

OPEXA THERAPEUTICS, INC.

FORM 8-A12B (Securities Registration (section 12(b)))

Filed 01/14/08

Address	2635 TECHNOLOGY FOREST BLVD. THE WOODLANDS, TX 77381
Telephone	(281) 272-9331
CIK	0001069308
Symbol	OPXA
SIC Code	2834 - Pharmaceutical Preparations
Industry	Biotechnology & Drugs
Sector	Healthcare
Fiscal Year	12/31

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. Description of Registrant's Securities to be Registered.

A description of the Series E Common Stock Warrants is set forth under the caption "Description of Securities - Warrants and Options - Series E Warrants" in the prospectus to be filed by the Registrant pursuant to Rule 424(b) under the Securities Act of 1933, as amended, which prospectus will constitute a part of the Registrant's Registration Statement on Form SB-2, as amended (Registration No. 333-147167) (the "Registration Statement") initially filed with the Securities and Exchange Commission on November 6, 2007. Such prospectus, in the form in which it is so filed, shall be deemed to be incorporated herein by reference.

Item 2. Exhibits.

The following exhibits required to be filed by this item are either filed herewith or, pursuant to Rule 12b-32 of the Act, incorporated herein by reference to the exhibits filed by the Registrant indicated below.).

1. Form of Series E Warrant (Exhibit 4.2 to the Registration Statement).
2. Warrant Agent Agreement for Series E Warrant (Exhibit 4.3 to the Registration Statement).
3. Articles of Amendment and Restatement of the Articles of Incorporation (Exhibit 3.1 to the Company's Current Report on Form 8-K filed on June 19, 2006).
4. Amended and Restated By-laws (Exhibit 2.2 to the Company's Registration Statement on Form 10-SB (File No. 000-25513 initially filed March 8, 1999)).

SIGNATURE

Pursuant to the requirements of Section 12 of the Securities Exchange Act of 1934, the Registrant has duly caused this Registration Statement to be signed on its behalf by the undersigned, thereto duly authorized.

OPEXA THERAPEUTICS, INC.

By: /s/ Lynne Hohlfeld

Name: Lynne Hohlfeld

Title: Chief Financial Officer

Date: January 14, 2008