

# SECURITIES AND EXCHANGE COMMISSION

## FORM S-8 POS

Post-effective amendment to a S-8 registration statement

Filing Date: **1999-03-26**  
SEC Accession No. **0001012870-99-000852**

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### FILER

#### **ACTUATE SOFTWARE CORP**

CIK: **1062478** | IRS No.: **943193197**  
Type: **S-8 POS** | Act: **33** | File No.: **333-73015** | Film No.: **99574327**  
SIC: **7372** Prepackaged software

Mailing Address  
999 BAKER WAY  
STE 270  
SAN MATEO CA 94404

Business Address  
999 BAKER WAY  
STE 270  
SAN MATEO CA 94404  
6504252300



1998 Employee Stock Purchase Plan

Rights to Purchase	150,000	N/A	N/A	N/A
Common Stock (par value \$.001)	150,000 shares	\$22.175 (2)	\$3,326,250 (2)	\$925 (4)

- (1) This Registration Statement shall also cover any additional shares of Common Stock which become issuable under the 1998 Equity Incentive Plan and the 1998 Employee Stock Purchase Plan by reason of any stock dividend, stock split, recapitalization or other similar transaction effected without the receipt of consideration which results in an increase in the number of the outstanding shares of Common Stock of Actuate Software Corporation.
- (2) Calculated solely for purposes of this offering under Rule 457(h) of the Securities Act of 1933, as amended, on the basis of the average of the high and low prices per share of Common Stock of Actuate Software Corporation as reported on the Nasdaq National Market on February 19, 1999.
- (3) \$4,190 of this fee has been paid previously with the filing of the Registration Statement on Form S-8 (Registration No. 333-73015) which was declared effective by the commission on February 26, 1999.
- (4) \$913 of this fee has been paid previously with the filing of the Registration Statement on Form S-8 (Registration No. 333-73015) which was declared effective by the commission on February 26, 1999.

II-1

SIGNATURES

Pursuant to the requirements of the Securities Act of 1933, as amended, the Registrant certifies that it has reasonable grounds to believe that it meets all of the requirements for filing on Form S-8 and has duly caused this Registration Statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of San Mateo, State of California on this 26th day of March, 1999.

ACTUATE SOFTWARE CORPORATION

By: /s/ Nicolas C. Nierenberg  
 \_\_\_\_\_  
 President and Chief Executive Officer

Pursuant to the requirements of the Securities Act of 1933, as amended, this Post Effective Amendment No. 1 Registration Statement has been signed below by the following persons in the capacities and on the dates indicated.

Signature	Title	Date
<S>	<C>	<C>
/s/ Nicolas C. Nierenberg _____ Nicolas C. Nierenberg	Chairman of the Board, President, Chief Executive Officer and Director (Principal Executive Officer)	March 26, 1999
/s/ Daniel A. Gaudreau	Vice President, Finance,	March 26, 1999

----- Daniel A. Gaudreau	and Chief Financial Officer (Principal Financial and Accounting Officer)	
----- James Breyer*	Director	March 26, 1999
----- James Breyer		
----- Arthur Patterson*	Director	March 26, 1999
----- Arthur Patterson		
----- Nancy Schoendorf*	Director	March 26, 1999
----- Nancy Schoendorf		
----- Steven Whiteman*	Director	March 26, 1999
----- Steven Whiteman		

\*By: /s/ Daniel A. Gaudreau

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Daniel A. Gaudreau  
Attorney-in-Fact

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