

OVERSTOCK COM INC
Form 3
May 04, 2005

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 * | | 2. Date of Event Requiring Statement | 3. Issuer Name and Ticker or Trading Symbol | |
| Â Twomey Kamille R | | (Month/Day/Year) | OVERSTOCK COM INC [OSTK] | |
| (Last) | (First) | (Middle) | 4. Relationship of Reporting Person(s) to Issuer | 5. If Amendment, Date Original Filed(Month/Day/Year) |
| | | 05/03/2005 | | |
| 6322 SOUTH 3000 | | | (Check all applicable) | |
| EAST,Â SUITE 100 | | | <input type="checkbox"/> Director <input type="checkbox"/> 10% Owner <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Other (give title below) (specify below) | |
| (Street) | | | 6. Individual or Joint/Group Filing(Check Applicable Line) | |
| SALT LAKE | | | <input checked="" type="checkbox"/> Form filed by One Reporting Person | |
| CITY,Â UTÂ 84121 | | | <input type="checkbox"/> Form filed by More than One Reporting Person | |
| (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 | 225 | D | Â |

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

SEC 1473 (7-02)

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.

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) | 6. Nature of Indirect Beneficial Ownership (Instr. 5) |
|---|---|--|--|---|--|
| | Date Exercisable | Title | | | |

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| | Expiration Date | Amount or Number of Shares | or Indirect (I) (Instr. 5) |
|---------------|--------------------------------------|------------------------------|----------------------------|
| Stock options | 04/29/2004 ⁽¹⁾ 04/28/2008 | Common stock 1,500 \$ 8.54 | D Â |
| Stock options | 07/29/2004 ⁽¹⁾ 07/28/2008 | Common stock 11,000 \$ 13.09 | D Â |
| Stock options | 10/28/2004 ⁽¹⁾ 10/27/2008 | Common stock 7,500 \$ 12.84 | D Â |
| Stock options | 01/23/2005 ⁽¹⁾ 01/22/2009 | Common stock 15,000 \$ 18.58 | D Â |
| Stock options | 01/25/2006 ⁽¹⁾ 01/24/2010 | Common stock 10,000 \$ 58.3 | D Â |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|---|---------------|-----------|---------------------------|-------|
| | Director | 10% Owner | Officer | Other |
| Twomey Kamille R 6322 SOUTH 3000 EAST SUITE 100 SALT LAKE CITY, UT 84121 | Â | Â | Â Senior VP, Marketing | Â |

Signatures

/s/Kamille R
Twomey

05/03/2005

**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) Stock options vest as to 28% on first anniversary of date of grant and 2% each month thereafter.

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.