

Yeaton Timothy B.  
Form 3  
January 28, 2011

**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 Yeaton Timothy B.  
(Last) (First) (Middle)

2. Date of Event Requiring Statement  
(Month/Day/Year)  
01/21/2011

3. Issuer Name and Ticker or Trading Symbol  
ACTUATE CORP [ACTU]

4. Relationship of Reporting Person(s) to Issuer  
(Check all applicable)

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

ACTUATE CORPORATION,Â 2207  
BRIDGEPOINTE PARKWAY,  
SUITE 500  
(Street)

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

SAN MATEO,Â CAÂ 94404  
(City) (State) (Zip)

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<br>(Instr. 4) | 2. Amount of Securities Beneficially Owned<br>(Instr. 4) | 3. Ownership Form:<br>Direct (D)<br>or Indirect (I)<br>(Instr. 5) | 4. Nature of Indirect Beneficial Ownership<br>(Instr. 5) |
|------------------------------------|--|---|--|
| Common Stock                       | 12,500 <sup>(1)</sup> <sup>(2)</sup>                     | D   | Â  |

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

SEC 1473 (7-02)

**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.**

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

| 1. Title of Derivative Security<br>(Instr. 4) | 2. Date Exercisable and Expiration Date<br>(Month/Day/Year) | 3. Title and Amount of Securities Underlying Derivative Security | 4. Conversion or Exercise | 5. Ownership Form of | 6. Nature of Indirect Beneficial Ownership |
|---|---|--|---------------------------|----------------------|--|
|---|---|--|---------------------------|----------------------|--|

## Edgar Filing: Yeaton Timothy B. - Form 3

|                       | Date Exercisable | Expiration Date | (Instr. 4)<br>Title | Amount or Number of Shares | Price of Derivative Security | Derivative Security: Direct (D) or Indirect (I) (Instr. 5) | (Instr. 5) |
|-----------------------|------------------|-----------------|---------------------|----------------------------|------------------------------|--|------------|
| Option (right to buy) | 01/21/2012       | 01/21/2021      | Common Stock        | 25,000                     | \$ 5.54                      | D  | Â          |

## Reporting Owners

| Reporting Owner Name / Address  | Relationships |           |         |       |
|---|---------------|-----------|---------|-------|
|   | Director      | 10% Owner | Officer | Other |
| Yeaton Timothy B.<br>ACTUATE CORPORATION<br>2207 BRIDGEPOINTE PARKWAY, SUITE 500<br>SAN MATEO, CA 94404 | Â X           | Â         | Â       | Â     |

## Signatures

/s/ Timothy B.  
Yeaton

01/28/2011

          
\*\*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).

- Represents shares of the Issuer's common stock underlying restricted stock units ("RSUs") awarded to the Reporting Person. The RSUs will vest in a series of four successive equal annual installments upon the Reporting Person's continuation in Board service with the Issuer
- (1) through January 21, 2015, with the first installment to vest on February 21, 2012 and the remaining installments to vest on the second, third and fourth anniversaries of the January 21, 2011 award date, subject to accelerated vesting upon certain changes in ownership or control of the Issuer.
  - (2) Unless the Reporting Person elects to defer the issuance of the shares until the Reporting Person's separation of service from the Issuer, the shares of the Issuer's common stock will be issued as the RSU's vest.

Note: File three copies of this Form, one of which must be manually signed. If space 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.