and full fiscal year ended December 31, 2003.  |
| 99.2               | Press Release, dated January 29, 2004, for Align Technology, Inc. for its fourth quarter and full fiscal year ended December 31, 2003 (furnished and not filed herewith solely pursuant to Item 12). |

**ITEM 12. Results of Operations and Financial Condition**

On January 29, 2004, Align Technology, Inc. ( Align ) is issuing a press release and holding a conference call regarding its financial results for the fourth quarter and full fiscal year ended December 31, 2003. A copy of the press release is furnished as Exhibit 99.2 to this Form 8-K. Align is making reference to non-GAAP financial information in both the press release and the conference call. A reconciliation of these non-GAAP financial measures to the comparable GAAP financial measures is contained in the attached press release.

The information contained in this Item 12 and in Exhibit 99.2 shall not be deemed filed for the purposes of Section 18 of the Exchange Act or otherwise subject to the liabilities of that section, nor shall it be deemed be incorporated by reference into any filing of Align, whether made before of after the date hereof, regardless of any general incorporation language in such filing, unless expressly incorporated by specific reference to such filing.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: January 29, 2004

ALIGN TECHNOLOGY, INC.

By: /s/ Eldon M. Bullington

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Eldon M. Bullington

Vice President of Finance and Chief Financial Officer

**INDEX TO EXHIBITS**

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