

PATTERSON ARTHUR C  
Form 4  
December 13, 2012

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

OMB APPROVAL

OMB Number: 3235-0287  
Expires: January 31, 2015  
Estimated average burden hours per response... 0.5

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 \*  
PATTERSON ARTHUR C

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

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

ACTUATE CORPORATION, 2207 BRIDGEPOINTE PARKWAY, SUITE 500

3. Date of Earliest Transaction (Month/Day/Year)  
12/12/2012

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

(Street)

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

6. Individual or Joint/Group Filing(Check Applicable Line)

SAN MATEO, CA 94404

Form filed by One Reporting Person  
 Form filed by More than One Reporting Person

(City) (State) (Zip)

**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 Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|-----------------------------------|
|                                 |                                      |  | Code                           | V   | Amount  | (A) or (D)   | Price                             |
| Common Stock                    | 12/12/2012                           |  | M                              |   | 90,000  | A  | \$ 1.49                           |
| Common Stock                    | 12/12/2012                           |  | M                              |   | 30,000  | A  | \$ 4.03                           |
| Common Stock                    | 12/12/2012                           |  | M                              |   | 25,000  | A  | \$ 4.65                           |
| Common Stock                    | 12/12/2012                           |  | M                              |   | 25,000  | A  | \$ 4.6                            |
| Common Stock                    | 12/12/2012                           |  | M                              |   | 16,000  | A  | \$ 4.2                            |

Edgar Filing: PATTERSON ARTHUR C - Form 4

|              |            |  |   |        |   |         |                          |   |
|--------------|------------|--|---|--------|---|---------|--------------------------|---|
| Common Stock | 12/12/2012 |  | M | 10,000 | A | \$ 1.92 | 979,970                  | D |
| Common Stock | 12/12/2012 |  | M | 10,000 | A | \$ 3.65 | 989,970                  | D |
| Common Stock | 12/12/2012 |  | M | 10,000 | A | \$ 1.99 | 999,970                  | D |
| Common Stock | 12/12/2012 |  | M | 10,000 | A | \$ 3.77 | 1,009,970 <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 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 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 of Underlying Securities (Instr. 3 and 4) |              |                            |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--------------|----------------------------|
|  |  |                                      |  | Code                           | V (A) (D)   | Date Exercisable   | Expiration Date   | Title        | Amount or Number of Shares |
| Option (right to buy)                      | \$ 1.49  | 12/12/2012                           |  | M                              | 90,000  | 03/03/2004 <sup>(2)</sup>                                | 03/03/2013  | Common Stock | 90,000                     |
| Option (right to buy)                      | \$ 4.03  | 12/12/2012                           |  | M                              | 30,000  | 05/30/2007   | 05/30/2016  | Common Stock | 30,000                     |
| Option (right to buy)                      | \$ 4.65  | 12/12/2012                           |  | M                              | 25,000  | 05/21/2009   | 05/21/2018  | Common Stock | 25,000                     |
| Option (right to buy)                      | \$ 4.6   | 12/12/2012                           |  | M                              | 25,000  | 05/21/2010   | 05/21/2019  | Common Stock | 25,000                     |
| Option (right to buy)                      | \$ 4.2   | 12/12/2012                           |  | M                              | 16,000  | 05/26/2011   | 05/26/2020  | Common Stock | 16,000                     |
| Option (right to buy)                      | \$ 1.92  | 12/12/2012                           |  | M                              | 10,000  | 05/28/2004   | 05/28/2013  | Common Stock | 10,000                     |

buy)

|                             |         |            |   |        |            |            |                 |        |
|-----------------------------|---------|------------|---|--------|------------|------------|-----------------|--------|
| Option<br>(right to<br>buy) | \$ 3.65 | 12/12/2012 | M | 10,000 | 05/26/2005 | 05/26/2014 | Common<br>Stock | 10,000 |
| Option<br>(right to<br>buy) | \$ 1.99 | 12/12/2012 | M | 10,000 | 05/25/2006 | 05/25/2015 | Common<br>Stock | 10,000 |
| Option<br>(right to<br>buy) | \$ 3.77 | 12/12/2012 | M | 10,000 | 05/24/2007 | 05/24/2016 | Common<br>Stock | 10,000 |

## Reporting Owners

| Reporting Owner Name / Address   | Relationships |           |         |       |
|--|---------------|-----------|---------|-------|
|  | Director      | 10% Owner | Officer | Other |
| PATTERSON ARTHUR C<br>ACTUATE CORPORATION<br>2207 BRIDGEPOINTE PARKWAY, SUITE 500<br>SAN MATEO, CA 94404 | X             |           |         |       |

## Signatures

/s/ Arthur C.  
Patterson

12/13/2012

\*\*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) Includes 24,000 shares of the Issuer's common stock underlying RSUs previously awarded.

(2) The underlying option became exercisable as to 1/4 of the option shares after one year from the vesting commencement date of March 3, 2003 and for the balance in a series of equal monthly installments over the following 36 months.

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.