

Edgar Filing: DATA SYSTEMS & SOFTWARE INC - Form 10-Q/A

DATA SYSTEMS & SOFTWARE INC  
Form 10-Q/A  
August 27, 2004

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SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

AMENDMENT NO. 1 ON FORM 10-Q/A

TO FORM 10-Q

QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(D) OF  
THE SECURITIES EXCHANGE ACT OF 1934

FOR THE QUARTERLY PERIOD ENDED JUNE 30, 2004 COMMISSION FILE NUMBER 0-19771

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DATA SYSTEMS & SOFTWARE INC.  
(Exact name of registrant as specified in charter)

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Delaware  
(State or other jurisdiction of  
incorporation or organization)

22-2786081  
(I.R.S. employer  
identification no.)

200 Route 17, Mahwah, New Jersey  
Address of principal executive offices)

07430  
(Zip code)

(201) 529-2026  
Registrant's telephone number, including area code

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Indicate by check mark whether the registrant (1) has filed all reports required to be filed by Section 13 or 15(d) of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the registrant was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days.

Yes  No

Indicate by check mark whether the registrant is an accelerated filer (as defined in Rule 12b-2 of the Act).

Yes  No

Number of shares outstanding of the registrant's common stock, as of August 10, 2003: 7,921,691

Explanatory Note

This Amendment No. 1 to the Registrant's Quarterly Report on Form 10-Q for the quarterly period ended June 30, 2004 is being filed to include as Exhibits 31(a) and 31(b) thereto, certifications of the Chief Executive Officer and Chief Financial Officer which comply with the form of certification required by Rule 13a-14(a).

PART II - Other information

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Item 6: Exhibits and Reports on Form 8-K

(a) Exhibits

- 31(a) Rule 13a-14(a) Certification by Chief Executive Officer
- 31(b) Rule 13a-14(a) Certification by Chief Financial Officer
- 32(a) Section 1350 Certification by Chief Executive Officer \*
- 32(b) Section 1350 Certification by Chief Financial Officer \*

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\* Previously filed. A signed original of this written statement required by Section 906 has been provided to the Company and will be retained by the Company and furnished to the Securities and Exchange Commission or its staff upon request.

(b) Reports on Form 8-K

- (i) Report on Form 8-K, filed on April 5, 2004 (earliest event reported March 31, 2004): Item 5 was reported.
- (ii) Report on Form 8-K, filed on April 19, 2004 (earliest event reported April 19, 2004): Item 5 was reported.
- (iii) Report on Form 8-K, filed on May 17, 2004 (earliest event reported May 17, 2004): Item 12 was reported.
- (iv) Report on Form 8-K, filed on May 27, 2004 (earliest event reported May 25, 2004): Item 5 was reported.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused Amendment No. 1 to be signed on its behalf by its Principal Financial Officer thereunto duly authorized.

DATA SYSTEMS & SOFTWARE INC.

Dated: August 10, 2004

By: /s/ YACOV KAUFMAN

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Yacov Kaufman  
Vice President and Chief Financial Officer