

Mintz Hal  
Form 3  
October 25, 2012

**FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

OMB APPROVAL

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**INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,  
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section  
30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *			2. Date of Event Requiring Statement	3. Issuer Name <b>and</b> Ticker or Trading Symbol	
Â SABBY MANAGEMENT, LLC			(Month/Day/Year)	NUPATHE INC. [path]	
(Last)	(First)	(Middle)	10/23/2012		
10 MOUNTAINVIEW ROAD,Â SUITE 205			4. Relationship of Reporting Person(s) to Issuer		
(Street)			(Check all applicable)		
UPPER SADDLE RIVER,Â NJÂ 07458			<input type="checkbox"/> Director <input checked="" type="checkbox"/> 10% Owner <input type="checkbox"/> Officer <input type="checkbox"/> Other (give title below)    (specify below)		
(City)	(State)	(Zip)	5. If Amendment, Date Original Filed(Month/Day/Year)		
			6. Individual or Joint/Group Filing(Check Applicable Line) <input type="checkbox"/> Form filed by One Reporting Person <input checked="" type="checkbox"/> Form filed by More than One Reporting Person		

**Table I - Non-Derivative Securities Beneficially Owned**

1. Title of Security (Instr. 4)	2. Amount of Securities Beneficially Owned (Instr. 4)	3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5)	4. Nature of Indirect Beneficial Ownership (Instr. 5)
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Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

SEC 1473 (7-02)

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**Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

1. Title of Derivative Security (Instr. 4)	2. Date Exercisable and Expiration Date (Month/Day/Year)	3. Title and Amount of Securities Underlying Derivative Security (Instr. 4)	4. Conversion or Exercise Price of Derivative Security	5. Ownership Form of Derivative Security: Direct (D)	6. Nature of Indirect Beneficial Ownership (Instr. 5)
	Date Exercisable	Expiration Date	Title	Amount or Number of	

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				Shares		or Indirect (1) (Instr. 5)	
Series A Preferred Stock	10/23/2012 <sup>(5)</sup>	Â <sup>(3)</sup>	Common Stock	2,500,000 <u>(1)</u>	\$ 2	I	Investment Manager <u>(1)</u> <u>(2)</u>
Warrant	04/23/2013	10/23/2017	Common Shares	2,500,000 <u>(4)</u>	\$ 2	I <u>(2)</u> <u>(4)</u>	Investment Manager

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
SABBY MANAGEMENT, LLC 10 MOUNTAINVIEW ROAD SUITE 205 UPPER SADDLE RIVER, NJ 07458	Â	Â X	Â	Â
Sabby Healthcare Volatility Master Fund, Ltd. C/O SABBY MANAGEMENT, LLC 10 MOUNTAINVIEW ROAD, SUITE 205 UPPER SADDLE RIVER, NJ 07458	Â	Â X	Â	Â
Mintz Hal C/O SABBY MANAGEMENT, LLC 10 MOUNTAINVIEW ROAD, SUITE 205 UPPER SADDLE RIVER, NJ 07458	Â	Â X	Â	Â

## Signatures

/s/ Robert Grundstein, Chief Operating Officer	10/25/2012
<u>    </u> **Signature of Reporting Person	Date
/s/ Barbars Austin, as Authorized Person of a Director	10/25/2012
<u>    </u> **Signature of Reporting Person	Date
/s/ Hal Mintz	10/25/2012
<u>    </u> **Signature of Reporting Person	Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, see Instruction 5(b)(v).
- \*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Sabby Healthcare Volatility Master Fund, Ltd. owns Series A Preferred Stock convertible into 2,000,000 common shares and Sabby Volatility Warrant Master Fund owns Series A Preferred Stock convertible into 500,000 common shares.  
The securities are held by Sabby Healthcare Volatility Master Fund, Ltd. ("SHVMF") and Sabby Volatility Warrant Master Fund, Ltd. ("SVWMF"). Sabby Management, LLC serves as investment manager of SHVMF and SVWMF, Hal Mintz is the manager of Sabby Management, LLC and Hal Mintz and Sabby Management, LLC disclaim beneficial ownership of these securities except to the extent of any pecuniary interest therein.
- (2)
- (3) There is no expiration date.
- (4)

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SHVMF owns warrants exercisable into 2,000,000 common shares and SVWMF owns warrants exercisable into 500,000 common shares. The warrants contain a limitation on exercise prohibiting any holder from exercising warrants if as a result of such exercise the holder and its affiliates would in the aggregate exceed 4.999% of the issuer's outstanding common stock.

(5) This is the first date the securities can be converted.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *See* Instruction 6 for procedure.

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