GenMark Diagnostics, Inc. Form 4

December 06, 2013

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

**OMB APPROVAL** 

**OMB** 3235-0287 Number:

January 31, Expires: 2005

Estimated average burden hours per response... 0.5

5. Relationship of Reporting Person(s) to

required to respond unless the form

if no longer subject to Section 16. Form 4 or Form 5

Check this box

obligations may continue. See Instruction

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

2. Issuer Name and Ticker or Trading

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

**SECURITIES** 

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person \*

MASSARA	NY HANY	g i cison _	Symbol			otics In			Issuer	of Reporting Fe	15011(5) to
							eck all applicab	ck all applicable)			
(Last) 5964 LA PI 100	(First)  ACE COURT,	(Middle) SUITE	3. Date o (Month/I 12/04/2	Day/Yea		ansaction			_X_ Director _X_ Officer (given below)		% Owner her (specify
	(Street)		4. If Ame Filed(Mo			nte Origina	ıl		6. Individual or . Applicable Line) _X_ Form filed by	One Reporting I	Person
CARLSBA	D, CA 92008			Form filed by More Person				More than One I	ore than One Reporting		
(City)	(State)	(Zip)	Tab	le I - No	n-D	Derivative	Secui	rities Acq	uired, Disposed	of, or Benefici	ally Owned
1.Title of Security (Instr. 3)	2. Transaction Da (Month/Day/Year	) Execution any		Code (Instr.	8)	4. Securin(A) or Di (Instr. 3,	spose	d of (D)	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	12/04/2013			S <u>(1)</u>		3,968	D	\$ 11.14	240,816 (2)	D	
Common Stock									259,013 (3)	I	Massarany Family Trust dated November 15, 2012 (4)
Reminder: Rep	ort on a separate lii	ne for each c	lass of secu	ırities be	enef	Perso	ns w	ho respo	indirectly.  ond to the colle  ned in this form		SEC 1474 (9-02)

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## displays a currently valid OMB control number.

9. Nu Deriv Secur Bene Own Follo Repo Trans (Instr

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

1. Title of	2.	3. Transaction Date	3A. Deemed	4.	5.	6. Date Exerc	isable and	7. Title	e and	8. Price of	9
Derivative	Conversion	(Month/Day/Year)	Execution Date, if	Transacti	orNumber	Expiration Da	ite	Amou	nt of	Derivative	J
Security	or Exercise		any	Code	of	(Month/Day/	Year)	Under	lying	Security	5
(Instr. 3)	Price of		(Month/Day/Year)	(Instr. 8)	Derivative	e		Securi	ties	(Instr. 5)	]
	Derivative				Securities			(Instr.	3 and 4)		(
	Security				Acquired						J
					(A) or						J
					Disposed						-
					of (D)						(
					(Instr. 3,						
					4, and 5)						
									Amount		
						_			or		
							Expiration		Number		
						Exercisable	Date		of		
				Code V	(A) (D)				Shares		

#### **Reporting Owners**

Reporting Owner Name / Address	Relationsnips						
• 0	Director	10% Owner	Officer	Other			
MASSARANY HANY 5964 LA PLACE COURT, SUITE 100 CARLSBAD, CA 92008	X		President and CEO				

#### **Signatures**

Eric Stier,

Attorney-in-fact 12/06/2013

\*\*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) The shares were sold pursuant to a Rule 10b5-1 trading plan solely to satisfy tax withholding obligations in connection with the partial vesting of previously granted restricted stock awards.
- (2) The reporting person transferred 2,909 shares of the Issuer's common stock into the Massarany Family Trust dated November 15, 2012 in connection with the applicable restricted stock vesting event.
- The amount reported includes (a) 2,909 shares of the Issuer's common stock transferred into the Massarany Family Trust dated November 15, 2012 in connection with the applicable restricted stock vesting event, and (b) 1,163 shares of the Issuer's common stock acquired under the GenMark Diagnostics, Inc. 2013 Employee Stock Purchase Plan since the reporting person last filed a Form 4 with the Securities and Exchange Commission.
- (4) Mr. Massarany is the trustee of the Massarany Family Trust and may be deemed to have beneficial ownership of these securities, to the extent of any indirect pecuniary interest in his distributive shares therein.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Reporting Owners 2

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