

NETFLIX INC
Form 8-K
July 15, 2004

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: July 15, 2004

NETFLIX, INC.

(Exact name of registrant as specified in its charter)

000-49802

(Commission File Number)

DELAWARE
(State or other jurisdiction of
incorporation or organization)

77-0467272
(I.R.S. Employer
Identification No.)

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970 University Avenue

Los Gatos, CA 95032

(Address of principal executive offices, with zip code)

(408) 317-3700

(Registrant's telephone number, including area code)

Item 7. Financial Statements and Exhibits.

(c) Exhibits.

99.1 Press release dated July 15, 2004 by Netflix, Inc.

Item 12. Results of Operations and Financial Condition.

The information provided in this Report is being furnished and shall not be deemed filed for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended, and shall not be deemed incorporated by reference in any filings under the Securities Act of 1933, as amended, unless specifically stated so therein.

On July 15, 2004, Netflix, Inc. announced its financial results for the quarter ended June 30, 2004. The press release, which is attached hereto as Exhibit 99.1 and incorporated herein by reference, discloses certain financial measures, in particular, non-GAAP net income (loss) and free cash flow, that may be considered non-GAAP financial measures. Generally, a non-GAAP financial measure is a numerical measure of a company's performance, financial position, or cash flows that either excludes or includes amounts that are not normally excluded or included in the most directly comparable measure calculated and presented in accordance with generally accepted accounting principles in the United States. Management believes that non-GAAP net income (loss) is a useful measure of operating performance because it excludes the non-cash impact of stock option accounting. In addition, management believes that free cash flow is a useful measure of liquidity because it excludes the non-operational cash flows from purchases and sales of short-term investments and cash flows from financing activities. However, these non-GAAP measures should be considered in addition to, not as a substitute for, or superior to net income and net cash provided by operating activities, or other financial measures prepared in accordance with GAAP. The non-GAAP measures included in our press release have been reconciled to the nearest GAAP measures. Management believes that gross margin and subscriber acquisition cost guidance for the U.S. business in the third and fourth quarters are useful measures because they give insight to investors with respect to the ongoing operations of the Company's primary business and allow for an equivalent comparison to prior results. Furthermore, there is no reconciliation to consolidated GAAP measures for gross margin and subscriber acquisition cost as the Company has no finalized line-item detail with respect to its costs for the international expansion.

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.

NETFLIX, INC.

Date: July 15, 2004

By: /s/ Barry McCarthy

Barry McCarthy
Chief Financial Officer

NETFLIX, INC.

INDEX TO EXHIBITS

Exhibit

Number

Description

| | |
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| 99.1 | Press Release dated July 15, 2004. |
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