

MERIT MEDICAL SYSTEMS INC

Form 4

October 29, 2013

**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  
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(Print or Type Responses)

1. Name and Address of Reporting Person \*  
Miller Franklin J

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

MERIT MEDICAL SYSTEMS INC  
[MMSI]

5. Relationship of Reporting Person(s) to  
Issuer

(Check all applicable)

(Last) (First) (Middle)

1600 W MERIT PARKWAY

(Street)

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

10/25/2013

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

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

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

SOUTH JORDAN, UT 84095

(City) (State) (Zip)

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

| 1. Title of<br>Security<br>(Instr. 3) | 2. Transaction Date<br>(Month/Day/Year) | 2A. Deemed<br>Execution Date, if<br>any<br>(Month/Day/Year) | 3. Transaction<br>Code<br>(Instr. 8) | 4. Securities Acquired (A)<br>or Disposed of (D)<br>(Instr. 3, 4 and 5)<br><br>(A)<br>or<br>(D) | 5. Amount of<br>Securities<br>Beneficially<br>Owned<br>Following<br>Reported<br>Transaction(s)<br>(Instr. 3 and 4) | 6. Ownership<br>Form:<br>Direct (D)<br>or Indirect<br>(I)<br>(Instr. 4) | 7. Nature of<br>Indirect<br>Beneficial<br>Ownership<br>(Instr. 4) |                                                                                  |
|---------------------------------------|-----------------------------------------|-------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------------------|
|                                       |                                         |                                                             | Code                                 | V                                                                                               | Amount                                                                                                             | Price                                                                   |                                                                   |                                                                                  |
| Common<br>Stock, No<br>Par Value      |                                         |                                                             |                                      |                                                                                                 |                                                                                                                    | 18,193                                                                  | I                                                                 | By the<br>Franklin<br>J. Miller<br>and<br>Bonnie A.<br>Miller<br>Family<br>Trust |
| Common<br>Stock, No<br>Par Value      |                                         |                                                             |                                      |                                                                                                 |                                                                                                                    | 2,334                                                                   | D                                                                 |                                                                                  |
|                                       | 10/25/2013                              |                                                             | M                                    |                                                                                                 | 7,500                                                                                                              | A \$ 9.7                                                                | 7,500                                                             | D                                                                                |

Common  
Stock, No  
Par Value

Common  
Stock, No 10/25/2013 S 7,500 D \$ 16.7097 0 D  
Par Value (8)

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 1474  
(9-02)

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

| 1. Title of<br>Derivative<br>Security<br>(Instr. 3) | 2.<br>Conversion<br>or Exercise<br>Price of<br>Derivative<br>Security | 3. Transaction Date<br>(Month/Day/Year) | 3A. Deemed<br>Execution Date, if<br>any<br>(Month/Day/Year) | 4.<br>Transaction<br>Code<br>(Instr. 8) | 5. Number<br>of Derivative<br>Securities<br>Acquired<br>(A) or<br>Disposed of<br>(D)<br>(Instr. 3, 4,<br>and 5) | 6. Date Exercisable and<br>Expiration Date<br>(Month/Day/Year) | 7. Title and Amount<br>Underlying Security<br>(Instr. 3 and 4) |
|-----------------------------------------------------|-----------------------------------------------------------------------|-----------------------------------------|-------------------------------------------------------------|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------------------------|
|                                                     |                                                                       |                                         |                                                             | Code                                    | V (A) (D)                                                                                                       | Date Exercisable<br>Expiration Date                            | Title<br>Amount<br>Underlying<br>Security<br>of                |
| Non-qualified<br>stock options<br>(right to buy)    | \$ 11.41                                                              |                                         |                                                             |                                         |                                                                                                                 | 05/25/2005 05/25/2015                                          | Common<br>Stock 18                                             |
| Non-qualified<br>stock options<br>(right to buy)    | \$ 9.7                                                                | 10/25/2013                              |                                                             | M                                       | 7,500                                                                                                           | 06/27/2008 <sup>(1)</sup> 06/27/2014                           | Common<br>Stock 7                                              |
| Non-qualified<br>stock options<br>(right to buy)    | \$ 11.53                                                              |                                         |                                                             |                                         |                                                                                                                 | 05/21/2009 <sup>(2)</sup> 05/21/2015                           | Common<br>Stock 18                                             |
| Non-qualified<br>stock options<br>(right to buy)    | \$ 13.82                                                              |                                         |                                                             |                                         |                                                                                                                 | 09/26/2010 <sup>(3)</sup> 09/26/2016                           | Common<br>Stock 25                                             |
| Non-qualified<br>stock options<br>(right to buy)    | \$ 13.16                                                              |                                         |                                                             |                                         |                                                                                                                 | 06/25/2011 <sup>(4)</sup> 06/25/2017                           | Common<br>Stock 25                                             |
| Non-qualified<br>stock options<br>(right to buy)    | \$ 13.75                                                              |                                         |                                                             |                                         |                                                                                                                 | 08/11/2012 <sup>(5)</sup> 08/11/2018                           | Common<br>Stock 20                                             |
|                                                     | \$ 12.91                                                              |                                         |                                                             |                                         |                                                                                                                 | 05/23/2013 <sup>(6)</sup> 05/23/2019                           |                                                                |

Non-qualified  
stock options  
(right to buy)

Common  
Stock

Non-qualified  
stock options \$ 9.95  
(right to buy)

05/22/2014<sup>(7)</sup> 05/22/2020 Common Stock 23

## Reporting Owners

| Reporting Owner Name / Address                                      | Relationships |           |         |       |
|---------------------------------------------------------------------|---------------|-----------|---------|-------|
|                                                                     | Director      | 10% Owner | Officer | Other |
| Miller Franklin J<br>1600 W MERIT PARKWAY<br>SOUTH JORDAN, UT 84095 |               |           | X       |       |

## Signatures

Gregory L. Barnett,  
Attorney-in-Fact 10/29/2013

\_\_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) Becomes exercisable in equal annual installments of 20% commencing 06/27/2008.
- (2) Becomes exercisable in equal annual installments of 20% commencing 05/21/2009.
- (3) Becomes exercisable in equal annual installments of 20% commencing 09/26/2010.
- (4) Becomes exercisable in equal annual installments of 20% commencing 06/25/2011.
- (5) Becomes exercisable in equal annual installments of 20% commencing 08/11/2012.
- (6) Becomes exercisable in equal annual installments of 20% commencing 05/23/2013.
- (7) Becomes exercisable in equal annual installments of 20% commencing 05/22/2014.

- The price reported in Column 4 is a weighted average price. These shares were sold in multiple transactions at prices ranging from \$16.43 to \$16.89, inclusive. The reporting person undertakes to provide to Merit Medical Systems, Inc., any security holder of Merit Medical Systems, Inc., or the staff of the Securities and Exchange Commission, upon request, full information regarding the number of shares sold at each separate price within the range set forth in this Form 4.
- (8)

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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