

SMITH MICRO SOFTWARE INC

Form 8-K

March 05, 2009

**Table of Contents**

**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) March 5, 2009  
Smith Micro Software, Inc.**

(Exact name of registrant as specified in its charter)

|   |  |                                      |
|---|--|--------------------------------------|
| Delaware  | 0-26536  | 33-0029027                           |
| (State or other jurisdiction<br>of incorporation) | (Commission<br>File Number)  | (IRS Employer<br>Identification No.) |
| 51 Columbia, Suite 200, Aliso Viejo, California   |  | 92656                                |
| (Address of principal executive offices)          |  | (Zip Code)                           |
|   | Registrant's telephone number, including area code <u>(949) 362-5800</u> |                                      |
|   | None   |                                      |

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

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
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act
  - Pre-commencement communications pursuant to Rule 4d-2(b) under the Exchange Act
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act
-

**TABLE OF CONTENTS**

Item 2.02. Results of Operations and Financial Condition.

Item 9.01. Financial Statements and Exhibits.

SIGNATURES

Index to Exhibits

EX-99.1

---

**Table of Contents**

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

On March 5, 2009, the Registrant issued a press release announcing its financial results for the quarter and fiscal year ended December 31, 2008. A copy of the press release is hereby furnished to the Commission as Exhibit 99.1 and incorporated by reference herein.

In accordance with General Instruction B.2 of Form 8-K, the information in this Item 2.02, including Exhibit 99.1, shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or otherwise subject to the liabilities of that section.

**Item 9.01. Financial Statements and Exhibits.**

**9.01(d) Exhibits.**

99.1 Press Release issued March 5, 2009, reporting Registrant's financial results for the quarter and fiscal year ended December 31, 2008, furnished pursuant to Item 2.02.

---

**Table of Contents**

**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.

SMITH MICRO SOFTWARE, INC.  
(Registrant)

March 5, 2009  
Date

By: /s/ Andrew C. Schmidt  
Name: Andrew C. Schmidt  
Title: Chief Financial Officer

---

**Table of Contents**

Index to Exhibits

**Exhibit  
Number**

**Exhibit**

99.1      Press Release issued March 5, 2009.