

SALESFORCE COM INC  
Form 8-K  
August 17, 2007

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**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

Washington, D. C. 20549

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**FORM 8-K**

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**CURRENT REPORT**

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

August 17, 2007

Date of Report (date of earliest event reported)

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**SALESFORCE.COM, INC.**

(Exact name of Registrant as specified in charter)

**Delaware**  
(State or other jurisdiction  
of incorporation)

**001-32224**  
(Commission File Number)

**94-3320693**  
(I. R. S. Employer

Identification No.)

**The Landmark @ One Market, Suite 300**

**San Francisco CA 94105**

(Address of principal executive offices)

Registrant's telephone number, including area code: **(415) 901-7000**

**N/A**

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

## Edgar Filing: SALESFORCE COM INC - Form 8-K

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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 7.01 Regulation FD Disclosure.**

Marc Benioff, Chairman of the Board and Chief Executive Officer of salesforce.com, inc. (the Registrant ), adopted a fourth Rule 10b5-1 sales plan (the Fourth Plan ) on June 29, 2007 to continue the orderly open market selling of a portion of his shares of Registrant s common stock (the Shares ) in a manner that satisfies the provisions of Rule 10b5-1(c) under the Securities Exchange Act of 1934, as amended.

Under the Fourth Plan, up to 2,500,000 Shares may be sold in open market transactions at current market prices on Mr. Benioff s behalf at a rate of 10,000 Shares per trading day. Sales pursuant to the Fourth Plan are expected to commence on August 21, 2007 and continue for approximately one year. The selling of Shares under the Fourth Plan does not commence until after the completion of selling under Mr. Benioff s previously adopted trading plans. Sales under the Fourth Plan are subject to certain restrictions, and may be terminated at any time. The Fourth Plan also provides for a gift of up to 100,000 Shares to a fund or organization qualifying as a public charity pursuant to Internal Revenue Code Section 501(c)(3). As of August 16, 2007, Mr. Benioff had beneficial ownership of 16,011,006 Shares. Actual sales transactions will be disclosed publicly through filings with the Securities and Exchange Commission as required.

The Registrant has previously disclosed that Mr. Benioff and other of its officers and directors have implemented Rule 10b5-1 trading plans. Except as may be required by law, the Registrant does not undertake to report on trading plans of its officers and directors, nor to report modifications, terminations, transactions or other activities under Mr. Benioff s Plans or the trading plan of any other officer or director.

**Signature**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: August 17, 2007

salesforce.com, inc.

/s/ David Schellhase  
David Schellhase, Senior Vice President and  
General Counsel