

PICCOLI KEVIN C  
Form 5  
February 03, 2005

# FORM 5

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

OMB APPROVAL

OMB Number: 3235-0362  
Expires: January 31, 2005  
Estimated average burden hours per response... 1.0

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).  
Form 3 Holdings Reported Form 4 Transactions Reported

**ANNUAL 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

1. Name and Address of Reporting Person \*  
PICCOLI KEVIN C

2. Issuer Name and Ticker or Trading Symbol  
BANK OF NEW YORK CO INC  
[BK]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Statement for Issuer's Fiscal Year Ended (Month/Day/Year)  
12/31/2004

\_\_\_\_ Director \_\_\_\_\_ 10% Owner  
 Officer (give title below) \_\_\_\_\_ Other (specify below)  
Chief Auditor

THE BANK OF NEW YORK, ONE WALL STREET  
(Street)

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

6. Individual or Joint/Group Reporting (check applicable line)

NEW YORK, NY 10286

Form Filed by One Reporting Person  
 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 at end of Issuer's Fiscal Year (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)	Amount	Price	
Common Stock (Par Value \$7.50)	03/01/2004	Â	L	31.82 A	\$ 31.4251	15,709.47	D Â
Common Stock (Par Value \$7.50)	04/01/2004	Â	L	33.18 A	\$ 30.143	15,742.65	D Â

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Common Stock (Par Value \$7.50)	05/06/2004	Â	L	59.77	A	\$ 28.5338	15,802.42	D	Â
Common Stock (Par Value \$7.50)	05/06/2004	Â	L	1.43	A	\$ 30.0356	15,803.85	D	Â
Common Stock (Par Value \$7.50)	06/01/2004	Â	L	35.25	A	\$ 28.3673	15,839.1	D	Â
Common Stock (Par Value \$7.50)	07/01/2004	Â	L	36.15	A	\$ 27.6602	15,875.26	D	Â
Common Stock (Par Value \$7.50)	08/05/2004	Â	L	45.64	A	\$ 26.986	15,920.9	D	Â
Common Stock (Par Value \$7.50)	08/05/2004	Â	L	1.53	A	\$ 28.4064	15,922.42	D	Â
Common Stock (Par Value \$7.50)	09/01/2004	Â	L	35.33	A	\$ 28.3044	15,957.76	D	Â
Common Stock (Par Value \$7.50)	10/01/2004	Â	L	35.52	A	\$ 28.1504	15,993.28	D	Â
Common Stock (Par Value \$7.50)	11/04/2004	Â	L	55.5	A	\$ 31.6187	16,048.78	D	Â
Common Stock (Par Value \$7.50)	11/04/2004	Â	L	1.31	A	\$ 33.2829	16,050.09	D	Â
Common Stock (Par Value \$7.50)	12/01/2004	Â	L	31.77	A	\$ 31.4766	16,081.86	D	Â
	Â	Â	Â	Â	Â	Â		D	Â

Stock Units 7,297.94  
(1)

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

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SEC 2270  
(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. of D Se B O E Is Fi (I
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Date Exercisable (A)	Expiration Date (D)	Title	Amount or Number of Shares
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## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
PICCOLI KEVIN C THE BANK OF NEW YORK ONE WALL STREET NEW YORK, NY 10286	Â	Â	Â Chief Auditor	Â

## Signatures

Kevin C. Piccoli 02/03/2005  
 \*\*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) Represents number of stock units held in employer's stock fund in The Bank of New York Company, Inc. Employee Savings and Investment Plan, formerly the Profit Sharing Plan, as of December 31, 2004.

Note: File three copies of this Form, one of which must be manually signed. If space provided 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.