

DELCATH SYSTEMS, INC.

Form 3

July 03, 2013

**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 APPLING WILLIAM M

(Last)

(First)

(Middle)

2. Date of Event Requiring Statement

(Month/Day/Year)

06/25/2013

3. Issuer Name and Ticker or Trading Symbol  
DELCATH SYSTEMS, INC. [DCTH]

4. Relationship of Reporting Person(s) to Issuer

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

(Check all applicable)

☐ Director ☐ 10% Owner☒ Officer ☐ Other

(give title below) (specify below)

EVP, R&amp;D and Global Operations

6. Individual or Joint/Group

Filing(Check Applicable Line)

☒ Form filed by One Reporting Person☐ Form filed by More than One Reporting PersonC/O DELCATH SYSTEMS,  
INC.,Â 566 QUEENSBURY  
AVENUE

(Street)

QUEENSBURY,Â NYÂ 12804

(City)

(State)

(Zip)

**Table I - Non-Derivative Securities Beneficially Owned**1. Title of Security  
(Instr. 4)2. Amount of Securities  
Beneficially Owned  
(Instr. 4)3. Ownership  
Form:  
Direct (D)  
or Indirect  
(I)  
(Instr. 5)4. Nature of Indirect Beneficial  
Ownership  
(Instr. 5)

common stock

10,250

D

Â

common stock <sup>(1)</sup>

3,000

D

Â

common stock <sup>(2)</sup>

4,200

D

Â

common stock <sup>(3)</sup>

600

I

by member of household

common stock <sup>(4)</sup>

525

I

by member of household

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

SEC 1473 (7-02)

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information contained in this form are not  
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**Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

1. Title of Derivative Security (Instr. 4)	2. Date Exercisable and Expiration Date (Month/Day/Year)	3. Title and Amount of Securities Underlying Derivative Security (Instr. 4)	4. Conversion or Exercise Price of Derivative Security	5. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 5)	6. Nature of Indirect Beneficial Ownership (Instr. 5)
	Date Exercisable	Expiration Date	Title	Amount or Number of Shares	
stock option	08/09/2011 <sup>(5)</sup>	08/09/2020	common stock	60,000	\$ 8.14 D Â
stock option	03/10/2012 <sup>(6)</sup>	03/10/2021	common stock	18,000	\$ 6.42 D Â
stock option	02/28/2013 <sup>(7)</sup>	02/28/2022	common stock	25,200	\$ 4.6 D Â
stock option	03/11/2014 <sup>(8)</sup>	03/11/2023	common stock	25,200	\$ 2.13 D Â
stock option <sup>(9)</sup>	08/15/2012	08/15/2021	common stock	2,750	\$ 4.12 I by member of household
stock option <sup>(10)</sup>	02/28/2013	02/28/2022	common stock	2,100	\$ 4.6 I by member of household
stock option <sup>(11)</sup>	03/11/2014	03/11/2023	common stock	2,100	\$ 2.13 I by member of household

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
APPLING WILLIAM M C/O DELCATH SYSTEMS, INC. 566 QUEENSBURY AVENUE QUEENSBURY, NY 12804	Â	Â	Â EVP, R&D and Global Operations	Â

## Signatures

Barbra Keck, pursuant to a  
confirming statement executed 07/03/2013  
by William Appling

     \*\*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).
- (1) The restricted stock vested ratably on March 10, 2012 and 2013, and the remainder will vest ratably on March 11, 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.

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- (2) The restricted stock vested ratably on February 28, 2013 and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- The restricted stock vested ratably on August 15, 2012 and will continue to vest ratably on August 15, 2013 and 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or any other purpose.
- (3)
- (4) The restricted stock vested ratably on February 28, 2013 and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or any other purpose.
- (5) The stock option vested ratably on August 9, 2011 and August 9, 2012 and the remainder will vest on August 9, 2013, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- (6) The stock option vested ratably on March 10, 2012, and March 10, 2013 and the remainder will vest on March 10, 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- (7) The stock option vested ratably on February 28, 2013, and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- (8) The stock option vests ratably on March 11, 2014, 2015 and 2016, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events.
- The stock option vested ratably on August 15, 2012 and will continue to vest ratably on August 15, 2013 and 2014, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or for any other purpose.
- (9)
- (10) The stock option vested ratably on February 28, 2013 and will continue to vest ratably on February 28, 2014 and 2015, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or for any other purpose.
- The stock option will vest ratably on March 11, 2014, 2015 and 2016, and is subject to forfeiture in the event of certain circumstances and acceleration upon certain events. The reporting person disclaims beneficial ownership of these securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or for any other purpose.
- (11)

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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