

ROCKY MOUNTAIN CHOCOLATE FACTORY INC

Form 8-K

May 06, 2004

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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): May 5, 2004

Rocky Mountain Chocolate Factory, Inc.

(Exact name of registrant as specified in its charter)

| | | |
|---|--|--|
| Colorado <i>(State or other jurisdiction of incorporation)</i> | 0-14749 <i>(Commission File Number)</i> | 84-0910696 <i>(IRS Employer Identification No.)</i> |
|---|--|--|

265 Turner Drive
Durango, Colorado 81303
(Address, including zip code, of principal executive offices)

Registrant's telephone number, including area code: (970) 259-0554

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Item 12. Results of Operations and Financial Condition.

Item 7. Financial Statements and Exhibits.

SIGNATURE

INDEX TO EXHIBITS

Press Release

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Item 12. Results of Operations and Financial Condition.

The Company has issued a press release for the year ending February 29, 2004. The press release includes amounts determined in accordance with Generally Accepted Accounting Principles (GAAP) as well as some amounts which were not determined in accordance with GAAP. Non-GAAP measures include net income before provision for loss on accounts and notes receivable and related foreclosure costs related to the insolvency of a single franchisee.

Item 7. Financial Statements and Exhibits.

(c) Exhibits

| Item | Exhibit |
|-------------|-----------------------------------|
| 99.1 | Press Release, dated May 5, 2004. |

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SIGNATURE

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.

Date: May 6, 2004

ROCKY MOUNTAIN CHOCOLATE FACTORY, INC.

By: /s/ Bryan J. Merryman

Bryan J. Merryman, Chief Operating
Officer, Chief Financial Officer,
Treasurer and Director

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| Item Number | Exhibit |
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