

SMACH THOMAS J  
Form 4  
June 29, 2009

**FORM 4**

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

OMB APPROVAL

OMB Number: 3235-0287  
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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

**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

(Print or Type Responses)

1. Name and Address of Reporting Person \*  
SMACH THOMAS J

(Last) (First) (Middle)

C/O CROCS, INC., 6328  
MONARCH PARK PLACE

(Street)

NIWOT, CO 80503

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
Cross, Inc. [CROX]

3. Date of Earliest Transaction  
(Month/Day/Year)  
06/25/2009

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)

6. Individual or Joint/Group Filing(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) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
|                                 |                                      |  | Code                           | V Amount (A) or (D) Price   |   |  |   |
| Common Stock                    | 06/25/2009                           |  | A                              | 28,011 A ① 39,505   |   | D  |   |
| Common Stock                    | 06/25/2009                           |  | A                              | 14,006 (2) A ② 53,511   |   | D  |   |
| Common Stock                    |                                      |  |                                |   | 4,400   | I  | As UGMA Custodian for children (3)                    |
| Common Stock                    |                                      |  |                                |   | 600   | I  | As UGMA Custodian for nephew                          |



## Edgar Filing: SMACH THOMAS J - Form 4

the \$3.57 closing price of the issuer's common stock on June 25, 2009, as quoted on the NASDAQ Global Select Market. The restricted stock vests in four equal installments on September 25, 2009, December 25, 2009, March 25, 2010 and June 25, 2010.

The reporting person disclaims beneficial ownership of these securities except to the extent the reporting person is deemed to have a

- (3) pecuniary interest in the securities, and this report shall not be deemed an admission that the reporting person is the beneficial owner of such securities for purposes of Section 16 or for any other purpose.

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.