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ACTUATE CORP
Form 8-K
January 21, 2004

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

January 21, 2004
Date of Report (date of earliest event reported)

ACTUATE CORPORATION
(Exact name of registrant as specified in its charter)

Delaware	0-24607	94-3193197
(State or other jurisdiction of incorporation)	(Commission File Number)	(I.R.S. Employer Identification No.)

701 Gateway Boulevard, South San Francisco,
California 94080 (Address of principal
executive offices, including zip code)

(650) 837-2000
(Registrant's telephone number, including area code)

Item 9. Regulation FD Disclosure

This Form 8-K is being furnished to report that on January 21, 2004, Actuate issued a press release announcing that the Securities and Exchange Commission has terminated its investigation regarding two software license transactions that the company executed with Unify Corporation in early 2000, and has recommended that no enforcement action be taken against either Actuate Corporation or Nico Nierenberg . A copy of the press release is attached as Exhibit 99.1 hereto.

SIGNATURES

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

ACTUATE CORPORATION
(Registrant)

Date: January 21, 2004

/s/ DANIEL A. GAUDREAU

Daniel A. Gaudreau

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Senior Vice President, Finance and
Administration and Chief Financial Officer

INDEX TO EXHIBITS

99.1 Press Release dated January 21, 2004.