

BIOMARIN PHARMACEUTICAL INC
Form 4
October 03, 2007

FORM 4

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

OMB APPROVAL

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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 *
Swidler Stuart J

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)
10/01/2007

___ Director ___ 10% Owner
 Officer (give title below) ___ Other (specify below)
SVP, Clinical Affairs

C/O BIOMARIN PHARMACEUTICAL INC., 105 DIGITAL DRIVE
(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

NOVATO, CA 94949
(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 (D) | Price | | | |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | M | | | 2,500 | A | \$ 4 | 12,500 | D | |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | M | | | 10,000 | A | \$ 6.13 | 22,500 | D | |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | | | 1,202 | D | \$ 24.9 | 21,298 | D | |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | | | 48 | D | \$ 24.91 | 21,250 | D | |
| | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | | | 1,250 | D | \$ 24.99 | 20,000 | D | |

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| | | | | | | | | |
|--------------|---------------------------|------------|---|-------|---|------------|--------|---|
| Common Stock | | | | | | | | |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 644 | D | \$ 25 | 19,356 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 100 | D | \$ 25.0001 | 19,256 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 1,250 | D | \$ 25.075 | 18,006 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 1,756 | D | \$ 25.1 | 16,250 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 1,250 | D | \$ 25.1101 | 15,000 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 1,250 | D | \$ 25.1301 | 13,750 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 1,250 | D | \$ 25.1401 | 12,500 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 1,250 | D | \$ 25.22 | 11,250 | D |
| Common Stock | 10/01/2007 ⁽¹⁾ | 10/01/2007 | S | 1,250 | D | \$ 25.3 | 10,000 | D |

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

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(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) | | |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--------------|----------------------------|
| | | | | Code | V (A) (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares |
| Stock Option (right to buy) | \$ 4 | 10/01/2007 | 10/01/2007 | M | 2,500 | 12/24/1998 ⁽²⁾ | 06/14/2008 | Common Stock | 2,500 |

| | | | | | | | | | |
|--------------------------------------|---------|------------|------------|---|--------|---------------------------|------------|-----------------|--------|
| Stock Option (right to buy) | \$ 6.13 | 10/01/2007 | 10/01/2007 | M | 10,000 | 07/07/2005 ⁽³⁾ | 01/06/2015 | Common Stock | 10,000 |
|--------------------------------------|---------|------------|------------|---|--------|---------------------------|------------|-----------------|--------|

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|--|---------------|-----------|-----------------------------|-------|
| | Director | 10% Owner | Officer | Other |
| Swiedler Stuart J C/O BIOMARIN PHARMACEUTICAL INC. 105 DIGITAL DRIVE NOVATO, CA 94949 | | | SVP, Clinical Affairs | |

Signatures

| | |
|--|---------------------|
| /s/ G. Eric Davis, Attorney-in-Fact | 10/03/2007 |
| <small>**Signature of Reporting Person</small> | <small>Date</small> |

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 made pursuant to a Rule 10b5-1 Trading Plan.
- (2) Options vested 6/48ths on 12/24/1998 and 1/48th on the 24th of each month thereafter.
- (3) Options vested 6/48ths on 7/7/2005 and 1/48th on the 7th of each month thereafter.

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