

BIOMARIN PHARMACEUTICAL INC

Form 4

December 19, 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 \*  
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)  
12/17/2007

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

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)

NOVATO, CA 94949

(City) (State) (Zip)

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) |        |                 | 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 or Price |                                                                                               |                                                          |                                                       |
| Common Stock                    | 10/31/2007 <sup>(1)</sup>            |                                                    | P                              | V                                             | 518    | A \$ 6.919      | 7,213                                                                                         | D                                                        |                                                       |
| Common Stock                    | 12/17/2007 <sup>(2)</sup>            | 12/17/2007                                         | M                              |                                               | 15,000 | A \$ 6.46       | 22,213                                                                                        | D                                                        |                                                       |
| Common Stock                    | 12/17/2007 <sup>(2)</sup>            | 12/17/2007                                         | S                              |                                               | 1,500  | D \$ 35.1501    | 20,713                                                                                        | D                                                        |                                                       |
| Common Stock                    | 12/17/2007 <sup>(2)</sup>            | 12/17/2007                                         | S                              |                                               | 1,500  | D \$ 35.28      | 19,213                                                                                        | D                                                        |                                                       |
|                                 | 12/17/2007 <sup>(2)</sup>            | 12/17/2007                                         | S                              |                                               | 1,310  | D \$ 35.43      | 17,903                                                                                        | D                                                        |                                                       |

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|              |                           |            |   |       |   |            |        |   |
|--------------|---------------------------|------------|---|-------|---|------------|--------|---|
| Common Stock |                           |            |   |       |   |            |        |   |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 190   | D | \$ 35.44   | 17,713 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 100   | D | \$ 35.49   | 17,613 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 1,400 | D | \$ 35.4901 | 16,213 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 1,500 | D | \$ 35.54   | 14,713 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 375   | D | \$ 35.6401 | 14,338 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 1,500 | D | \$ 35.6675 | 12,838 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 1,500 | D | \$ 35.6701 | 11,338 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 1,125 | D | \$ 35.92   | 10,213 | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 1,500 | D | \$ 35.4    | 8,713  | D |
| Common Stock | 12/17/2007 <sup>(2)</sup> | 12/17/2007 | S | 1,500 | D | \$ 35.8101 | 7,213  | 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                               | \$ 6.46                                                | 12/17/2007 <sup>(2)</sup>            | 12/17/2007                                         | M                              | 15,000                                                                                  | 05/11/2006 <sup>(3)</sup>                                | 05/10/2015                                                    | Common Stock | 15,000                     |

(right to  
buy)

## Reporting Owners

| Reporting Owner Name / Address                                                                     | Relationships |           |                         |       |
|----------------------------------------------------------------------------------------------------|---------------|-----------|-------------------------|-------|
|                                                                                                    | Director      | 10% Owner | Officer                 | Other |
| BIENAIME JEAN JACQUES<br>C/O BIOMARIN PHARMACEUTICAL INC.<br>105 DIGITAL DRIVE<br>NOVATO, CA 94949 | X             |           | Chief Executive Officer |       |

## Signatures

/s/ G. Eric Davis,  
Attorney-in-Fact

12/19/2007

\_\_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) Transaction made pursuant to the Employee Stock Purchase Plan.
- (2) Transaction made pursuant to a Rule 10b5-1 Trading Plan.
- (3) Options vested 1/3 each on May 11, 2006, May 11, 2007, and May 11, 2008.

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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