

CUTERA INC

Form 4

November 27, 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 *
APFELBERG DAVID B

(Last) (First) (Middle)

C/O CUTERA, INC., 3240
BAYSHORE BLVD

(Street)

BRISBANE, CA 94005

(City) (State) (Zip)

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

CUTERA INC [CUTR]

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

11/26/2013

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. 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 Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------------|---|---|--------------------------------------|--|--|---|--|
| Common Stock | 11/26/2013 | | G | 8,823 (3) | A \$ 0 18,823 | I | By Self as Trustee for DAVID B. APFELBERG & SUSAN M. APFELBERG TTEES DAVID APFELBERG AND SUSAN M APF |
| | 11/26/2013 | | G | | D \$ 0 14,364 | D | |

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| | | | | | | | | | | | | |
|-----------------|------------|--|---|-------|--------------|-------------------|--------|---|--|--|--|--|
| Common Stock | | | | | 8,823 (3) | | | | | | | By Self as Trustee for DAVID B. APFELBERG & SUSAN M. APFELBERG TTEES DAVID APFELBERG AND SUSAN M APF |
| Common Stock | 11/26/2013 | | S | 7,340 | D | \$ 9.18 (1) | 11,483 | I | | | | By Self as Trustee for DAVID B. APFELBERG & SUSAN M. APFELBERG TTEES DAVID APFELBERG AND SUSAN M APF |
| Common Stock | 11/27/2013 | | S | 5,272 | D | \$ 9.1 (2) | 6,211 | I | | | | By Self as Trustee for DAVID B. APFELBERG & SUSAN M. APFELBERG TTEES DAVID APFELBERG AND SUSAN M APF |

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) | 8. Price of Derivative Security (Instr. 5) | 9. Nu Deriv Secur Bene Own Follo Repo 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 |
| APFELBERG DAVID B C/O CUTERA, INC. 3240 BAYSHORE BLVD BRISBANE, CA 94005 | X | | | |

Signatures

| | |
|------------------------------------|------------|
| /s/ David B. Apfelberg | 11/27/2013 |
| **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) Shares were sold in multiple transactions at prices ranging from \$9.15 to \$9.25, with \$9.18 being the average.
- (2) Shares were sold in multiple transactions at prices ranging from \$9.09 to \$9.17, with \$9.10 being the average.
- The share amount listed above is as of November 26, 2013 and reflects the transfer without consideration of 8,823 shares from the
- (3) reporting person's individual account to the reporting person's trust account, which transfer occurred following June 13, 2013 and prior to November 26, 2013.

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.