

BIOLASE TECHNOLOGY INC

Form 8-K

May 22, 2007

**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  
May 16, 2007**

Date of Report (Date of earliest event reported)

**BIOLASE TECHNOLOGY, INC.**

(Exact name of registrant as specified in its charter)

**Delaware**  
(State of Incorporation)

**000-19627**  
(Commission File Number)

**87-0442441**  
(IRS Employer  
Identification Number)

**4 Cromwell, Irvine, California**  
(Address of principal executive offices)

**92618**  
(Zip code)

**(949) 361-1200**  
(Registrant's telephone number including area code)

**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 5.02. Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangements of Certain Officers.**

*(e) Approval of an amendment to the Biolase Technology, Inc. 2002 Stock Incentive Plan*

On May 16, 2007, at the 2007 annual meeting of stockholders, the stockholders of Biolase Technology, Inc. (the Company ) approved an amendment (the Amendment ) to the Company s 2002 Stock Incentive Plan, as previously amended (the Stock Incentive Plan ), that increased the number of shares of common stock available for issuance under the Stock Incentive Plan by an additional 1,000,000 shares to a total of 5,950,000 shares and that established an aggregate share limitation of 200,000 on the number of shares that may be used for granting full value awards. The Amendment became effective immediately upon receipt of the stockholder approval.

The foregoing summary is qualified by reference to the Stock Incentive Plan, as amended, which is incorporated by reference to Appendix A of the Company s Definitive Proxy Statement on Schedule 14A filed with the Securities and Exchange Commission on April 10, 2007.

**Item 9.01. Financial Statements and Exhibits.**

*(d) Exhibits*

10.1 The Biolase Technology, Inc. 2002 Stock Incentive Plan (incorporated by reference to Appendix A of the Definitive Proxy Statement on Schedule 14A filed on April 10, 2007).

**SIGNATURES**

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

BIOLASE TECHNOLOGY, INC.

Date: May 21, 2007

By: /s/ Richard Harrison  
Richard Harrison  
Executive Vice President,  
Chief Financial Officer & Secretary

**EXHIBIT INDEX**

**Exhibit  
Number**

**Description**

10.1

The Biolase Technology, Inc. 2002 Stock Incentive Plan (incorporated by reference to Appendix A of the Definitive Proxy Statement on Schedule 14A filed on April 10, 2007).