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Wendy's Co Form 8-K August 09, 2012

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): August 9, 2012

THE WENDY S COMPANY

(Exact name of registrant as specified in its charter)

Delaware (State or other jurisdiction

1-2207 (Commission 38-0471180 (IRS Employer

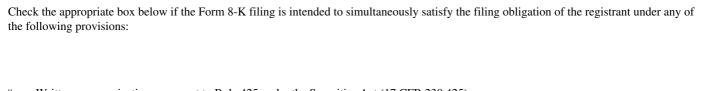
of incorporation) File Number) Identification No.)

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One Dave Thomas Blvd., Dublin, Ohio (Address of principal executive offices) Registrant s telephone number, including area code: (614) 764-3100 43017 (Zip Code)

Not Applicable

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



- " 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))

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Item 2.02 Results of Operations and Financial Condition.

On August 9, 2012, The Wendy s Company (the Company) issued a press release reporting its financial results for the fiscal quarter ended July 1, 2012. A copy of the press release is furnished as Exhibit 99.1 to this Current Report on Form 8-K.

The information in this Current Report on Form 8-K, including the exhibit furnished pursuant to Item 9.01, shall not be deemed filed for the purposes of Section 18 of the Securities Exchange Act of 1934 or otherwise subject to the liabilities under that section. Furthermore, the information in this Current Report on Form 8-K, including the exhibit furnished pursuant to Item 9.01, shall not be deemed to be incorporated by reference into the filings of the Company under the Securities Act of 1933.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits.

Exhibit No. Description

99.1 Press release issued by The Wendy s Company on August 9, 2012.

SIGNATURES

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

THE WENDY S COMPANY

Date: August 9, 2012 By: /s/ Dana Klein

Dana Klein

Senior Vice President Corporate and Securities

Counsel, and Assistant Secretary

EXHIBIT INDEX

Exhibit No. Description

99.1 Press release issued by The Wendy s Company on August 9, 2012.