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EMBRAER BRAZILIAN AVIATION CO

Form 6-K

November 17, 2004

FORM 6-K

SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

Report of Foreign Private Issuer  
Pursuant to Rule 13a-16 or 15d-16  
under the Securities Exchange Act of 1934

For the month of November, 2004

Commission File Number: 1-15102

Embraer - Brazilian Aviation Company  
(Translation of registrant's name into English)

EMBRAER - EMPRESA BRASILEIRA DE AERONAUTICA S.A.  
Av. Brigadeiro Faria Lima, 2170  
12227-901 Sao Jose dos Campos, Sao Paulo, Brazil  
(Address of principal executive offices)

Indicate by check mark whether the registrant files or will file annual reports under cover of Form 20-F or Form 40-F: Form 20-F  Form 40-F

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1):

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7):

Indicate by check mark whether by furnishing the information contained in this Form, the registrant is also thereby furnishing the information to the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of 1934: Yes  No

If "Yes" is marked, indicate below the file number assigned to the registrant in connection with Rule 12g3-2(b): 82-\_\_\_\_\_

This report on Form 6-K shall be incorporated by reference in the Registration Statement on Form F-3 (Registration No. 333-14018) as amended, filed by Embraer - Empresa Brasileira de Aeronautica S.A. under the Securities Act of 1933, to the extent not superseded by documents or reports subsequently filed by Embraer - Empresa Brasileira de Aeronautica S.A. under the Securities Act of 1933 or the Securities Exchange Act of 1934.

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, thereunto duly authorized.

EMBRAER - EMPRESA BRASILEIRA DE

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AERONAUTICA S.A.

Dated: November 17, 2004

By: /s/ CARLOS ROCHA VILLELA

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Name: Carlos Rocha Villela  
Title: General Counsel

EXHIBIT INDEX

1. One copy of the Company's US GAAP Earnings Release for the quarter ended September 30, 2004, dated November 15, 2004.