

AVI BIOPHARMA INC

Form 4

February 08, 2007

**FORM 4****UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549**

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

## OMB APPROVAL

OMB  
Number: 3235-0287  
Expires: January 31,  
2005  
Estimated average  
burden hours per  
response... 0.5

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
**WELLER DWIGHT D**

(Last) (First) (Middle)

**ONE SW COLUMBIA, SUITE 1105**

(Street)

**PORTLAND, OR 97258**

(City) (State) (Zip)

2. Issuer Name **and** Ticker or Trading  
Symbol  
**AVI BIOPHARMA INC [AVII]**

3. Date of Earliest Transaction  
(Month/Day/Year)  
**02/06/2007**

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

5. Relationship of Reporting Person(s) to  
Issuer

(Check all applicable)

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

**Sr. VP Chemistry & Mfg.**

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)
			Code	V Amount (D) Price			
Common Stock					285,822	D	
Common Stock					24,936	I	by Spouse (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)

Edgar Filing: AVI BIOPHARMA INC - Form 4

**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 An Underlying Se (Instr. 3 and 4)		
				Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title
Incentive Stock Option (right to buy)	\$ 3	02/06/2007		A	25,001			02/06/2009 <sup>(2)</sup>	02/06/2017	Common Stock
Incentive Stock Option (right to buy)	\$ 3	02/06/2007		A	4,567			02/06/2007 <sup>(3)</sup>	02/06/2017	Common Stock
Non-Qualified Stock Option (right to buy)	\$ 3	02/06/2007		A	49,999			02/06/2008 <sup>(2)</sup>	02/06/2017	Common Stock
Incentive Stock Option (right to buy)	\$ 2.53							02/22/2006 <sup>(2)</sup>	02/22/2015	Common Stock
Incentive Stock Option (right to buy)	\$ 5.35							12/05/2003 <sup>(2)</sup>	12/05/2012	Common Stock
Incentive Stock Option (right to buy)	\$ 5.75							01/03/2001 <sup>(2)</sup>	01/03/2010	Common Stock
Incentive Stock Option (right to buy)	\$ 6.625							02/02/1998 <sup>(2)</sup>	02/02/2008	Common Stock
Incentive Stock Option (right to buy)	\$ 7.35							02/16/2007 <sup>(2)</sup>	02/16/2016	Common Stock
Incentive Stock Option (right to buy)	\$ 2.53							02/22/2005 <sup>(3)</sup>	02/22/2010	Common Stock
Incentive Stock Option (right to buy)	\$ 7.35							02/16/2006 <sup>(2)</sup>	02/16/2011	Common Stock
Non-Qualified Stock Option	\$ 5.35							12/05/2003 <sup>(2)</sup>	12/05/2012	Common Stock

(right to buy)

Non-Qualified Stock Option (right to buy)	\$ 5.75	01/03/2001 <sup>(2)</sup>	01/03/2010	Common Stock
Non-Qualified Stock Option (right to buy)	\$ 6.38	06/12/1997 <sup>(3)</sup>	06/12/2007	Common Stock
Non-Qualified Stock Option (right to buy)	\$ 6.625	02/02/1998 <sup>(2)</sup>	02/02/2008	Common Stock
Non-Qualified Stock Option (right to buy)	\$ 7.35	02/16/2007 <sup>(2)</sup>	02/16/2016	Common Stock

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
WELLER DWIGHT D ONE SW COLUMBIA, SUITE 1105 PORTLAND, OR 97258			Sr. VP Chemistry & Mfg.	

## Signatures

By: Mark M. Webber, Attorney-in-fact For: Dwight Weller 02/08/2007

\_\_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) Amount of Securities Beneficially Owned include shares purchased under the Company's registered Employee Stock Purchase Plan.

(2) The Stock Option Grant vest as follows: 1/3 vest one year from date of grant and 1/3 each year thereafter until all shares vest three years from grant date.

(3) Grant vest 100% on grant date.

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.