

INVERNESS MEDICAL INNOVATIONS INC

Form 8-K

December 10, 2008

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**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 10, 2008**  
**INVERNESS MEDICAL INNOVATIONS, INC.**  
(Exact name of registrant as specified in charter)

|  |                          |                                      |
|--|--------------------------|--------------------------------------|
| <b>Delaware</b>                                      | <b>1-16789</b>           | <b>04-3565120</b>                    |
| (State or Other<br>Jurisdiction<br>of Incorporation) | (Commission File Number) | (IRS Employer<br>Identification No.) |

**51 Sawyer Road, Suite 200, Waltham, Massachusetts 02453**

(Address of Principal Executive Offices) (Zip Code)

**(781) 647-3900**

(Registrant's telephone number, including area code)

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.**

Inverness Medical Innovations, Inc. (the Company) is filing this Current Report on Form 8-K to provide the legal opinion of Jay McNamara, Esq., the Company's Senior Counsel, Corporate & Finance, relating to the Company's prospectus supplement filed with the SEC on December 10, 2008 (File No. 333-138919).

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

(d) *Exhibits.*

| Exhibit No. | Description  |
|-------------|--|
| 5.1         | Opinion of Jay McNamara, Esq., Senior Counsel, Corporate & Finance, of the Company                           |
| 23.1        | Consent of Jay McNamara, Esq., Senior Counsel, Corporate & Finance, of the Company (included in Exhibit 5.1) |

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**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.

INVERNESS MEDICAL INNOVATIONS,  
INC.

Date: December 10, 2008

By: /s/ Jay McNamara  
Jay McNamara  
Senior Counsel, Corporate & Finance

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