
**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 12, 2016**

Supernus Pharmaceuticals, Inc.

(Exact name of registrant as specified in its charter)

Delaware

(State or other jurisdiction of
Incorporation)

001-35518

(Commission File Number)

20-2590184

(IRS Employer Identification No.)

1550 East Gude Drive, Rockville MD

(Address of principal executive offices)

20850

(Zip Code)

Registrant's telephone number, including area code: **(301) 838-2500**

Not Applicable

(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 (see General Instruction A.2. below):

- 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))
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Item 8.01 Other Events.

On December 12, 2016, Supernus Pharmaceuticals, Inc. issued a press release announcing that the U.S. Court of Appeals for the Federal Circuit affirmed the New Jersey District Court's decision that Actavis infringed two Oxtellar XR® Orange Book patents and that all three Oxtellar XR Orange Book patents are valid. A copy of this press release is furnished as Exhibit 99.1 hereto and is incorporated herein by reference.

Item 9.01 Financial Statements and Exhibits.

- (d) Exhibit

The following document is furnished as an Exhibit pursuant to Item 8.01 hereof:

Exhibit 99.1 — Press Release Dated December 12, 2016.

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.

SUPERNUS PHARMACEUTICALS, INC.

DATED: December 15, 2016

By: /s/ Gregory S. Patrick

Gregory S. Patrick

Vice-President and Chief Financial Officer

EXHIBIT INDEX

Number

Description

Exhibit 99.1

Press Release Dated December 12, 2016.

Attached



Supernus Wins Appeal Case on Oxtellar XR®

U.S. Court of Appeals Affirms District Court's Decision on Oxtellar XR®

ROCKVILLE, Md., December 12, 2016 — Supernus Pharmaceuticals, Inc. (NASDAQ: SUPN), a specialty pharmaceutical company focused on developing and commercializing products for the treatment of central nervous system diseases, today announced that the U.S. Court of Appeals for the Federal Circuit affirmed the New Jersey District Court's decision that Actavis infringed two Oxtellar XR® Orange Book patents (U.S. Patent Nos. 7,722,898 and 7,910,131) and that all three Oxtellar XR Orange Book patents (U.S. Patent Nos. 7,722,898, 7,910,131 and 8,617,600) are valid.

"We are very pleased with the Appeals Court decision and continue to vigorously defend our intellectual property to provide our products with the protection they are entitled to," said Jack A. Khattar, President and CEO of Supernus. "This decision, following the New Jersey District Court's decision earlier in February this year, further substantiates Supernus' strong patents protecting Oxtellar XR."

About Oxtellar XR

Oxtellar XR is the first approved novel, oral once-daily extended release formulation of oxcarbazepine for the treatment of epilepsy. Oxtellar XR is an antiepileptic drug indicated for adjunctive therapy in the treatment of partial seizures in adults and in children 6 to 17 years of age. The product is available in 150mg, 300mg, and 600mg extended-release tablets.

For full prescribing and safety information click [here](#).

About Supernus Pharmaceuticals, Inc.

Supernus Pharmaceuticals, Inc. is a specialty pharmaceutical company focused on developing and commercializing products for the treatment of central nervous system diseases. The Company has two marketed products for epilepsy, Oxtellar XR (extended-release oxcarbazepine) and Trokendi XR® (extended-release topiramate). The Company is also developing several product candidates to address large market opportunities in psychiatry, including SPN-810 for the treatment of Impulsive Aggression in ADHD patients and SPN-812 for the treatment of ADHD.

Forward Looking Statements

This press release contains forward-looking statements regarding the Company's ability to defend and enforce its intellectual property rights covering Oxtellar XR or Trokendi XR. Actual results may differ materially from those in these forward-looking statements as a result of various factors, including, but not limited to, the ability of Supernus to finance potential litigation and to prevail in any such proceeding to successfully defend its intellectual property rights. For a further description of these and other risks facing the Company, please see the risk factors described in the Company's Annual Report Form 10-K that was filed with the United States Securities and Exchange Commission ("Commission") on

March 9, 2016 under the caption “Risk Factors” and the updates to these risk factors in the Company’s Quarterly Report on Form 10-Q for the period ended March 31, 2016 filed with the Commission on May 9, 2016, and the Quarterly Report on Form 10-Q for the period ended June 30, 2016 filed with the Commission on August 5, 2016. Forward-looking statements speak only as of the date of this press release, and the Company undertakes no obligation to update or revise these statements, except as may be required by law.

CONTACT:

Jack A. Khattar, President and CEO
Gregory S. Patrick, Vice President and CFO
Supernus Pharmaceuticals, Inc.
Tel: (301) 838-2591

Or

Investor Contact:

Peter Vozzo
Westwicke Partners
Office: (443) 213-0505
Mobile: (443) 377-4767
Email: peter.vozzo@westwicke.com
