# **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): November 1, 2023

# BioMarin Pharmaceutical Inc.

(Exact name of registrant as specified in its charter)

**Delaware** 68-0397820 000-26727 (State or other jurisdiction of incorporation or (Commission File Number)

(I.R.S. Employer Identification No.)

770 Lindaro Street (Address of Principal Executive Offices)

organization)

San Rafael California

94901 (Zip Code)

(415) 505-6700 (Registrant's telephone number, including area code)

#### **Not Applicable**

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

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- ? 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))

Securities registered pursuant to Section 12(b) of the Act:

Title of each class Trading Symbol(s) Name of each exchange on which registered Common Stock, par value \$0.001 The Nasdaq Global Select Market

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (§230.405 of this chapter) or Rule 12b-2 of the Securities Exchange Act of 1934 (§240.12b-2 of this chapter).

Emerging growth company?

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.?



# Item 2.02 Results of Operations and Financial Condition.

On November 1, 2023, BioMarin Pharmaceutical Inc. (the Company) announced financial results for its third quarter ended September 30, 2023. The Company's press release issued on November 1, 2023 is attached hereto as Exhibit 99.1 and is incorporated by reference herein.

The information in this Form 8-K, including in the press release furnished as Exhibit 99.1 hereto, shall not be deemed "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act), or otherwise subject to the liabilities under that section or Sections 11 and 12(a)(2) of the Securities Act of 1933, as amended (the Securities Act), nor shall it be deemed incorporated by reference in any filing under the Securities Act or the Exchange Act, whether made before or after the date hereof, regardless of any general incorporation language in such filing.

# Item 9.01 Financial Statements and Exhibits.

(d) Exhibits.

Exhibit Number Description

99.1 Press Release of the Company dated November 1, 2023

104 Cover Page Interactive Data File - the cover page XBRL tags are embedded within the Inline XBRL document.

# **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: November 1, 2023

BioMarin Pharmaceutical Inc., a Delaware corporation

By: /s/ G. Eric Davis

G. Eric Davis

**Executive Vice President, Chief Legal Officer**