

**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 7, 2008

VIVUS, INC.

(Exact name of registrant as specified in its charter)

Delaware

(State or other jurisdiction of incorporation)

001-33389

(Commission File Number)

94-3136179

(IRS Employer
Identification No.)

**1172 CASTRO STREET
MOUNTAIN VIEW, CA 94040**

(Address of principal executive offices, including zip code)

(650) 934-5200

(Registrant's telephone number, including area code)

N/A

(Former name or former address, if changed since last report)

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 (see General Instruction A.2. below):

- ☐ 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 8.01. Other Events

On February 7, 2008, VIVUS, Inc. issued a press release titled "VIVUS to Present at the BIO CEO & Investor Conference 2008." A copy of the press release is attached hereto as Exhibit 99.1.

The information in this Form 8-K and the exhibit attached hereto shall not be deemed "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), or incorporated by reference into any of the Registrant's filings under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in any such filing.

Item 9.01. Financial Statements and Exhibits

(d) Exhibits.

<u>Exhibit No.</u>	<u>Description</u>
99.1	Press Release dated February 7, 2008

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.

VIVUS, INC.

By: /s/ Lee B. Perry

Lee B. Perry Vice President and Chief Accounting Officer

Date: **February 11, 2008**

3

EXHIBIT INDEX

<u>Exhibit No.</u>	<u>Description</u>
99.1	Press Release dated February 7, 2008

4

**CONTACT:****VIVUS, Inc.**

Timothy E. Morris
Chief Financial Officer
650-934-5200

Trout Group

Ian Clements (SF) 415-392-3385
Brian Korb (NYC) 646-378-2923

FOR IMMEDIATE RELEASE**VIVUS TO PRESENT AT THE BIO CEO & INVESTOR CONFERENCE 2008**

Mountain View, Calif, February 7, 2008 — VIVUS, Inc (NASDAQ: VVUS) a pharmaceutical company dedicated to the development and commercialization of novel therapeutic products, today announced that Timothy E. Morris, vice president finance and CFO, will present an overview of the company at the 10th Annual Biotechnology Industry Organization (BIO) CEO & Investor Conference 2008. The BIO CEO & Investor Conference 2008 provides a forum for public and private equity investors, research analysts and senior-level industry executives to learn about and discuss investment trends and business development opportunities in the biotechnology industry. The annual investor conference for the life sciences industry will take place Feb. 11-13, 2008 at the Waldorf Astoria Hotel in New York City.

The VIVUS presentation will take place on Tuesday, February 12, 2008 at 9:30 a.m. ET. A live webcast and 30-day archive of the presentation will be available at <http://www.vivus.com>.

About VIVUS

VIVUS, Inc. is a pharmaceutical company dedicated to the development and commercialization of novel therapeutic products. The current portfolio includes investigational products addressing obesity and sexual health. The pipeline includes: QnexaTM, which is in phase 3 for the treatment of obesity and phase 2 for the treatment of type 2 diabetes; Testosterone MDTs[®], for which a phase 2 study has been completed for the treatment of Hypoactive Sexual Desire Disorder (HSDD); and avanafil, for which a phase 2 study has been completed for the treatment of erectile dysfunction (ED). For more information on clinical trials and products, please visit the company's web site at <http://www.vivus.com>.
