

CHEESECAKE FACTORY INC

Form 4

November 20, 2013

**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 \*  
BYFUGLIN MAX S

2. Issuer Name and Ticker or Trading Symbol  
CHEESECAKE FACTORY INC  
[CAKE]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)  
26901 MALIBU HILLS ROAD  
(Street)

3. Date of Earliest Transaction (Month/Day/Year)  
11/18/2013

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

CALABASAS HILLS, CA 91301  
(City) (State) (Zip)

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

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)
				(A) or (D) Code V Amount Price			
Common Stock	11/18/2013		M	15,000 A \$ 36.87	67,803	I	By Trust (1)
Common Stock	11/18/2013		S	90 D \$ 47.9	67,713	I	By Trust (1)
Common Stock	11/18/2013		S	410 D \$ 47.91	67,303	I	By Trust (1)
Common Stock	11/18/2013		S	900 D \$ 47.92	66,403	I	By Trust (1)
Common Stock	11/18/2013		S	700 D \$ 47.93	65,703	I	By Trust (1)

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Common Stock	11/18/2013	S	100	D	\$ 47.94	65,603	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	300	D	\$ 47.95	65,303	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	200	D	\$ 47.96	65,103	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	100	D	\$ 47.97	65,003	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	200	D	\$ 47.98	64,803	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	100	D	\$ 47.99	64,703	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	6,099	D	\$ 48	58,604	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	801	D	\$ 48.01	57,803	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	1,200	D	\$ 48.02	56,603	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	599	D	\$ 48.04	56,004	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	500	D	\$ 48.05	55,504	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	101	D	\$ 48.06	55,403	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	200	D	\$ 48.07	55,203	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	1,179	D	\$ 48.08	54,024	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	921	D	\$ 48.09	53,103	I	By Trust <u>(1)</u>
Common Stock	11/18/2013	S	300	D	\$ 48.1	52,803	I	By Trust <u>(1)</u>
Common Stock						25,000	D	

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

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SEC 1474  
(9-02)

**Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned**  
(e.g., puts, calls, warrants, options, convertible securities)

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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)
Employee Stock Option (right to buy)	\$ 36.87	11/18/2013		M	15,000	01/04/2007 01/04/2016	Common Stock 15,000

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
BYFUGLIN MAX S 26901 MALIBU HILLS ROAD CALABASAS HILLS, CA 91301			President (Subsidiary)	

## Signatures

Max. S.  
Byfuglin 11/20/2013

\_\_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 held by the Byfuglin Family Trust u/t/a 9/27/2003 of which the reporting person and his spouse are trustees.

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.