

ADVANCED ENERGY INDUSTRIES INC

Form 8-K

December 05, 2007

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

**Form 8-K**

**PURSUANT TO SECTION 13 OR 15 (d)  
OF THE SECURITIES EXCHANGE ACT OF 1934  
Commission File Number 000-26966  
Date of Report: December 4, 2007**

**ADVANCED ENERGY INDUSTRIES, INC.  
(Exact name of registrant as specified in its charter)**

**DELAWARE** **84-0846841**  
(State of other jurisdiction of incorporation or **(I.R.S. Employer Identification No.)**  
organization)  
**1625 SHARP POINT DRIVE, FORT COLLINS, COLORADO 80525**  
(Address of principal executive offices)  
**(970) 221-4670**  
(Registrant's telephone number, including area code)

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):

- 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)
  - 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))
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**Item 5.03 Amendments to Articles of Incorporation or Bylaws; Changes in Fiscal Year.**

On December 4, 2007, the Board of Directors of Advanced Energy Industries, Inc. (the Company ) amended Section 34, 35 and 36 of Article VII of the Company s Bylaws to clarify the authority to issue uncertificated shares of the Company s stock and the procedures relating to the transfer of shares of the Company s common stock. The ability to issue uncertificated shares allows the Company s securities to be eligible for the direct registration system as required by Nasdaq Stock Market regulations effective January 1, 2008. The direct registration system, or DRS , allows an investor s ownership to be recorded directly on the books of the issuer or the issuer s transfer agent, without the need for the investor to hold a physical certificate.

The Amendment to the Company s Bylaws is attached as Exhibit 3.1 to this report and is incorporated by reference.

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits

3.1 Amendment to the Bylaws of the Company.

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**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.

**COLDWATER CREEK INC.**

Date: December 5, 2007

/s/ Lawrence D. Firestone  
Lawrence D. Firestone  
Executive Vice President and Chief  
Financial Officer

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**EXHIBIT INDEX**

| <b>Exhibit<br/>Number</b> | <b>Description</b>                      |
|---------------------------|---|
| 3.1                       | Amendment to the Bylaws of the Company. |