

BIOLASE, INC  
Form 8-K  
June 07, 2013

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UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of Earliest Event Reported):

June 6, 2013

**Biolase, Inc.**

(Exact name of registrant as specified in its charter)

Delaware

000-19627

87-0442441

(State or other jurisdiction  
of incorporation)

(Commission  
File Number)

(I.R.S. Employer  
Identification No.)

4 Cromwell, Irvine, California

92618

(Address of principal executive offices)

(Zip Code)

Registrant's telephone number, including area code:

949-361-1200

Not Applicable

Former name or former address, if changed since last report

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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**Item 5.07 Submission of Matters to a Vote of Security Holders.**

On June 6, 2013, the 2013 Annual Meeting of Stockholders of Biolase, Inc. (the "Company") was held at the Company's headquarters, 4 Cromwell, Irvine, California. The following are the results of the voting on the proposals submitted to stockholders at the Annual Meeting.

1. Stockholders elected all of the Company's four nominees for director, to serve a one-year term until the 2014 Annual Meeting of Stockholders and until their respective successors are elected and qualified, as set forth below:

Federico Pignatelli  
Votes For: 14,808,917  
Votes Against: 82,676  
Abstentions: 52,737  
Broker Non-votes: 11,017,375

Alex K. Arrow  
Votes For: 14,073,216  
Votes Against: 90,804  
Abstentions: 52,310  
Broker Non-votes: 11,017,375

Norman J. Nemoy  
Votes For: 13,962,126  
Votes Against: 201,151  
Abstentions: 53,053  
Broker Non-votes: 11,017,375

Gregory E. Lichtwardt  
Votes For: 14,060,828  
Votes Against: 88,712  
Abstentions: 66,790  
Broker Non-votes: 11,017,375

2. Stockholders ratified the selection of BDO USA, LLP as the Company's independent registered public accounting firm for the fiscal year ending December 31, 2013, as set forth below:

Votes For: 25,057,793  
Votes Against: 52,378  
Abstentions: 123,534  
Broker Non-votes: 0

3. Stockholders voted, on an advisory basis, to approve the compensation of the Company's named executive officers, as set forth below:

Votes For: 13,234,507  
Votes Against: 336,638  
Abstentions: 645,185  
Broker Non-votes: 11,017,375

4. Stockholders approved the amendment to the 2002 Stock Incentive Plan, as set forth below:

Votes For: 12,860,671  
Votes Against: 1,195,721  
Abstentions: 159,938  
Broker Non-votes: 11,017,375

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**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Biolase, Inc.

*June 6, 2013*

By: *Federico Pignatelli*

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*Name: Federico Pignatelli*  
*Title: Chief Executive Officer*