

EGAIN COMMUNICATIONS CORP  
Form 8-K  
November 06, 2008

**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 and Exchange Act of 1934**

Date of Report: November 6, 2008

(Date of earliest event reported)

**eGAIN COMMUNICATIONS CORPORATION**

(Exact name of registrant as specified in its charter)

|  |  |   |
|--|--|---|
| <b>Delaware</b><br>(State or other jurisdiction<br>of incorporation or organization) | <b>0-30260</b><br>(Commission File Number) | <b>77-0466366</b><br>(I.R.S. employer<br>identification number) |
| <b>345 E. Middlefield Road, Mountain View, California 94043</b>                      |  |   |
| (Address of principal executive offices, including zip code)                         |  |   |
| <b>(650) 230-7500</b>  |  |   |
| (Registrant's telephone number, including area code)                                 |  |   |
| (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):

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- .. 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))

**ITEM 2.02 RESULTS OF OPERATIONS AND FINANCIAL CONDITION**

The following information is being furnished and shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act ), or otherwise subject to the liabilities of that section, or incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such a filing.

On November 6, 2008, eGain Communications Corporation ( eGain ) issued a press release announcing preliminary operating results for the three month period ended September 30, 2008. The press release contains forward-looking statements regarding eGain and includes cautionary statements identifying important factors that may cause actual results to differ materially from those anticipated. A copy of the release is furnished herewith as Exhibit 99.1.

**Item 9.01 Financial Statements and Exhibits.**

(d) Exhibits

| <b>EXHIBIT NO.</b> | <b>DESCRIPTION</b>                           |
|--------------------|--|
| 99.1               | Press release, dated as of November 6, 2008. |

**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: November 6, 2008

**eGAIN COMMUNICATIONS**

**CORPORATION**

By: */s/ Eric N. Smit*

Eric N. Smit  
Chief Financial Officer

(Principal Financial Officer and

Duly Authorized Signatory)

EXHIBIT INDEX

| Exhibit No. | Description                                 |
|-------------|---|
| 99.1        | Press release, dated as of November 6, 2008 |