

HYSEQ INC
Form 8-K
January 21, 2003

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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 earliest event reported: January 21, 2003

HYSEQ, INC.

(Exact Name of Registrant as Specified in Charter)

Nevada

000-22873

36-3855489

(State or Other
Jurisdiction of
Incorporation)

(Commission File Number)

(I.R.S. Employer
Identification No.)

670 Almanor Avenue, Sunnyvale, California 94085

(Address of Principal Executive Offices) (Zip Code)
(408) 524-8100

(Registrant's telephone number, including area code)
N/A

(Former Name or Former Address, if Changed Since Last Report)

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ITEM 5. OTHER EVENTS

On or about January 21, 2003, Variagenics, Inc., a Delaware corporation (Variagenics), distributed to its shareholders who are eligible to vote at Variagenics special meeting scheduled for January 28, 2003 a Supplement dated January 21, 2003 to Joint Proxy Statement/Prospectus dated December 13, 2002, which is filed as Exhibit 99.1 to this report and incorporated herein by reference (the Supplement). The Supplement contains information about recent developments relating to Variagenics proposed merger with Hyseq, Inc., a Nevada corporation, including the receipt of an unsolicited business combination proposal.

The text of a press release dated January 21, 2003 issued by Variagenics is attached to this report as Exhibit 99.2.

ITEM 7. FINANCIAL STATEMENTS, PRO FORMA FINANCIAL INFORMATION AND EXHIBITS

(c) Exhibits

- 99.1 Supplement dated January 21, 2003 to Joint Proxy Statement/Prospectus dated December 13, 2002
- 99.2 Press Release issued by Variagenics, Inc., dated January 21, 2003

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.

HYSEQ, INC.
(Registrant)

By: /s/ Peter S. Garcia

Peter S. Garcia
Senior Vice President and
Chief Financial Officer

Dated: January 21, 2003

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EXHIBIT INDEX

| <u>Exhibit No.</u> | <u>Description</u> |
|-------------------------------|---|
| 99.1 | Supplement dated January 21, 2003 to Joint Proxy Statement/Prospectus dated December 13, 2002 |
| 99.2 | Press Release issued by Variagenics, Inc., dated January 21, 2003 |