

Capallo Fred  
Form 3  
March 16, 2009

**FORM 3 UNITED STATES SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

OMB APPROVAL

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**INITIAL STATEMENT OF 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 * |         | 2. Date of Event Requiring Statement | 3. Issuer Name <b>and</b> Ticker or Trading Symbol                         |  |
| Â Capallo Fred                            |         | (Month/Day/Year)                     | BIOLASE TECHNOLOGY INC [BLTI]  |  |
| (Last)                                    | (First) | (Middle)                             | 03/16/2009   |  |
| 4 CROMWELL                                |         |                                      | 4. Relationship of Reporting Person(s) to Issuer                           | 5. If Amendment, Date Original Filed(Month/Day/Year)                   |
| (Street)                                  |         |                                      | (Check all applicable)   |  |
| IRVINE,Â CAÂ 92618                        |         |                                      | <input type="checkbox"/> Director <input type="checkbox"/> 10% Owner       | 6. Individual or Joint/Group Filing(Check Applicable Line)             |
| (City)                                    | (State) | (Zip)                                | <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Other | <input checked="" type="checkbox"/> Form filed by One Reporting Person |
|   |         |                                      | (give title below) (specify below)   | <input type="checkbox"/> Form filed by More than One Reporting Person  |
|   |         |                                      | Interim Chief Financial Off.   |  |

**Table I - Non-Derivative Securities Beneficially Owned**

|                                 |   |  |   |
|---------------------------------|---|--|---|
| 1. Title of Security (Instr. 4) | 2. Amount of Securities Beneficially Owned (Instr. 4) | 3. Ownership Form: Direct (D) or Indirect (I) (Instr. 5) | 4. Nature of Indirect Beneficial Ownership (Instr. 5) |
|---------------------------------|---|--|---|

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly. SEC 1473 (7-02)

**Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.**

**Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)**

|  |  |   |  |   |   |
|--|--|---|--|---|---|
| 1. Title of Derivative Security (Instr. 4) | 2. Date Exercisable and Expiration Date (Month/Day/Year) | 3. Title and Amount of Securities Underlying Derivative Security (Instr. 4) | 4. Conversion or Exercise Price of Derivative Security | 5. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 5) | 6. Nature of Indirect Beneficial Ownership (Instr. 5) |
|  | Date Exercisable   | Expiration Date   | Title  | Amount or Number of Shares  |   |

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|                             |                           |            |              |        |         |   |   |
|-----------------------------|---------------------------|------------|--------------|--------|---------|---|---|
| Stock Option (right to buy) | 11/08/2006 <sup>(1)</sup> | 11/08/2016 | Common Stock | 30,000 | \$ 7.79 | D | Â |
| Stock Option (right to buy) | 12/12/2007 <sup>(1)</sup> | 12/12/2017 | Common Stock | 30,000 | \$ 4    | D | Â |
| Stock Option (right to buy) | 01/30/2008 <sup>(2)</sup> | 01/30/2018 | Common Stock | 15,000 | \$ 4    | D | Â |
| Stock Option (right to buy) | 11/20/2008 <sup>(3)</sup> | 11/20/2018 | Common Stock | 50,000 | \$ 0.93 | D | Â |

## Reporting Owners

| Reporting Owner Name / Address                 | Relationships |           |                                |       |
|--|---------------|-----------|--------------------------------|-------|
|  | Director      | 10% Owner | Officer                        | Other |
| Capallo Fred<br>4 CROMWELL<br>IRVINE, CA 92618 | Â             | Â         | Â Interim Chief Financial Off. | Â     |

## Signatures

/s/ Frederick M. Capallo 03/16/2009

\_\_Signature of Reporting Person Date

## Explanation of Responses:

- \* If the form is filed by more than one reporting person, *see* Instruction 5(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) The option vests over a period of three years, with one-third of the option shares vesting on the first anniversary of the date of grant indicated, and the remaining two-thirds of the option shares vesting on a quarterly basis over the remaining two years.
- (2) The option vests 100% on the first anniversary of the date of grant indicated.
- (3) The option vests over a period of three years, in a series of twelve successive three-month equal installments, commencing three months from the grant date.

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.