

**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 5, 2013

FALCONSTOR SOFTWARE, INC.

(Exact Name of Registrant as Specified in its Charter)

<u>Delaware</u>	<u>000-23970</u>	<u>77-0216135</u>
(State or Other Jurisdiction of Incorporation)	(Commission File Number)	(IRS Employer Identification No.)
<u>2 Huntington Quadrangle, Melville, New York</u>		<u>11747</u>
(Address of Principal Executive Offices)		(Zip Code)

Registrant's telephone number, including area code 631-777-5188

N/A

(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))

Item 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.

Effective April 5, 2013, Gary Quinn was appointed Executive Vice President and Chief Operating Officer of FalconStor Software, Inc. (the “Company”).

Mr. Quinn, age 52, has served as the Company’s Vice President for Sales and Marketing for North America since April, 2012. From September, 2008 to March, 2013, Mr. Quinn was the commissioner of information technology (CIO) of the Suffolk County Department of Information Technology, Long Island, New York. Prior thereto, Mr. Quinn was a consultant and he had spent more than 20 years at CA Technologies, finishing as executive vice president of international sales and North American channel sales. He received a bachelor’s degree in computer science from Hofstra University.

Mr. Quinn’s base salary is \$225,000 per year. In addition, he currently receives commissions based on the Company’s sales in North America.

On April 8, 2013, the Company issued a press release announcing Mr. Quinn’s appointment as Executive Vice President and Chief Financial Officer. A copy of the press release is attached hereto as Exhibit 99.1 and is incorporated herein by reference.

Also on April 5, 2013, the Company announced the following title changes for the Officers identified:

- Seth Horowitz – Executive Vice President, Legal
- Louis Petrucelly – Executive Vice President and Chief Financial Officer
- Bernie Wu – Executive Vice President for Business Development

Item 9.01. Financial Statements and Exhibits.

(d) *Exhibits.*

<u>Exhibit No.</u>	<u>Description</u>
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99.1	Press release of the Company dated April 8, 2013.
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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 hereunto duly authorized.

Date: April 8, 2013

FALCONSTOR SOFTWARE, INC.

By: /s/ Louis J. Petrucelly

Name: Louis J. Petrucelly

Title: Executive Vice President and
Chief Financial Officer

Exhibit Index

<u>Exhibit No.</u>	<u>Description</u>
99.1	Press release of the Company dated April 8, 2013.



For more information, contact:

Roman Kichorowsky
FalconStor Software, Inc.
631-773-4303
roman.kichorowsky@falconstor.com

Kathryn Ghita
Metis Communications
617-236-0500
falconstor@metiscomm.com

FalconStor Names Gary Quinn Executive Vice President and Chief Operating Officer

Proven Operations Executive to Drive Customer-Facing Functions Worldwide

MELVILLE, N.Y., APRIL 8, 2013— [FalconStor Software](#), Inc. (NASDAQ: FALC), a market leader in disk-based data protection, today announced that it has named Gary Quinn executive vice president and chief operating officer (COO). In his new role, Quinn will oversee and support worldwide operations with a concentration on all customer-facing functions, including global sales and marketing, education, product support, and professional services, ensuring the growth of the business and propelling the company's competitive advantage and customer value to the market. Previously, Quinn served as FalconStor's vice president of sales and marketing for North America, focused on expanding FalconStor's North American channel sales initiatives and partner network.

"In the past year, Gary has demonstrated his executive leadership and operational skills to enhance sales and marketing in North America, establishing new best practices and empowering his team to work smarter," said Jim McNiel, president and CEO of FalconStor. "Gary's leadership and passion for building valuable relationships with FalconStor's partners and customers is contagious. He has proven to be a valuable addition to our executive staff; and, as chief operating officer, I know he will continue to optimize business operations and elevate productivity successfully."

"I was attracted to FalconStor by the company's vision, its technology and its impressive talent across the board – and this past year has strengthened my conviction in FalconStor's potential," said Quinn. "I could not ask for a better team to work with every day, and I welcome this opportunity to move forward with the new responsibilities entrusted to me. My goal is to inspire and maintain the highest levels of customer delight in every aspect of the business around the world."

Prior to joining FalconStor, Quinn, age 52, spent more than 20 years at CA Technologies, finishing as executive vice president of international sales and North American channel sales. At CA, Quinn turned around a three-year decline in North American channel business and achieved an annual growth rate of 25 percent. He has more than 15 years of executive experience in the information technology industry, specifically within the partner community, assisting in generating revenue and strengthening relationships. Most recently, Quinn was the commissioner of information technology (CIO) of the Suffolk County Department of Information Technology, Long Island, New York.

About FalconStor Software

FalconStor Software, Inc. (NASDAQ: FALC) is a market leader in disk-based data protection. The company's mission is to transform traditional backup and disaster recovery into next-generation service-oriented data protection. Built upon an award-winning platform, FalconStor solutions deliver [disk-based backup](#), [continuous data protection](#), [WAN-optimized replication](#) and [disaster recovery automation](#). FalconStor solutions are available through a worldwide network of partners, including solution providers, top-tier strategic partners and major OEMs. Thousands of customers worldwide, from small businesses to Fortune 100 enterprises, entrust their data to FalconStor solutions. FalconStor maintains headquarters in

Melville, N.Y., and offices throughout Europe and the Asia Pacific region. For more information, visit www.falconstor.com or call 1-866-NOW-FALC (866-669-3252).

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This press release includes forward-looking statements that involve risk and uncertainties that could cause actual results to differ materially from the forward-looking statements. These risks and uncertainties include: delays in product development; market acceptance of FalconStor's products and services; technological change in the data protection industry; competition in the data protection market; results and costs associated with governmental investigations; intellectual property issues; and other risk factors discussed in FalconStor's reports on Forms 10-K, 10-Q and other reports filed with the Securities and Exchange Commission.

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