

ROCKY MOUNTAIN CHOCOLATE FACTORY INC

Form 8-K

January 08, 2004

Table of Contents

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): January 8, 2004

Rocky Mountain Chocolate Factory, Inc.

(Exact name of registrant as specified in its charter)

Colorado
*(State or other jurisdiction
of incorporation)*

0-14749
*(Commission
File Number)*

84-0910696
*(IRS Employer
Identification No.)*

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

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

TABLE OF CONTENTS

Item 12. Results of Operations and Financial Condition.

Item 7. Financial Statements and Exhibits.

SIGNATURE

INDEX TO EXHIBITS

EX-99.1 Press Release

Table of Contents

Item 12. Results of Operations and Financial Condition.

The Company has issued a press release for the three months ending November 30, 2003. 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

| <u>Item</u> | <u>Exhibit</u> |
|-------------|---------------------------------------|
| 99.1 | Press Release, dated January 8, 2004. |

Table of Contents

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: January 8, 2004

ROCKY MOUNTAIN CHOCOLATE FACTORY,
INC.

By: /s/ Bryan J. Merryman

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

Table of Contents

INDEX TO EXHIBITS

| Item Number | Exhibit |
|------------------------|--------------------------------------|
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