

MICROTUNE INC
Form 8-K
February 19, 2010

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): February 12, 2010

Microtune, Inc.

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction
of incorporation)

000-31029-40
(Commission
File Number)

75-2883117
(IRS Employer
Identification No.)

Edgar Filing: MICROTUNE INC - Form 8-K

2201 10th Street, Plano, Texas
(Address of principal executive offices)
(972) 673-1600

75074
(Zip Code)

(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:

- .. 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 1.01 Entry Into A Material Definitive Agreement.

On February 12, 2010, Microtune, Inc. (the Company or Microtune) and International Business Machines Corporation (IBM) entered into Amendment No. 4 (the Amendment) to that certain Custom Sales Agreement No. 000569 dated as of June 13, 2000 (the IBM Agreement) which extended the term of the IBM Agreement to January 31, 2013.

On February 12, 2010, Microtune and IBM entered into the Eighth Amended and Restated Semiconductor Custom Manufacturing Attachment No. 1 (Attachment No. 1) and the First Amended and Restated Semiconductor Custom Manufacturing Attachment No. 2 (Attachment No. 2) and Semiconductor Custom Manufacturing Attachment No. 3 (Attachment No. 3, collectively with Attachment No. 1 and Attachment No. 2, the Attachments) to the IBM Agreement, which, among other things, modified certain pricing and other contractual terms. The IBM Agreement governs the provision of semiconductor manufacturing services by IBM to Microtune on a purchase order basis. IBM has no obligation to supply products to the Company and the Company has no obligation to purchase products from IBM for any specific period or in any specific quantity, except as is set forth and agreed upon by the parties in a particular purchase order.

The foregoing descriptions of the Amendment and the Attachments are qualified in their entirety by reference to the applicable text of the Amendment and the Attachments, filed as Exhibits 10.1, 10.2, 10.3 and 10.4 hereto and incorporated herein by reference.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits

Exhibit Number	Exhibit Title
10.1	Amendment No. 4 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.
10.2 ^()	Eighth Amended and Restated Semiconductor Custom Manufacturing Attachment No. 1 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.
10.3 ^()	First Amended and Restated Semiconductor Custom Manufacturing Attachment No. 2 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.
10.4 ^()	Semiconductor Custom Manufacturing Attachment No. 3 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.

Portions of this exhibit were omitted pursuant to a request for confidential treatment and filed separately.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Company has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

MICROTUNE, INC.

Date: February 19, 2010

By: /s/ Phillip D. Peterson
Name: Phillip D. Peterson
Title: General Counsel

EXHIBIT INDEX

Exhibit Number	Exhibit Title
10.1	Amendment No. 4 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.
10.2 ^()	Eighth Amended and Restated Semiconductor Custom Manufacturing Attachment No. 1 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.
10.3 ^()	First Amended and Restated Semiconductor Custom Manufacturing Attachment No. 2 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.
10.4 ^()	Semiconductor Custom Manufacturing Attachment No. 3 to Custom Sales Agreement No. 000569 between International Business Machines Corporation and the Registrant dated February 12, 2010.

Portions of this exhibit were omitted pursuant to a request for confidential treatment and filed separately.