

AVI BIOPHARMA INC  
Form 5  
February 05, 2007

# FORM 5

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

OMB APPROVAL

OMB Number: 3235-0362  
Expires: January 31, 2005  
Estimated average burden hours per response... 1.0

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).  
Form 3 Holdings Reported Form 4 Transactions Reported

**ANNUAL 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

1. Name and Address of Reporting Person \*  
TIMMINS ALAN P

(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. Statement for Issuer's Fiscal Year Ended (Month/Day/Year)  
12/31/2006

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)

President & COO

6. Individual or Joint/Group Reporting

(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)	Amount (A) or (D)	Price	5. Amount of Securities Beneficially Owned at end of Issuer's Fiscal Year (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
Common Stock	05/15/2006	^	A	(A)	5,867 (1)	\$ 2.7625	68,540	D	^
Common Stock	11/15/2006	^	A	(A)	1,342 (1)	\$ 3.2895	69,882	D	^
Common Stock	^	^	^	^	^	^	1,500	I	by Daughter

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

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SEC 2270 (9-02)

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**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 Security (Instr. 3 and 4)	
					(A) (D)	Date Exercisable Expiration Date	Title	Amount
Incentive Stock Option (right to buy)	\$ 2.53	Â	Â	Â	Â Â	02/22/2006 <sup>(2)</sup> 02/22/2015	Common Stock	9
Incentive Stock Option (right to buy)	\$ 5.35	Â	Â	Â	Â Â	12/05/2003 <sup>(2)</sup> 12/05/2012	Common Stock	3
Incentive Stock Option (right to buy)	\$ 5.75	Â	Â	Â	Â Â	01/03/2001 <sup>(2)</sup> 01/03/2010	Common Stock	5
Incentive Stock Option (right to buy)	\$ 5.88	Â	Â	Â	Â Â	05/19/2004 <sup>(2)</sup> 05/19/2013	Common Stock	8
Incentive Stock Option (right to buy)	\$ 6.625	Â	Â	Â	Â Â	01/01/1998 <sup>(2)</sup> 02/02/2008	Common Stock	2
Incentive Stock Option (right to buy)	\$ 7.35	Â	Â	Â	Â Â	02/16/2007 <sup>(2)</sup> 02/16/2016	Common Stock	1
Non-Qualified Stock Option (right to buy)	\$ 2.53	Â	Â	Â	Â Â	02/22/2006 <sup>(2)</sup> 02/22/2015	Common Stock	7
Non-Qualified Stock Option (right to buy)	\$ 5.35	Â	Â	Â	Â Â	12/05/2003 <sup>(2)</sup> 12/05/2012	Common Stock	1
Non-Qualified Stock Option (right to buy)	\$ 5.75	Â	Â	Â	Â Â	01/03/2001 <sup>(2)</sup> 01/03/2010	Common Stock	8
Non-Qualified Stock Option (right to buy)	\$ 5.88	Â	Â	Â	Â Â	05/19/2004 <sup>(2)</sup> 05/19/2013	Common Stock	1
	\$ 6.38	Â	Â	Â	Â Â	06/12/1997 <sup>(3)</sup> 06/12/2007		5

Non-Qualified Stock Option (right to buy)										Common Stock
Non-Qualified Stock Option (right to buy)	\$ 6.625	^	^	^	^	^	01/01/1998 <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
TIMMINS ALAN P ONE SW COLUMBIA, SUITE 1105 PORTLAND, OR 97258	^ X	^	^ President & COO	^

## Signatures

By: Mark M. Webber, Attorney-in-fact For: Alan Timmins 02/02/2007

\_\_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) This amount represents shares acquired through the company's ESPP program.
- (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.

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