

MECHANICAL TECHNOLOGY INC  
Form 8-K  
April 24, 2009

**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):**

**April 16, 2009**

**MECHANICAL TECHNOLOGY, INCORPORATED**  
(Exact name of registrant as specified in charter)

|                                                           |                                 |                                              |
|-----------------------------------------------------------|---------------------------------|----------------------------------------------|
| <b>New York</b>                                           | <b>0-6890</b>                   | <b>14-1462255</b>                            |
| <b>(State or Other Jurisdiction<br/>of Incorporation)</b> | <b>(Commission File Number)</b> | <b>(IRS Employer<br/>Identification No.)</b> |

**431 New Karner Road, Albany, New York 12205**  
(Address of Principal Executive Offices) (Zip Code)

**(518) 533-2200**  
(Registrant's telephone number, including area code)

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))

---

**Item 3.01 Notice of Delisting or Failure to Satisfy a Continuing Listing Rule or Standard; Transfer of Listing**

On April 24, 2009, Mechanical Technology, Incorporated (the "Company") announced it received a Staff Determination Letter dated April 16, 2009, from the Nasdaq Stock Market ("Nasdaq") on April 23, 2009, stating

Edgar Filing: MECHANICAL TECHNOLOGY INC - Form 8-K

that the Company's shares of common stock were subject to delisting from the Nasdaq Capital Market pursuant to Listing Rule 5210(d) for failure to pay all applicable fees as described in the Listing Rule 5900 Series. Since the Company had previously determined to voluntarily delist its common stock from the Nasdaq Capital Market prior to receiving the letter and filed a Form 25 with the Securities and Exchange Commission and Nasdaq on April 16, 2009, which resulted in the delisting of its common stock at the close of trading today, the Company will not appeal the Staff's Determination.

A copy of the press release that includes this announcement is attached hereto as Exhibit 99.1 and incorporated herein by reference.

**Item 9.01 Financial Statements and Exhibits**

99.1 Press Release dated April 24, 2009.

---

**SIGNATURES**

Pursuant to the requirement 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.

MECHANICAL TECHNOLOGY, INCORPORATED

Date: April 24, 2009

By: /s/ PENG K. LIM

Name:

Peng K. Lim

Title:

Chairman and Chief Executive Officer

---