

SECURITIES AND EXCHANGE COMMISSION

FORM 8-K

Current report filing

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FILER

LUMENON INNOVATIVE LIGHTWAVE TECHNOLOGY INC

CIK: **1098432** | IRS No.: **980213257** | State of Incorporation: **DE** | Fiscal Year End: **0630**

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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): February 7, 2003

Lumenon Innovative Lightwave Technology, Inc.

(Exact Name of Registrant as Specified in Charter)

Delaware

000-27977

98-0213257

(State or Other Jurisdiction (Commission (IRS Employer
of Incorporation) File Number) Identification No.)

8851 Trans-Canada Highway, St. Laurent, Quebec, Canada

H4S 1Z6

(Address of Principal Executive Offices)

(Zip Code)

Registrant's telephone number, including area code: (514) 331-3738

Not Applicable

(Former Name or Former Address, if Changed Since Last Report)

Item 3. Bankruptcy or Receivership.

On February 9, 2003, Lumenon Innovative Lightwave Technology, Inc. (the "Company") filed a voluntary petition to reorganize under Chapter 11 of the U.S. Bankruptcy Code in the U.S. Bankruptcy Court for the District of Delaware (Case Number 03-10395). The Company will continue to manage its properties and operate its business as a "debtor-in-possession" under the jurisdiction of the Bankruptcy Court and in accordance with the applicable provisions of the Bankruptcy Code. On February 10, 2003, the Company issued a press release relating to the foregoing. A copy of the release is attached hereto as Exhibit 99.1 and is incorporated in its entirety into this Item 3 by reference.

Item 5. Other Events and Required FD Disclosure.

On February 7, 2003, the Company issued the press release which is attached hereto as Exhibit 99.2 and which is incorporated in its entirety into this Item 5 by reference.

Item 7. Financial Statements, Pro Forma Financial Information and Exhibits.

(c) Exhibits.

The exhibits filed as part of this Current Report on Form 8-K are listed on the Exhibit Index immediately preceding such exhibits, which Exhibit Index is incorporated herein by reference.

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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 hereunto duly authorized.

LUMENON INNOVATIVE LIGHTWAVE
TECHNOLOGY, INC.

Date: February 10, 2003

By: /s/ Gary S. Moskovitz

Name: Gary S. Moskovitz

Title: President and Chief Executive Officer

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EXHIBIT INDEX

<TABLE>

<CAPTION>

Exhibit No.

Description

<S>	<C>
99.1*	Press Release dated February 10, 2003.

99.2*	Press Release dated February 7, 2003.
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</TABLE>

* Filed herewith.

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[LUMENON LETTERHEAD]

LUMENON INNOVATIVE LIGHTWAVE TECHNOLOGY FILES CHAPTER 11 WITH
UNITED STATES BANKRUPTCY COURT, DISTRICT OF DELAWARE

MONTREAL, QUEBEC, February 10, 2003, -- Lumenon Innovative Lightwave Technology, Inc. (NASDAQ SC: LUMM), announced that it has filed a voluntary petition for reorganization under Chapter 11 of the U.S. Bankruptcy Code on Sunday February 9, 2003, with the United States Bankruptcy Court, District of Delaware.

In making this filing the Board of Directors believes that it is in the best interests of the corporation, its creditors, stockholders, and other interested parties that the Company seek relief under the provisions of chapter 11.

ABOUT LUMENON INNOVATIVE LIGHTWAVE TECHNOLOGY, INC.:

Lumenon Innovative Lightwave Technology, Inc., a photonic materials science and process technology company, designs, develops and builds optical components and integrated optical devices in the form of packaged compact hybrid glass and polymer circuits on silicon chips. These photonic devices, based upon Lumenon's proprietary materials and patented PHASIC(TM) design process and manufacturing methodology, offer system manufacturers greater functionality in smaller packages and at lower cost than incumbent discrete technologies. Lumenon(TM) is a trademark of Lumenon Innovative Lightwave Technology, Inc.

For more information about Lumenon Innovative Lightwave Technology, Inc., visit the Company's Web site at <http://www.lumenon.com>.

