

SECURITIES AND EXCHANGE COMMISSION

FORM 6-K

Current report of foreign issuer pursuant to Rules 13a-16 and 15d-16 Amendments

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FILER

**EMBRAER BRAZILIAN AVIATION CO**

CIK: 1117603 | IRS No.: 000000000 | Fiscal Year End: 1231  
Type: 6-K | Act: 34 | File No.: 001-15102 | Film No.: 071294095  
SIC: 3721 Aircraft

Mailing Address

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2170 PUTIM PC 294  
SAO JOSE DOS CAMPOS D5  
999999999

Business Address

AVENIDA BRIGADERO FARIA  
LIMA 2170  
12227-901 SAO JOSE DOS  
CAMPOS SAO PAULO  
FEDERATIVE REPUBLIC D5  
00000  
0115512345

**FORM 6-K**

SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

**Report of Foreign Private Issuer  
Pursuant to Rule 13a-16 or 15d-16  
under the Securities Exchange Act of 1934**

For the month of December, 2007

Commission File Number: 333-132289

**Embraer - Brazilian Aviation Company**  
(Translation of registrant's name into English)

**EMBRAER - EMPRESA BRASILEIRA DE AERONÁUTICA S.A.**  
**Av. Brigadeiro Faria Lima, 2170**  
**12227-901 São José dos Campos, São Paulo, Brazil**  
(Address of principal executive offices)

Indicate by check mark whether the registrant files or will file annual reports under cover of Form 20-F or Form 40-F:  
Form 20-F  Form 40-F

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1):

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7):

Indicate by check mark whether by furnishing the information contained in this Form, the registrant is also thereby furnishing the information to the Commission pursuant to Rule 12g3-2(b) under the Securities Exchange Act of 1934: Yes  No

If "Yes" is marked, indicate below the file number assigned to the registrant in connection with Rule 12g3-2(b):

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## SIGNATURES

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.

EMBRAER - EMPRESA BRASILEIRA DE  
AERONÁUTICA S.A.

Dated: December 10, 2007

By: /s/ ANTONIO LUIZ PIZARRO MANSO

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Name: Antonio Luiz Pizarro Manso

Title: Executive Vice-President Corporate  
and Chief Financial Officer

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## EXHIBIT INDEX

1. copy of Company's Market Notice dated December 7, 2007.
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## EMBRAER - Empresa Brasileira de Aeronáutica S.A.

### MARKET NOTICE

Embraer - Empresa Brasileira de Aeronáutica S/A, announces that pursuant to its By-Laws, its Board of Directors approved today a buyback of Embraer's common shares, in compliance with Instrução CVM No. 10/80, under the following terms and conditions:

1. The purpose of the share buyback is to add value to Embraer's shareholders through the management of its capital structure;
  2. Embraer will buy back up to an aggregate of 16,800,000 (sixteen million, eight hundred thousand) common shares, representing approximately 2.3% of outstanding capital, which totals 740,465,044 (seven hundred and forty million, four hundred and sixty five thousand, forty four) common shares outstanding;
  3. Embraer must complete the share buyback within 120 days from its approval, which period ends on April 4, 2008;
  4. The acquisition of the shares will be made on the *Bolsa de Valores de São Paulo* (Bovespa) and the price of the shares to be bought back cannot be set above its trading price;
  5. The common shares bought back by Embraer will be kept in treasury form, and the treasury shares would not have any political or economic rights; and
  6. The Brokerage Firms chosen to work with Embraer in this share buyback are:
    - Finabank CCTVM Ltda, Rua Líbero Badaró, 300 - 2º-7º floor, São Paulo - SP - 01008-000  
Tel. 55 11 3365 0613 - ([www.finabank.com.br](http://www.finabank.com.br))
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- Indusval S.A. CTVTM, Rua Boa Vista, 356 - 5º-12º floor, São Paulo - SP - 01014-000  
Tel. 55 11 3315 6777 - ([www.indusval.com.br](http://www.indusval.com.br))

São José dos Campos, December 7, 2007.

**Antonio Luiz Pizarro Manso**  
Executive Vice President Corporate & CFO

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