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CHEESECAKE FACTORY INCORPORATED

Form 8-K

January 28, 2004

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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):  
January 28, 2004

THE CHEESECAKE FACTORY INCORPORATED  
(Exact Name of Registrant as Specified in its Charter)

|   |                          |                                      |
|---|--------------------------|--------------------------------------|
| Delaware  | 0-20574                  | 51-0340466                           |
| (State or other jurisdiction<br>of incorporation) | (Commission File Number) | (IRS Employer<br>Identification No.) |

26950 Agoura Road  
Calabasas Hills, California 91301  
(Address of principal executive offices)

Registrant's telephone number, including area code:  
(818) 871-3000

Not Applicable  
(Former name or former address, if changed since last report)

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ITEM 5. OTHER EVENTS

On January 28, 2004, The Cheesecake Factory Incorporated issued a press release entitled "The Cheesecake Factory Opens in Birmingham, Alabama." A copy of the press release is attached as Exhibit 99.1.

SIGNATURES

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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.

Date: January 28, 2004

THE CHEESECAKE FACTORY INCORPORATED

By: /s/ GERALD W. DEITCHLE

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Gerald W. Deitchle  
President

EXHIBIT INDEX

| Exhibit       | Description   |
|---------------|---|
| -----<br>99.1 | -----<br>Press Release dated January 28, 2004 entitled "The Cheesecake Factory Opens in Birmingham, Alabama." |