

ROCKY MOUNTAIN CHOCOLATE FACTORY INC

Form 8-K/A

January 06, 2005

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

**FORM 8-K/A**

**Amendment No. 1**

**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 5, 2005

**Rocky Mountain Chocolate Factory, Inc.**

*(Exact name of registrant as specified in its charter)*

Colorado  
*(State or other jurisdiction  
of incorporation)*

0-14749  
*(Commission  
File Number)*

84-0910696  
*(IRS Employer  
Identification No.)*

265 Turner Drive  
Durango, Colorado 81303  
*(Address, including zip code, of principal executive offices)*

Registrant's telephone number, including area code: (970) 259-0554

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**EXPLANATORY NOTE**

This Amendment No. 1 on Form 8-K/A (the "8-K/A") is an amendment to the Rocky Mountain Chocolate Factory, Inc. Current Report on Form 8-K, dated January 5, 2005 (the "3<sup>rd</sup> Quarter Earnings 8-K"). The purpose of this 8-K/A is to correct a typographical error appearing under the heading "Store Information" on page 4 of the Press Release filed as Exhibit 99.1 to the 3<sup>rd</sup> Quarter Earnings 8-K. Except for correction of the typographical error referenced above, this 8-K/A does not update, modify, or amend any disclosure set forth in the 3<sup>rd</sup> Quarter Earnings 8-K.

**Item 2.02 Results of Operations and Financial Condition.**

The Company has issued a press release concerning its third quarter ended November 30, 2004. The press release includes information regarding its results of operations and financial condition for the quarter, and is filed as an exhibit to this Form 8-K/A.

**Item 7.01 Regulation FD Disclosure.**

The Company has issued a press release giving guidance concerning, among other things, its estimated full-year earnings per share. The Company has elected to furnish the press release as an exhibit to this Form 8-K/A.

**Item 9.01 Financial Statements and Exhibits.**

(c) Exhibits

<u>Item</u>	<u>Exhibit</u>
99.1	Press Release dated January 5, 2005.

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**SIGNATURE**

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 thereunto duly authorized.

ROCKY MOUNTAIN CHOCOLATE  
FACTORY, INC.

Date: January 5, 2005

By: /s/ Bryan J. Merryman  
Bryan J. Merryman, Chief Operating  
Officer, Chief Financial Officer,  
Treasurer and Director

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<b>Item Number</b>	<b>Exhibit</b>
99.1	Press Release, dated January 5, 2005