

OVERSTOCK COM INC

Form 4

September 01, 2005

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 *
BYRNE JOHN JOSEPH

(Last) (First) (Middle)

6322 SOUTH 3000 EAST, SUITE
100

(Street)

SALT LAKE CITY, UT 84121

(City) (State) (Zip)

2. Issuer Name **and** Ticker or Trading
Symbol
OVERSTOCK COM INC [OSTK]

3. Date of Earliest Transaction
(Month/Day/Year)
08/31/2005

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. 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 Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price
Common stock	08/31/2005		P		100	A	\$ 40.11
Common stock	08/31/2005		P		100	A	\$ 40.14
Common stock	08/31/2005		P		3,558	A	\$ 40.15
Common stock	08/31/2005		P		1,740	A	\$ 40.2
Common stock	08/31/2005		P		22,465	A	\$ 40.25
							114,644
							114,744
							118,302
							120,042
							142,507
							D
							D
							D
							D
							D

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Common stock	08/31/2005	P	300	A	\$ 40.26	142,807	D	
Common stock	08/31/2005	P	300	A	\$ 40.29	143,107	D	
Common stock	08/31/2005	P	5,143	A	\$ 40.3	148,250	D	
Common stock	08/31/2005	P	400	A	\$ 40.31	148,650	D	
Common stock	08/31/2005	P	20,400	A	\$ 40.32	169,050	D	
Common stock	08/31/2005	P	300	A	\$ 40.33	169,350	D	
Common stock	08/31/2005	P	300	A	\$ 40.34	169,650	D	
Common stock	08/31/2005	P	5,577	A	\$ 40.35	175,227	D	
Common stock	08/31/2005	P	19,711	A	\$ 40.37	194,938	D	
Common stock	08/31/2005	P	1,000	A	\$ 40.38	195,938	D	
Common stock	08/31/2005	P	500	A	\$ 40.4	196,438	D	
Common stock	08/31/2005	P	400	A	\$ 40.44	196,838	D	
Common stock	08/31/2005	P	1,100	A	\$ 40.45	197,938	D	
Common stock	08/31/2005	P	100	A	\$ 40.49	198,038	D	
Common stock	08/31/2005	P	1,962	A	\$ 40.5	200,000	D	
Common stock						49,929	I	Held by spouse.
Common stock						415,468	I ⁽¹⁾	Held by Haverford Utah, LLC.
Common stock						201,693	I ⁽¹⁾	Held by High Meadows Finance, L.C.

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.

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(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)	8. Price of Derivative Security (Instr. 5)	9. Nu Deriv Secur Bene Own Follo Repor Trans (Instr
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
BYRNE JOHN JOSEPH 6322 SOUTH 3000 EAST SUITE 100 SALT LAKE CITY, UT 84121	X			

Signatures

/s/ John J. Byrne 08/31/2005

__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).

The reporting person disclaims beneficial ownership of these securities, except to the extent of his pecuniary ownership therein, and this report shall not be deemed an admission that the reporting person is the beneficial owner of the securities for purposes of Section 16 or any other purpose.

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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