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Any statements in this press release about future expectations, plans and prospects for the Company, including statements containing the words "believes," "anticipates," "plans," "expects," "will," and similar expressions, constitute forward-looking statements within the meaning of The Private Securities Litigation Reform Act of 1995. Actual results may differ materially from those indicated by such forward-looking statements as a result of various important factors, including: that we may be unable to obtain funding to meet our future capital needs, which could cause us to delay or abandon some or all of our anticipated spending, cut back our operations, sell assets, license our technologies to third parties or to cease operations; that we have a history of losses, we expect future losses and our future profitability is uncertain; that we are a development stage company with no experience in manufacturing and marketing our products; that the markets in which we compete are

experiencing a challenging period and will for the foreseeable future continue to experience the effects of the market downturn; that the markets in which we compete are highly competitive and subject to rapid technological change; that we may not be able to compete successfully if we are unable to successfully develop new and evolving products; and other factors discussed in our most recent quarterly Report on Form 10-Q filed with the Securities and Exchange Commission. In addition, the forward-looking statements included in this press release represent the Company's estimates as of the date of this press release. The Company anticipates that subsequent events and developments will cause the Company's estimates to change. However, while the Company may elect to update these forward-looking statements at some point in the future, the Company specifically disclaims any obligation to do so. These forward-looking statements should not be relied upon as representing the Company's estimates or views as of any date subsequent to the date of this press release.

You may register to receive Lumenon Innovative Lightwave Technology, Inc., future press releases or to download a complete Digital Investor Kit(TM) including press releases, regulatory filings and corporate materials by clicking on the "KCSA Interactive Platform" icon at www.kcsa.com.

8851 Trans-Canada Highway, St. Laurent (Quebec) Canada, H4S 1Z6,
Tel: 514.33.3738, Fax: 514.331.1272 www.lumenon.com

[LUMENON LETTERHEAD]

LUMENON'S CANADIAN OPERATING SUBSIDIARY LILT CANADA INC.
GRANTED AN EXTENSION OF CCAA PROTECTION

MONTREAL, QUEBEC, February 7, 2003, -- Lumenon Innovative Lightwave Technology, Inc. (NASDAQ SC: LUMM), announced today that its wholly owned Canadian operating subsidiary LILT Canada Inc. ("LILT") has been granted an extension of the Initial Order issued by the Superior Court of Quebec, on January 8, 2003. The Initial Order of the Court provides LILT with certain relief, including a stay of proceedings and protection from creditors under the Canadian Companies' Creditors Arrangement Act. Pursuant to the Initial Order, all payments in respect to any debt or obligations of LILT existing on or before January 8, 2003 are stayed and suspended pending development by LILT of a restructuring plan.

The Initial Order was set to expire pursuant to its original terms on February 7, 2003 but LILT had petitioned the Court seeking an extension of the Initial Order for an additional period of thirty-one (31) days. At a hearing of the Court commenced on February 6, 2003 and continued until February 7, 2003, the Court granted LILT an extension of the Initial Order until 6:00 p.m. EST on Tuesday, February 11, 2003. The Court indicated at the hearing that it will sign a Renewal Order on Tuesday, February 11, 2003, which Renewal Order is expected to extend until March 6, 2003 and to be substantially similar in terms to the Initial Order, with some modifications to be finalized and specified at that time.

ABOUT LUMENON INNOVATIVE LIGHTWAVE TECHNOLOGY, INC.: Lumenon Innovative Lightwave Technology, Inc., a photonic materials science and process technology company, designs, develops and builds optical components and integrated optical devices in the form of packaged compact hybrid glass and polymer circuits on silicon chips. These photonic devices, based upon Lumenon's proprietary materials and patented PHASIC(TM) design process and manufacturing methodology, offer system manufacturers greater functionality in smaller packages and at lower cost than incumbent discrete technologies. Lumenon(TM) is a trademark of Lumenon Innovative Lightwave Technology, Inc.

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Lumenon/Lilt CCAA Protection Extended
February 7, 2003

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Any statements in this press release about future expectations, plans and prospects for the Company, including statements containing the words "believes," "anticipates," "plans," "expects," "will," and similar expressions, constitute forward-looking statements within the meaning of The Private Securities Litigation Reform Act of 1995. Actual results may differ materially from those indicated by such forward-looking statements as a result of various important factors, including: that the Renewal Order will be signed on Tuesday, February 11, 2003 and that it will extend until March 6, 2003 and will be substantially similar in terms to the Initial Order. In addition, the forward-looking statements included in this press release represent the Company's estimates as of the date of this press release. The Company anticipates that subsequent events and developments will cause the Company's estimates to change. However, while the Company may elect to update these forward-looking statements at some point in the future, the Company specifically disclaims any obligation to do so. These forward-looking statements should not be relied upon as representing the Company's estimates or views as of any date subsequent to the date of this press release.

You may register to receive Lumenon Innovative Lightwave Technology, Inc., future press releases or to download a complete Digital Investor Kit(TM) including press releases, regulatory filings and corporate materials by clicking on the "KCSA Interactive Platform" icon at www.kcsa.com.

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