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Capnia, Inc. Form 8-K December 23, 2015

#### **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): December 21, 2015

# CAPNIA, INC.

(Exact name of registrant as specified in its charter)

Delaware (State or other jurisdiction of

incorporation)

001-36593 (Commission File No.) 77-0523891 (IRS Employer Identification Number)

1235 Radio Road, Suite 110

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# Redwood City, CA 94065

(Address of principal executive offices)

(650) 213-8444

(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:

- " 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))

#### ITEM 8.01. Other Events

On December 21, 2015, Capnia, Inc. (the Company) issued a press release announcing that the U.S. Food and Drug Administration has granted Orphan Drug Designation to the Company s nasal, non-inhaled carbon dioxide technology for the treatment of trigeminal neuralgia.

A copy of the Company s press release is filed as Exhibit 99.1 to this Current Report on Form 8-K and incorporated herein by reference.

## ITEM 9.01 Financial Statements and Exhibits

(d) Exhibits

# **Exhibit No.** Description

99.1 Press release issued by Capnia, Inc. dated December 21, 2015

## **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.

CAPNIA, INC.

Date: December 23, 2015

By: /s/ David D. O Toole David D. O Toole

Chief Financial Officer

# EXHIBIT INDEX

# **Exhibit No.** Description

99.1 Press release issued by Capnia, Inc. dated December 21, 2015