

DELCATH SYSTEMS, INC.
Form 3
July 03, 2013

FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

OMB APPROVAL

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INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section
30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *

Â APPLING WILLIAM M

(Last) (First) (Middle)

C/O DELCATH SYSTEMS, INC., Â 566 QUEENSBURY AVENUE

(Street)

QUEENSBURY, Â NY Â 12804

(City) (State) (Zip)

2. Date of Event Requiring Statement

(Month/Day/Year)

06/25/2013

3. Issuer Name and Ticker or Trading Symbol
DELCATH SYSTEMS, INC. [DCTH]

4. Relationship of Reporting Person(s) to Issuer

5. If Amendment, Date Original Filed(Month/Day/Year)

(Check all applicable)

Director 10% Owner
 Officer Other
(give title below) (specify below)
EVP, R&D and Global Operations

6. Individual or Joint/Group Filing(Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

Table I - Non-Derivative Securities Beneficially Owned

| 1. Title of Security (Instr. 4) | 2. Amount of Securities Beneficially Owned (Instr. 4) | 3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5) | 4. Nature of Indirect Beneficial Ownership (Instr. 5) |
|------------------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------|
| common stock | 10,250 | D | Â |
| common stock ⁽¹⁾ | 3,000 | D | Â |
| common stock ⁽²⁾ | 4,200 | D | Â |
| common stock ⁽³⁾ | 600 | I | by member of household |
| common stock ⁽⁴⁾ | 525 | I | by member of household |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

SEC 1473 (7-02)

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Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 4) | 2. Date Exercisable and Expiration Date (Month/Day/Year) | | 3. Title and Amount of Securities Underlying Derivative Security (Instr. 4) | | 4. Conversion or Exercise Price of Derivative Security | 5. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 5) | 6. Nature of Indirect Beneficial Ownership (Instr. 5) |
|-----------------------------------------------|-------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------|----------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------|----------------------------------------------------------|
| | Date Exercisable | Expiration Date | Title | Amount or Number of Shares | | | |
| stock option | 08/09/2011 ⁽⁵⁾ | 08/09/2020 | common stock | 60,000 | \$ 8.14 | D | Â |
| stock option | 03/10/2012 ⁽⁶⁾ | 03/10/2021 | common stock | 18,000 | \$ 6.42 | D | Â |
| stock option | 02/28/2013 ⁽⁷⁾ | 02/28/2022 | common stock | 25,200 | \$ 4.6 | D | Â |
| stock option | 03/11/2014 ⁽⁸⁾ | 03/11/2023 | common stock | 25,200 | \$ 2.13 | D | Â |
| stock option ⁽⁹⁾ | 08/15/2012 | 08/15/2021 | common stock | 2,750 | \$ 4.12 | I | by member of household |
| stock option ⁽¹⁰⁾ | 02/28/2013 | 02/28/2022 | common stock | 2,100 | \$ 4.6 | I | by member of household |
| stock option ⁽¹¹⁾ | 03/11/2014 | 03/11/2023 | common stock | 2,100 | \$ 2.13 | I | by member of household |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|-------------------------------------------------------------------------------------------------|---------------|-----------|----------------------------------|-------|
| | Director | 10% Owner | Officer | Other |
| APPLING WILLIAM M C/O DELCATH SYSTEMS, INC. 566 QUEENSBURY AVENUE QUEENSBURY, NY 12804 | Â | Â | Â EVP, R&D and Global Operations | Â |

Signatures

Barbra Keck, pursuant to a confirming statement executed by William Appling 07/03/2013

**Signature of Reporting Person

Date

Explanation of Responses:

- * If the form is filed by more than one reporting person, see Instruction 5(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) The restricted stock vested ratably on March 10, 2012 and 2013, and the remainder will vest ratably on March 11, 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.

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- (2) The restricted stock vested ratably on February 28, 2013 and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- The restricted stock vested ratably on August 15, 2012 and will continue to vest ratably on August 15, 2013 and 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or any other purpose.
- (3)
- (4) The restricted stock vested ratably on February 28, 2013 and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or any other purpose.
- (5) The stock option vested ratably on August 9, 2011 and August 9, 2012 and the remainder will vest on August 9, 2013, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- (6) The stock option vested ratably on March 10, 2012, and March 10, 2013 and the remainder will vest on March 10, 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- (7) The stock option vested ratably on February 28, 2013, and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- (8) The stock option vests ratably on March 11, 2014, 2015 and 2016, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- The stock option vested ratably on August 15, 2012 and will continue to vest ratably on August 15, 2013 and 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or for any other purpose.
- (9)
- (10) The stock option vested ratably on February 28, 2013 and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or for any other purpose.
- The stock option will vest ratably on March 11, 2014, 2015 and 2016, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or for any other purpose.
- (11)

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *See* Instruction 6 for procedure.

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