

SECURITIES AND EXCHANGE COMMISSION

FORM 8-K

Current report filing

Filing Date: **2005-05-02** | Period of Report: **2005-04-29**
SEC Accession No. **0001193125-05-091647**

([HTML Version](#) on [secdatabase.com](#))

FILER

YAK COMMUNICATIONS INC

CIK: **1084544** | IRS No.: **980203422** | State of Incorporation: **FL** | Fiscal Year End: **0630**
Type: **8-K** | Act: **34** | File No.: **000-33471** | Film No.: **05789063**
SIC: **4813** Telephone communications (no radiotelephone)

Mailing Address

*300 CONSILIUM PLACE
SUITE 500
TORONTO ONTARIO A6 M1H
3G2*

Business Address

*300 CONSILIUM PLACE
SUITE 500
TORONTO ONTARIO A6 M1H
3G2
(647) 722-2752*

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, DC 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):
April 29, 2005

YAK COMMUNICATIONS INC.

(Exact name of registrant as specified in its charter)

Florida
(State or other jurisdiction
of incorporation)

0-33471
(Commission File Number)

98-0203422
(I.R.S. Employer
Identification Number)

300 Consilium Place, Suite 500
Toronto, Ontario, Canada
(Address of principal executive offices)

M1H 3G2
(Zip Code)

(647) 722-2752
(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 2.02 Results of Operations and Financial Condition

On April 29, 2005, Yak Communications Inc. issued a press release announcing its financial results for the fiscal quarter ended March 31, 2005. A copy of the press release is furnished as Exhibit 99.1 to this report.

In accordance with General Instruction B.2 of Form 8-K, the information in this Current Report on Form 8-K, including Exhibit 99.1, shall not be deemed to be “filed” for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the “Exchange Act”), or otherwise subject to the liability of that section, and shall not be incorporated by reference into any registration statement or other document filed under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

Item 9.01. Financial Statements and Exhibits.

(c)

Exhibits:

99.1

Yak Communications Inc. Press Release dated April 29, 2005.

SIGNATURE

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

YAK COMMUNICATIONS INC.

May 2, 2005

By:

/s/ Charles Zwebner _____

Charles Zwebner

President & Chief Executive Officer

<u>Exhibit No.</u>	<u>Description</u>
99.1	Yak Communications Inc. Press Release dated April 29, 2005.

YAK COMMUNICATIONS ANNOUNCES 3RD QUARTER SALES

Management Announces Quarterly Sales of \$23.9 million for Third Quarter of Fiscal 2005

MIAMI & TORONTO–(BUSINESS WIRE)– April 29, 2005 – Yak Communications Inc. (NASDAQ:YAKCE - News), a provider of telecommunication services to residential and business customers, announced that revenues for its third fiscal quarter ended March 31, 2005 were approximately \$23.9 million (US), as compared to revenues of \$21.5 million (US) for its third fiscal quarter ended March 31, 2004, an increase of approximately 11%.

As previously announced, the Company has delayed the filing of its Form 10-Q for its second fiscal quarter ended December 31, 2004, while the Company is seeking guidance from the Office of the Chief Accountant (“OCA”) of the U.S. Securities and Exchange Commission regarding the accounting treatment related to a 2003 software acquisition transaction.

“The operating fundamentals of the Company have not changed and remain strong,” said Charles Zwebner, Chairman and CEO. “We are waiting for the OCA’ s guidance before filing our full financial statements which guidance we anticipate to be forthcoming shortly. A note payable of approximately \$8.5 million (US) related to the software acquisition was extinguished during the third quarter. The OCA’ s guidance will be instrumental in determining how to properly account for this settlement and allow the Company to file its delinquent reports,” added Zwebner.

About Yak Communications Inc.

Yak Communications Inc. (the “Company”) (NASDAQ:YAKCE - News) is an Integrated Communications Provider (ICP) offering a full array of long distance (1+, toll free and dial-around), local lines, travel cards, cellular long distance, data services, and broadband voice (VoIP) to residential and small businesses in North America over high speed internet access. Yak currently serves approximately 860,000 customers for its traditional telecom services. For more information, visit <http://www.yak.com>

Forward Looking Statements:

Statements contained in this news release, which are not strictly historical are forward looking within the meaning of the safe harbor clause of the Private Securities Litigation Reform Act of 1995. The Company makes these statements based on information available to it as of the date of this news release and assumes no responsibility to update or revise such forward-looking statements.

Editors and investors are cautioned that forward-looking statements invoke risk and uncertainties that may cause the Company’ s actual results to differ materially from such forward-looking statements.

Words such as “projects”, “believe”, “anticipates”, “estimate”, “plans”, “expect”, “intends”, and similar words and expressions are intended to identify forward-looking statements and are based on our current expectations, assumptions, and estimates about us and our industry. In addition, any statements that refer to expectations, projections or other characterizations of future events or circumstances are forward-looking statements. Although the Company believes that such forward-looking statements are reasonable, we cannot assure you that such expectations will prove to be correct. Our actual results could differ materially from those anticipated in such forward-looking statements as a result of several factors, risks and uncertainties. These factors, risks and uncertainties include, without limitation, the Company’ s success in integrating the operations of its newly-acquired businesses, and associated reduction in costs, the successful implementation of its business plans including growth of existing product offerings, strategic acquisitions and development of broadband telephony products, the successful integration of new management team members, continued and increased demand for its services, the successful deployment of new equipment and realization of material savings there from, competition from larger and/or more experienced telecommunications providers, its ability to continue to develop its markets, general economic conditions, changes in governmental regulation, and other factors that may be more fully described in the Company’ s literature and periodic filings with the Securities and Exchange Commission. You are urged to carefully review and consider these disclosures, which describe certain factors that affect our business.

Yak Communications Inc. (NASDAQ:[YAKCE](#) - News)

Contact:

Yak Communications Inc.
Larry Turel
Investor Relations
1 (305) 933-8322 ext 105
larry@yak.com

OR

The Anne McBride Company, Inc.
Kathy Price
Investor Relations
1 (212) 983-1702, x212
kprice@annemcbride.com