

ACTUATE CORP  
Form 4  
January 20, 2015

**FORM 4**

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

OMB APPROVAL

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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

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
**MARSHALL KENNETH E**  
  
(Last) (First) (Middle)  
  
**ACTUATE CORPORATION, 951 MARINERS ISLAND BLVD.**  
  
(Street)  
  
**SAN MATEO, CA 94404**  
  
(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
**ACTUATE CORP [BIRT]**

3. Date of Earliest Transaction  
(Month/Day/Year)  
**01/16/2015**

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)

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 Beneficial Ownership (Instr. 4)
				(A) or (D)	Amount		
				Code	V		
					Amount		
				(D)	Price		

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

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

1. Title of Derivative Security	2. Conversion or Exercise	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any	4. Transaction Code	5. Number of Derivative Securities	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)

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(Instr. 3)	Price of Derivative Security	(Month/Day/Year)	(Instr. 8)	Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)		Date Exercisable	Expiration Date	Title	Amount or Number of Shares
				Code	V (A) (D)				
Stock Option (right to buy)	\$ 4.03	01/16/2015	D		20,000	<u>(1)</u>	05/30/2016	Common stock	20,000
Stock Option (right to buy)	\$ 4.2	01/16/2015	D		16,000	<u>(2)</u>	05/26/2020	Common stock	16,000
Stock Option (right to buy)	\$ 4.6	01/16/2015	D		25,000	<u>(3)</u>	05/21/2019	Common stock	25,000
Stock Option (right to buy)	\$ 4.65	01/16/2015	D		25,000	<u>(4)</u>	05/21/2018	Common stock	25,000
Stock Option (right to buy)	\$ 5.47	01/16/2015	D		16,000	<u>(5)</u>	05/25/2021	Common stock	16,000
Stock Option (right to buy)	\$ 6.2	01/16/2015	D		25,000	<u>(6)</u>	05/30/2017	Common stock	25,000
Restricted stock units	\$ 0	01/16/2015	D		16,000	<u>(7)</u>	<u>(8)</u>	Common stock	16,000
Restricted stock units	\$ 0	01/16/2015	D		8,000	<u>(9)</u>	<u>(10)</u>	Common stock	8,000
Restricted stock units	\$ 0	01/16/2015	D		16,000	<u>(11)</u>	<u>(12)</u>	Common stock	16,000
Restricted stock units	\$ 0	01/16/2015	D		8,000	<u>(13)</u>	<u>(14)</u>	Common stock	8,000
Restricted stock units	\$ 0	01/16/2015	D		8,000	<u>(15)</u>	<u>(16)</u>	Common stock	8,000



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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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