

SECURITIES AND EXCHANGE COMMISSION

FORM 8-A12B/A

Form for the registration/listing of a class of securities on a national securities exchange pursuant to Section 12(b) [amend]

Filing Date: **2013-01-15**  
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FILER

**KRISPY KREME DOUGHNUTS INC**

CIK: **1100270** | IRS No.: **562169715** | State of Incorporation: **NC** | Fiscal Year End: **0201**  
Type: **8-A12B/A** | Act: **34** | File No.: **001-16485** | Film No.: **13530291**  
SIC: **5400** Food stores

Mailing Address

370 KNOLLWOOD ST  
SUITE 500  
WINSTON SALEM NC 27103

Business Address

370 KNOLLWOOD ST.  
SUITE 500  
WINSTON SALEM NC 27103  
3367222981

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION**

Washington, D.C. 20549

**FORM 8-A/A**

AMENDMENT NO. 1 TO  
REGISTRATION STATEMENT ON FORM 8-A  
FOR REGISTRATION OF CERTAIN CLASSES OF SECURITIES  
PURSUANT TO SECTION 12(b) OR (g) OF THE  
SECURITIES EXCHANGE ACT OF 1934

**KRISPY KREME DOUGHNUTS, INC.**

(Exact name of registrant as specified in its charter)

North Carolina  
(State or other jurisdiction  
of incorporation)

56-2169715  
(IRS Employer  
Identification No.)

370 Knollwood Street  
Winston-Salem, North Carolina  
(Address of principal executive offices)

27103  
(Zip Code)

Securities to be registered pursuant to Section 12(b) of the Act:

Title of Each Class to be so Registered	Name of Each Exchange on Which Each Class is to be Registered
Stock Purchase Rights	New York Stock Exchange, Inc.

If this form relates to the registration of a class of securities pursuant to Section 12(b) of the Exchange Act and is effective pursuant to General Instruction A.(c), please check the following box.

If this form relates to the registration of a class of securities pursuant to Section 12(g) of the Exchange Act and is effective Pursuant to General Instruction A.(d), please check the following box.

Securities Act registration statement file number to which this form relates: \_\_\_\_\_ (If applicable)

Securities to be registered pursuant to Section 12(g) of the Act:

None

(Title of class)

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This Form 8-A/A is filed by Krispy Kreme Doughnuts, Inc. (the “Company”) to reflect the expiration of the stock purchase rights (the “Rights”) registered on the Form 8-A filed by the Company on January 19, 2010.

**Item 1. Description of Registrant’s Securities to be Registered.**

Item 1 is hereby amended and supplemented as follows:

At 5:00 p.m., Winston-Salem, North Carolina time, on January 14, 2013, the “Expiration Time” occurred under the Shareholder Protection Rights Agreement, dated as of January 14, 2010 (the “Rights Agreement”), between the Company and American Stock Transfer & Trust Company, LLC, a New York limited liability trust company, as Rights Agent. As a result, the Rights Agreement and the Rights issued thereunder expired by their own terms and each share of common stock, no par value, of the Company is no longer accompanied by a right to purchase, under the Rights Agreement, one one-hundredth of a share of Series A Participating Cumulative Preferred Stock, no par value, of the Company. Shareholders of the Company were not entitled to any payment as a result of the occurrence of the Expiration Time and the expiration of the Rights.

**Item 2. Exhibits.**

**Exhibit**

<b>Number</b>	<b>Description</b>
4.1	Shareholder Protection Rights Agreement, dated as of January 14, 2010, between Krispy Kreme Doughnuts, Inc. and American Stock Transfer & Trust Company, LLC, as Rights Agent, including forms of Rights Certificate and Election to Exercise as Exhibit A thereto and Articles of Amendment as Exhibit B thereto (incorporated by reference to the Current Report on Form 8-K filed with the Securities and Exchange Commission on January 19, 2010).

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**SIGNATURE**

Pursuant to the requirements of Section 12 of the Securities Exchange Act of 1934, the Company has duly caused this registration statement to be signed on its behalf by the undersigned, thereto duly authorized.

**KRISPY KREME DOUGHNUTS, INC.**

DATED: January 15, 2013

By: /s/ Douglas R. Muir

Name: Douglas R. Muir

Title: Chief Financial Officer

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## EXHIBIT INDEX

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