

LIBBEY INC
Form 4
August 17, 2010

FORM 4

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

OMB APPROVAL

OMB Number: 3235-0287
Expires: January 31, 2005
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 *
BANK OF AMERICA CORP /DE/

2. Issuer Name and Ticker or Trading Symbol
LIBBEY INC [LBY]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)
100 N. TRYON
(Street)

3. Date of Earliest Transaction (Month/Day/Year)
08/13/2010

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

CHARLOTTE, NC 28255

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

6. Individual or Joint/Group Filing(Check Applicable Line)
___ Form filed by One Reporting Person
X 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 Indirect Beneficial Ownership (Instr. 4)
Common Stock	08/13/2010		X	V	2,168,362 A \$ 0.01	3,188,618 I	See Footnote (1)

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)

Edgar Filing: LIBBEY INC - Form 4

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 Number Shares
Series I Warrant	\$ 0.01	08/13/2010		X	2,168,362	(2) 10/28/2019	Common Stock	1,298,494	

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
BANK OF AMERICA CORP /DE/ 100 N. TRYON CHARLOTTE, NC 28255		X		
MERRILL LYNCH, PIERCE, FENNER & SMITH INC. ONE BRYANT PARK NEW YORK, NY 10036		X		
Merrill Lynch PCG, Inc. ONE BRYANT PARK NEW YORK, NY 10036		X		

Signatures

Bank of America Corporation, By:/s/ Angelina L. Richardson. Title: Vice President	08/17/2010
**Signature of Reporting Person	Date
Merrill Lynch, Pierce, Fenner & Smith Inc., By:/s/ Lawrence Emerson, Title: Attorney-In-Fact	08/17/2010
**Signature of Reporting Person	Date
Merrill Lynch PCG Inc., By:/s/ Gerard M. Haugh. Title: Vice President	08/17/2010
**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).
 As the ultimate holding company of both Merrill Lynch, Pierce, Fenner & Smith, Inc. and Merrill Lynch PCG, Inc., Bank of America Corporation may be deemed to beneficially own the shares held by each entity. The beneficial ownership of Bank of America Corporation comprises the following ownerships of each entity: (a) 3,101,507 shares of common stock owned by Merrill Lynch PCG, Inc.; (b) (1) 1,298,494 shares of Common Stock issuable upon exercise of the remaining shares under the Series I Warrant the Issuer issued to Merrill Lynch PCG, Inc. on October 28, 2009; (c) 485,309 shares of Common Stock issuable upon exercise of a warrant the Issuer issued to MLPCG on June 16, 2006; and (d) 87,111 shares of Common Stock owned by Merrill Lynch, Pierce, Fenner & Smith, Inc.
- (2) Due to contractual limitations under the Series I Warrant held by Merrill Lynch PCG, Inc., 1,298,494 shares held under the Series I Warrant are not currently exercisable.

Edgar Filing: LIBBEY INC - Form 4

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.