

EYI INDUSTRIES INC
Form 5
February 14, 2005

FORM 5

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

OMB APPROVAL

OMB Number: 3235-0362
Expires: January 31, 2005
Estimated average burden hours per response... 1.0

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).
Form 3 Holdings Reported Form 4 Transactions Reported

ANNUAL STATEMENT OF CHANGES IN 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

1. Name and Address of Reporting Person *
SARGEANT JAY

2. Issuer Name and Ticker or Trading Symbol
EYI INDUSTRIES INC [EYII]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Statement for Issuer's Fiscal Year Ended (Month/Day/Year)
12/31/2004

Director 10% Owner
 Officer (give title below) Other (specify below)
President

(Street)

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

6. Individual or Joint/Group Reporting

(check applicable line)

Â

Form Filed by One Reporting Person
 Form Filed by More than One Reporting Person

(City) (State) (Zip)

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | Amount | (A) or (D) Price | 5. Amount of Securities Beneficially Owned at end of Issuer's Fiscal Year (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|--------|------------------|--|--|---|
| common stock | 03/26/2004 | Â | A | 47,619 | A | \$ 0.21 | 247,869 | D | Â |
| common stock | 12/17/2004 | Â | M | 200,250 | A | \$ 0.11 | 247,869 | D | Â |
| common stock | Â | Â | Â | Â | Â | Â | 50,000 | I (1) | see footnote |
| common stock | Â | Â | Â | Â | Â | Â | 91,874,538 | I (2) | see footnote |

Edgar Filing: EYI INDUSTRIES INC - Form 5

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

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

SEC 2270
(9-02)

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

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) | | 6. Date Exercisable and Expiration Date (Month/Day/Year) | | 7. Title Underlying (Instr. 3) |
|--|--|--------------------------------------|--|--------------------------------|--|-----------|--|-----------------|--------------------------------|
| | | | | | (A) | (D) | Date Exercisable | Expiration Date | |
| warrants | \$ 0.3 | 03/26/2004 | Â | A | 47,619 | Â | 03/26/2004 | 03/26/2006 | comm stock |
| non qualified stock options | \$ 0.19 | 04/30/2004 | Â | A | 3,200,000 | Â | 04/30/2004 | 04/30/2006 | comm stock |
| non qualified stock options | \$ 0.11 | 09/30/2004 | Â | A | 1,000,000 | Â | 09/30/2004 | 09/30/2006 | comm stock |
| non qualified stock options | \$ 0.11 | 12/17/2004 | Â | M | Â | 200,250 | 09/30/2004 | 09/30/2006 | comm stock |
| non qualified stock options | \$ 0.19 | 12/27/2004 | Â | J ⁽³⁾ | Â | 3,200,000 | 04/30/2004 | 04/30/2006 | comm stock |
| non qualified stock options | \$ 0.08 | 12/27/2004 | Â | J | 3,200,000 | Â | 12/27/2004 | 12/27/2006 | comm stock |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|--------------------------------|---------------|-----------|-------------|-------|
| | Director | 10% Owner | Officer | Other |
| SERGEANT JAY | Â X | Â X | Â President | Â |
| Â | | | | |

Signatures

Jay Sargeant

02/14/2005

**Signature of
Reporting Person

Date

Explanation of Responses:

- * If the form is filed by more than one reporting person, see Instruction 4(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 shares are owned by Northern Colorado, Inc. a company for which Mr. Sargeant is a principal. He may therefore be deemed to be the beneficial, if indirect, owner of 50,000 shares of the Company.

Mr. Sargeant is a named beneficiary of the Jay Sargeant Trust, and is therefore an indirect beneficial owner, with respect to 91,874,538
- (2) shares. Mr. Sargeant is also the trustee and settlor of the trust, and he has retained the right to vote and dispose of the shares and to revoke or amend the trust at any time.
- (3) 3,200,000 non qualified stock options were cancelled and reissued at \$0.08.

Note: File three copies of this Form, one of which must be manually signed. If space provided is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.