

BIOMARIN PHARMACEUTICAL INC

Form 4

February 26, 2016

**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 \*  
**BIENAIME JEAN JACQUES**

2. Issuer Name and Ticker or Trading Symbol  
**BIOMARIN PHARMACEUTICAL INC [BMRN]**

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Date of Earliest Transaction (Month/Day/Year)  
**02/24/2016**

Director  10% Owner  
 Officer (give title below)  Other (specify below)  
**Chief Executive Officer**

**C/O BIOMARIN PHARMACEUTICAL INC., 770 LINDARO ST.**

(Street)

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

**SAN RAFAEL, CA 94901**

(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) |         |   |                         |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|---------|---|-------------------------|
|                                 |                                      |  | Code                           | V   | Amount (A) or Price (D)   |  |   |         |   |                         |
| Common Stock                    | 02/24/2016 <sup>(1)</sup>            |  | A                              |   | 94,850<br><u>(2) (3)</u>  | A  | \$ 0<br><u>(4)</u>                                    | 323,104 | D |                         |
| Common Stock                    | 02/24/2016 <sup>(1)</sup>            |  | A                              |   | 198,400<br><u>(3) (5)</u>   | A  | \$ 0<br><u>(4)</u>                                    | 521,504 | D |                         |
| Common Stock                    | 02/24/2016 <sup>(1)</sup>            |  | A                              |   | 21,978<br><u>(6) (7)</u>  | A  | \$ 0<br><u>(4)</u>                                    | 543,482 | D |                         |
| Common Stock                    |                                      |  |                                |   |   |  |   | 25,758  | I | Shares held by Bienaime |

Family Trust

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. Number of Derivative Securities Beneficially Owned (Instr. 3 and 4) |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|--|
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|--|

## Reporting Owners

| Reporting Owner Name / Address   | Relationships |           |                         |       |
|--|---------------|-----------|-------------------------|-------|
|  | Director      | 10% Owner | Officer                 | Other |
| BIENAIME JEAN JACQUES<br>C/O BIOMARIN PHARMACEUTICAL INC.<br>770 LINDARO ST.<br>SAN RAFAEL, CA 94901 | X             |           | Chief Executive Officer |       |

## Signatures

/s/ Laura Randall Woodhead,  
Attorney-in-Fact

02/26/2016

\_\_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) Transaction Date is the date that the Issuer's Board of Directors' Compensation Committee certified that the reporting person earned the Restricted Stock Units (RSUs), which are convertible into shares of the Issuer's Common Stock on a 1:1 basis.
  - (2) Represents (A) the total number of RSUs earned for satisfaction of one of the performance conditions (approval of Vimizin in the U.S. or EU prior to December 31, 2015) set forth in the performance-based RSU awards previously granted under the Issuer's 2006 Share

## Edgar Filing: BIOMARIN PHARMACEUTICAL INC - Form 4

Incentive Plan, using the final Total Shareholder Return (TSR) as of December 31, 2015, less (B) the number of RSUs previously reported on Form 4 on February 19, 2014 as earned for satisfaction of the same performance condition determined using a lower, estimated TSR.

(3) Although earned, the RSUs only vest on the date of filing of the Issuer's Form 10-K for the fiscal year ended December 31, 2015, so long as the reporting person remains continuously employed with the Issuer through that date, subject to earlier vesting upon certain corporate events.

(4) Price is not applicable to the RSUs.

(5) Represents the total number of RSUs earned for satisfaction of one of the performance conditions (Issuers's total revenue for the calendar year 2015, as certified by the Issuer's audited financials, equals or exceeds \$775 million) set forth in the performance-based RSU awards previously granted under the Issuer's 2006 Share Incentive Plan using the final TSR as of December 31, 2015.

(6) Represents the total number of RSUs earned pursuant to a calculation based on the level of the Issuer's total adjusted revenues for the fiscal year ended December 31, 2015, as certified by its audited financials, set forth in the performance-based RSU awards previously granted under the Issuer's 2006 Share Incentive Plan.

(7) Although earned, the RSUs only vest according to the following schedule: 1/3 vests on each of March 3, 2016, 2017 and 2018, so long as the reporting person remains continuously employed with the Issuer through that date, subject to earlier vesting upon certain corporate events.

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.