

DELCATH SYSTEMS INC

Form 4

July 08, 2005

**FORM 4****UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

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

**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

## OMB APPROVAL

OMB  
Number: 3235-0287  
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2005  
Estimated average  
burden hours per  
response... 0.5

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
KOLY M S /FA/

(Last) (First) (Middle)

1100 SUMMER STREET, 3RD  
FLOOR

(Street)

STAMFORD, CT 06905

(City) (State) (Zip)

2. Issuer Name **and** Ticker or Trading  
Symbol

DELCATH SYSTEMS INC [DCTH]

3. Date of Earliest Transaction  
(Month/Day/Year)

07/07/2005

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

5. Relationship of Reporting Person(s) to  
Issuer

(Check all applicable)

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

President and CEO

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 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)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
Common Stock, par value \$0.01	07/07/2005		A	13,500 A \$ 0	89,507 <sup>(1)</sup>	D	

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  
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SEC 1474  
(9-02)

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

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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) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)		7. Title and Amount Underlying Security (Instr. 3 and 4)			
				Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount Number Shares
Incentive Stock Option (right to buy)	\$ 3.3125	12/01/2000		J <sup>(2)</sup>		0		<sup>(3)</sup>	12/01/2005	Common Stock	30,
Nonqualified Stock Option (right to buy)	\$ 3.3125	12/01/2000		J <sup>(2)</sup>		0		<sup>(3)</sup>	12/01/2005	Common Stock	41,
Option to Purchase Common Stock	\$ 0.6	11/12/2001		J <sup>(2)</sup>		0		<sup>(3)</sup>	11/12/2006	Common Stock	100
Incentive Stock Option (right to buy)	\$ 3.3125	12/17/2001		J <sup>(2)</sup>		0		<sup>(3)</sup>	12/17/2006	Common Stock	30,
Incentive Stock Option (right to buy)	\$ 0.71	09/19/2002		J <sup>(2)</sup>		0		<sup>(3)</sup>	09/19/2007	Common Stock	100
Incentive Stock Option (right to buy)	\$ 1.03	08/25/2003		J <sup>(2)</sup>		0		<sup>(4)</sup>	08/25/2008	Common Stock	120
Incentive Stock Option (Right to Buy)	\$ 2.78	07/07/2005		A		71,940		<sup>(4)</sup>	07/07/2010	Common Stock	71,
Nonqualified Stock Option (Right to Buy)	\$ 2.78	07/07/2005		A		128,060		<sup>(4)</sup>	07/07/2010	Common Stock	128

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
KOLY M S /FA/ 1100 SUMMER STREET 3RD FLOOR STAMFORD, CT 06905	X		President and CEO	

## Signatures

M. S. KOLY, By /s/ PAUL G. HUGHES,  
Attorney-in-fact

07/08/2005

\_\_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 reporting person indirectly owns shares as trustee of the Venkol Trust; he has a pecuniary interest in approximately 181,000 of such shares.
- (2) This transaction was previously reported.
- (3) These options are currently exercisable.
- (4) Exercisable as to one-half of the shares on the first anniversary of grant and in full on the second anniversary of grant through the expiration date.

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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