**DIEBOLD INC** Form 4

February 15, 2008

### FORM 4

# UNITED STATES SECURITIES AND EXCHANGE COMMISSION

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

**SECURITIES** 

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).

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)

(Last)

(City)

Common

Stock

1. Name and Address of Reporting Person \* Pierce Leslie A

> (First) (Middle)

C/O DIEBOLD.

**INCORPORATE, 5995 MAYFAIR ROAD** 

NORTH CANTON, OH 44720

(Street)

(State)

2. Issuer Name and Ticker or Trading Symbol

DIEBOLD INC [DBD]

3. Date of Earliest Transaction

(Month/Day/Year) 02/13/2008

4. If Amendment, Date Original

Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

**OMB** 

Number:

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**OMB APPROVAL** 

3235-0287

January 31,

2005

0.5

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

VP&Corporate Controller

6. Individual or Joint/Group Filing(Check

Applicable Line)

\_X\_ 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 2. Transaction Date 2A. Deemed 3. 4. Securities Security (Month/Day/Year) Execution Date, if TransactionAcquired (A) or (Instr. 3) Code Disposed of (D) (Instr. 3, 4 and 5) (Month/Day/Year) (Instr. 8)

(Zip)

(A)

or

Beneficially Owned Following Reported

6. Ownership 7. Nature of Form: Direct (D) or Indirect (I) (Instr. 4)

Indirect Beneficial Ownership (Instr. 4)

Transaction(s)

5. Amount of

Securities

(Instr. 3 and 4) Code V Amount (D) Price

Ι 401(k) (1) 1,134

Common 1,017 (2) D Stock

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

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SEC 1474 (9-02)

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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 (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. Transactic Code (Instr. 8)	5. Number conf 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 Amoun Underlying Securiti (Instr. 3 and 4)	
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title	Amou or Numb of Share
Non-qualified Stock Option	\$ 28.69					02/07/2002	02/06/2011	Common Stock	60
Non-qualified Stock Option	\$ 36.59					02/06/2003	02/05/2012	Common Stock	600
Non-qualified Stock Option	\$ 36.31					02/05/2004	02/04/2013	Common Stock	600
Non-qualified Stock Option	\$ 47.27					02/14/2008	02/13/2017	Common Stock	1,25
Non-qualified Stock Option	\$ 25.53	02/13/2008		A	5,000	02/13/2009	02/12/2018	Common Stock	5,00

# **Reporting Owners**

Reporting Owner Name / Address	Relationships							
	Director	10% Owner	Officer	Other				
Pierce Leslie A								

Pierce Leslie A

C/O DIEBOLD, INCORPORATE

5995 MAYFAIR ROAD

Controller

NORTH CANTON, OH 44720

## **Signatures**

Chad F. Hesse, Att'y.-in-fact for Leslie A.
Pierce 02/15/2008

\*\*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) Number of 401(k) shares owned as of most current statement; fractional shares omitted.
- (2) Number includes restricted stock units and shares acquired under the Diebold, Incorporated Employee Stock Purchase Plan

Reporting Owners 2

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(3) Granted under the 1991 Equity and Performance Incentive Plan; option is generally exercisable in annual increments of 25% beginning one year from date of grant.

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.