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**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549**

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**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): **August 12, 2004**

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**VIVUS, INC**

(EXACT NAME OF REGISTRANT AS SPECIFIED IN ITS CHARTER)

COMMISSION FILE NUMBER: 0-23490

**DELAWARE**  
(STATE OR OTHER JURISDICTION OF  
INCORPORATION OR ORGANIZATION)

**94-3136179**  
(I.R.S. EMPLOYER  
IDENTIFICATION NO.)

**1172 CASTRO STREET  
MOUNTAIN VIEW, CA**  
(ADDRESS OF PRINCIPAL EXECUTIVE OFFICES)

**94040**  
(ZIP CODE)

**(650) 934-5200**  
(REGISTRANT'S TELEPHONE NUMBER, INCLUDING AREA CODE)

**N/A**  
(FORMER NAME, FORMER ADDRESS AND FORMER FISCAL YEAR, IF CHANGED SINCE LAST REPORT)

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**Item 5. Other Events and Regulation FD Disclosure.**

On August 10, 2004, VIVUS, Inc. announced the appointment of Peter Tam as its Senior Vice President of Product and Corporate Development and the resignation of Larry Strauss as its Chief Financial Officer, who acted as the corporation's principal financial officer and principal accounting officer. A copy of the press release making such announcements is attached as Exhibit 99.1 to this Form 8-K and is incorporated by reference herein.

**Item 7. Exhibits.**

<b>Exhibit Number</b>	<b>Description</b>
99.1	Press Release dated August 10, 2004 announcing the appointment of Peter Tam as its Senior Vice President of Product and Corporate Development and the resignation of Larry Strauss as its Chief Financial Officer.

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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.

Date: August 12, 2004

/s/ LELAND F. WILSON

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Leland F. Wilson  
President and Chief Executive Officer

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VIVUS, INC.  
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[VIVUS LETTERHEAD]

FOR IMMEDIATE RELEASE

Investors contact:

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**VIVUS ANNOUNCES CHANGES IN MANAGEMENT TEAM**

**MOUNTAIN VIEW, Calif. —AUGUST 10, 2004—VIVUS, Inc. (Nasdaq NM: VVUS)** today announced changes to its senior management team. Effective immediately, Peter Tam has been promoted to the position of senior vice president of product and corporate development. In his expanded role, Peter will have the responsibility of providing day-to-day strategic direction and management for clinical research, R&D, regulatory, and corporate development. Additionally, VIVUS announced that Larry Strauss has resigned as chief financial officer (CFO) to pursue other interests. VIVUS has engaged an executive search firm to assist in the recruitment of a new CFO.

“I want to thank Larry for his contributions and wish him well as he takes this next step in his career,” said Leland F. Wilson, president and CEO of VIVUS. “I am pleased to promote Peter to his new senior vice president position. Peter has been a pivotal member of the clinical and business development team at VIVUS for the past ten years.”

Mr. Tam was previously vice president of strategic planning and corporate development. Prior to joining VIVUS, Mr. Tam held various research and clinical development positions at Genentech from 1991 through 1993 and XOMA Corporation from 1987 to 1991. Mr. Tam received a bachelor’s degree in chemistry from University of California Berkeley in 1986 and his master’s in business administration at Santa Clara University in 2000.

**About VIVUS**

VIVUS is a specialty pharmaceutical company focused on research, development and commercialization of products to restore sexual function. In addition to currently marketed therapies, VIVUS has a strong pipeline that includes both new and existing chemical compounds that can be developed to address unmet medical needs. VIVUS’ business strategy applies the Company’s scientific and medical expertise to identify, develop and commercialize therapies that restore sexual function. For more information, please visit the Company’s Web site at: [www.vivus.com](http://www.vivus.com).