

INDUSTRIAL SERVICES OF AMERICA INC
 Form 4
 August 06, 2015

FORM 4

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

OMB APPROVAL

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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 *
GARBER SEAN

2. Issuer Name and Ticker or Trading Symbol
INDUSTRIAL SERVICES OF AMERICA INC [IDSA]

5. Relationship of Reporting Person(s) to Issuer
 (Check all applicable)

(Last) (First) (Middle)
4568 MELTON AVENUE
 (Street)

3. Date of Earliest Transaction (Month/Day/Year)
08/05/2015

Director 10% Owner
 Officer (give title below) Other (specify below)
President

LOUISVILLE, KY US 40213

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

(City) (State) (Zip)

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 Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|--|
| | | | Code | V Amount (A) or (D) Price | | | |
| Common Stock | 08/05/2015 | | P | 50,670 (1) | \$ 188,999.1 (1) 50,670 | I | By Algar, Inc. (2) |

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

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.

SEC 1474 (9-02)

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. 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 Securities (Instr. 3 and 4) | 8. | | | |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|------------------|-----------------|--------------|----------------------------|
| | | | | Code | V | (A) | (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares |
| Option (right to buy) | \$ 5.4 | | | | | 10/15/2015 | 10/15/2019 | | | Common Stock | 30,000 |
| Option (right to buy) | \$ 5 | | | | | 12/01/2013 | 12/01/2016 | | | Common Stock | 1,500,000 ⁽³⁾ |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|--|---------------|-----------|-----------|-------|
| | Director | 10% Owner | Officer | Other |
| GARBER SEAN 4568 MELTON AVENUE LOUISVILLE, KY US 40213 | X | X | President | |

Signatures

/s/ Sean Garber 08/06/2015

**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).

The Issuer entered into a Stock Purchase Agreement with Algar, Inc. on August 5, 2015. Under the Stock Purchase Agreement, the Issuer

(1) issued 50,670 shares of its common stock to Algar, Inc. in exchange for a reduction of \$188,999.10 of the Issuer's accrued but unpaid bonus compensation due to Algar, Inc.

(2) The Reporting Person is Chief Executive Officer of and the controlling shareholder of Algar, Inc.

On December 2, 2013, Algar, Inc. was issued an option to purchase 1,500,000 shares of Issuer common stock which becomes exercisable in four equal tranches. The first tranche was immediately exercisable; subject to certain additional requirements, generally, the second tranche becomes exercisable when the Issuer's stock consistently trades above \$6.00 or the Issuer's revenues increase by \$30 million following an acquisition, the third tranche becomes exercisable when the Issuer's stock consistently trades above \$8.00 or the Issuer's revenues increase by \$90 million following an acquisition, and the fourth tranche becomes exercisable when the Issuer's stock consistently trades above \$9.00 or the Issuer's revenues increase by \$120 million following an acquisition.

(3)

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

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