Strauss Philip R Form 4 February 23, 2006

FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

if no longer subject to Section 16. Form 4 or Form 5

Check this box

SECURITIES

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, obligations Section 17(a) of the Public Utility Holding Company Act of 1935 or Section may continue. 30(h) of the Investment Company Act of 1940 See Instruction

1(b).

(Last)

(City)

(Print or Type Responses)

1. Name and Address of Reporting Person * Strauss Philip R

(First)

ACTUATE CORPORATION, 701

(Middle)

(Zip)

2. Issuer Name and Ticker or Trading Symbol

ACTUATE CORP [ACTU]

3. Date of Earliest Transaction

(Month/Day/Year) 02/23/2006

GATEWAY BOULEVARD

(Street)

(State)

4. If Amendment, Date Original

Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to

OMB

Number:

Expires:

response...

OMB APPROVAL

Estimated average

burden hours per

3235-0287

January 31,

2005

0.5

Issuer

(Check all applicable)

Director 10% Owner X_ Officer (give title _ Other (specify

below) General Counsel & VP Corp Dev

6. Individual or Joint/Group Filing(Check

Applicable Line)

X Form filed by One Reporting Person Form filed by More than One Reporting

Person

SOUTH SAN FRANCISCO, CA 94080

| (~, | ` 17 I abi | le I - Non-L | erivative So | ecuriti | es Acqu | nrea, Disposea oi | , or Beneficiali | y Ownea |
|---------------------|---|---|---|--|---|---|--|--|
| 2. Transaction Date | 2A. Deemed | 3. | 4. Securitie | s Acqu | uired | 5. Amount of | 6. | 7. Nature of |
| (Month/Day/Year) | Execution Date, if | Transactio | on(A) or Disp | osed o | of (D) | Securities | Ownership | Indirect |
| | any | Code | (Instr. 3, 4 | and 5) | | Beneficially | Form: Direct | Beneficial |
| | (Month/Day/Year) | (Instr. 8) | | | | Owned | (D) or | Ownership |
| | | | | | | Following | Indirect (I) | (Instr. 4) |
| | | | | (4) | | Reported | (Instr. 4) | |
| | | | | | | Transaction(s) | | |
| | | G 1 W | | | ъ. | (Instr. 3 and 4) | | |
| | | Code V | Amount | (D) | | | | |
| 02/23/2006 | 02/23/2006 | S | 100,000 | D | \$ 3.65 | 0 | D | |
| | 2. Transaction Date (Month/Day/Year) | 2. Transaction Date 2A. Deemed (Month/Day/Year) Execution Date, if any (Month/Day/Year) | 2. Transaction Date 2A. Deemed 3. (Month/Day/Year) Execution Date, if any Code (Month/Day/Year) (Instr. 8) | 2. Transaction Date 2A. Deemed 3. 4. Securitie (Month/Day/Year) Execution Date, if any (Month/Day/Year) (Month/Day/Year) (Instr. 8) Code V Amount | 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired (Month/Day/Year) Execution Date, if any Code (Instr. 3, 4 and 5) (Month/Day/Year) (Instr. 8) (A) or Code V Amount (D) | 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired (Month/Day/Year) Execution Date, if any (Month/Day/Year) (Instr. 3, 4 and 5) (Instr. 8) (A) or Code V Amount (D) Price (Code V Amount (D) | 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired 5. Amount of (Month/Day/Year) Execution Date, if any Code (Instr. 3, 4 and 5) Beneficially (Month/Day/Year) (Instr. 8) Owned Following Reported Transaction(s) (Instr. 3 and 4) | 2. Transaction Date 2A. Deemed 3. 4. Securities Acquired 5. Amount of 6. (Month/Day/Year) Execution Date, if any (Month/Day/Year) (Month/Day/Year) (Instr. 8) Execution Date, if any (Month/Day/Year) (Instr. 8) Execution Date, if Transaction(A) or Disposed of (D) Securities (Downed (D) or Following (D) or Following (Instr. 4) (Instr. 4) (Instr. 4) (Instr. 3 and 4) |

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

Persons who respond to the collection of SEC 1474 information contained in this form are not (9-02)required to respond unless the form displays a currently valid OMB control number.

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

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| 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. Transactic Code (Instr. 8) | 5. Number of orDerivative 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 |
| Option (right to buy) | \$ 3.65 | 02/23/2006 | 02/23/2006 | S | 18,750 | 01/31/2006 | 01/31/2015 | Common Stock | 18,750 |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | | | | |
|---|---------------|-----------|-------------------------------------|-------|--|--|--|
| · · · · · · · · · · · · · · · · · · · | Director | 10% Owner | Officer | Other | | | |
| Strauss Philip R ACTUATE CORPORATION 701 GATEWAY BOULEVARD SOUTH SAN FRANCISCO, CA 94080 | | | General Counsel & VP Corp Dev | | | | |

Signatures

/s/ Philip R. 02/23/2006 Strauss 02/23/2006

**Signature of Da Reporting Person

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).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

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