

## FORM D

Notice of Exempt  
Offering of SecuritiesUNITED STATES SECURITIES  
AND EXCHANGE COMMISSION  
Washington, D.C.

## OMB APPROVAL

OMB Number: 3235-0076

Expires: June 30, 2012

Estimated Average burden hours  
per response: 4.0

## 1. Issuer's Identity

CIK (Filer ID Number)

Previous Name(s)

☒ None

Entity Type

0000715446

Name of Issuer

COPYTELE INC

Jurisdiction of  
Incorporation/Organization

DELAWARE

Year of Incorporation/Organization

☒ Over Five Years Ago☐ Within Last Five Years  
(Specify Year)☐ Yet to Be Formed☒ Corporation☐ Limited Partnership☐ Limited Liability Company☐ General Partnership☐ Business Trust☐ Other

## 2. Principal Place of Business and Contact Information

Name of Issuer

COPYTELE INC

Street Address 1

900 WALT WHITMAN RD

Street Address 2

City

MELVILLE

State/Province/Country

NEW YORK

ZIP/Postal Code

11747

Phone No. of Issuer

6315495900

## 3. Related Persons

Last Name

Titterton, Jr.

First Name

Lewis

Middle Name

H.

Street Address 1

900 Walt Whitman Road

Street Address 2

City

Melville

State/Province/Country

NEW YORK

ZIP/Postal Code

11747

Relationship:

☒ Executive Officer☒ Director☐ Promoter

Clarification of Response (if Necessary)

Last Name

Larounis

First Name

George

Middle Name

P.

Street Address 1

Street Address 2

900 Walt Whitman Road		
City	State/Province/Country	ZIP/Postal Code
Melville	NEW YORK	11747
Relationship:	<input type="checkbox"/> Executive Officer	<input checked="" type="checkbox"/> Director
<input type="checkbox"/> Promoter		
Clarification of Response (if Necessary)		

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Last Name	First Name	Middle Name
Herms	Henry	P.
Street Address 1	Street Address 2	
900 Walt Whitman Road		
City	State/Province/Country	ZIP/Postal Code
Melville	NEW YORK	11747
Relationship:	<input checked="" type="checkbox"/> Executive Officer	<input checked="" type="checkbox"/> Director
<input type="checkbox"/> Promoter		
Clarification of Response (if Necessary)		

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Last Name	First Name	Middle Name
Krusos	Denis	A.
Street Address 1	Street Address 2	
900 Walt Whitman Road		
City	State/Province/Country	ZIP/Postal Code
Melville	NEW YORK	11747
Relationship:	<input type="checkbox"/> Executive Officer	<input checked="" type="checkbox"/> Director
<input type="checkbox"/> Promoter		
Clarification of Response (if Necessary)		

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Last Name	First Name	Middle Name
Williams	Kent	B.
Street Address 1	Street Address 2	
900 Walt Whitman Road		
City	State/Province/Country	ZIP/Postal Code
Melville	NEW YORK	11747
Relationship:	<input type="checkbox"/> Executive Officer	<input checked="" type="checkbox"/> Director
<input type="checkbox"/> Promoter		
Clarification of Response (if Necessary)		

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Last Name	First Name	Middle Name
Johnson	Bruce	

Street Address 1

Street Address 2

900 Walt Whitman Road

City

State/Province/Country

ZIP/Postal Code

Melville

NEW YORK

11747

Relationship:

☐

Executive Officer

☒

Director

☐

Promoter

Clarification of Response (if Necessary)

## 4. Industry Group

☐ Agriculture

**Banking & Financial Services**

☐ Commercial Banking

☐ Insurance

☐ Investing

☐ Investment Banking

☐ Pooled Investment Fund

☐ Other Banking & Financial Services

☐ Business Services

**Energy**

☐ Coal Mining

☐ Electric Utilities

☐ Energy Conservation

☐ Environmental Services

☐ Oil & Gas

☐ Other Energy

**Health Care**

☐ Biotechnology

☐ Health Insurance

☐ Hospitals & Physicians

☐ Pharmaceuticals

☐ Other Health Care

☐ Manufacturing

**Real Estate**

☐ Commercial

☐ Construction

☐ REITS & Finance

☐ Residential

☐ Other Real Estate

☐ Retailing

☐ Restaurants

**Technology**

☐ Computers

☐ Telecommunications

☒ Other Technology

**Travel**

☐ Airlines & Airports

☐ Lodging & Conventions

☐ Tourism & Travel Services

☐ Other Travel

☐ Other

## 5. Issuer Size

**Revenue Range**

☐ No Revenues

☒ \$1 - \$1,000,000

☐ \$1,000,001 - \$5,000,000

☐ \$5,000,001 - \$25,000,000

☐ \$25,000,001 - \$100,000,000

☐ Over \$100,000,000

☐ Decline to Disclose

☐ Not Applicable

**Aggregate Net Asset Value Range**

☐ No Aggregate Net Asset Value

☐ \$1 - \$5,000,000

☐ \$5,000,001 - \$25,000,000

☐ \$25,000,001 - \$50,000,000

☐ \$50,000,001 - \$100,000,000

☐ Over \$100,000,000

☐ Decline to Disclose

☐ Not Applicable

## 6. Federal Exemption(s) and Exclusion(s) Claimed (select all that apply)

☐ Rule 504(b)(1) (not (i), (ii) or (iii))

☐ Rule 504 (b)(1)(i)

☐ Rule 504 (b)(1)(ii)

☐ Rule 504 (b)(1)(iii)

☐ Rule 505

☒ Rule 506

☐ Securities Act Section 4(6)

☐ Investment Company Act Section 3(c)

## 7. Type of Filing

- ☒ New Notice      Date of First Sale            ☐ First Sale Yet to Occur
- ☐ Amendment

## 8. Duration of Offering

Does the Issuer intend this offering to last more than one year?      ☐ Yes      ☒ No

## 9. Type(s) of Securities Offered (select all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> Pooled Investment Fund Interests   | <input type="checkbox"/> Equity  |
| <input type="checkbox"/> Tenant-in-Common Securities  | <input checked="" type="checkbox"/> Debt   |
| <input type="checkbox"/> Mineral Property Securities  | <input checked="" type="checkbox"/> Option, Warrant or Other Right to Acquire Another Security |
| <input checked="" type="checkbox"/> Security to be Acquired Upon Exercise of Option, Warrant or Other Right to Acquire Security | <input type="checkbox"/> Other (describe)  |

## 10. Business Combination Transaction

Is this offering being made in connection with a business combination transaction, such as a merger, acquisition or exchange offer?      ☐ Yes      ☒ No

Clarification of Response (if Necessary)

## 11. Minimum Investment

Minimum investment accepted from any outside investor      \$       USD

## 12. Sales Compensation

Recipient	Recipient CRD Number	<input type="checkbox"/> None
<input type="text"/>	<input type="text"/>	
(Associated) Broker or Dealer	(Associated) Broker or Dealer	<input type="checkbox"/> None
<input type="checkbox"/> None	CRD Number	<input type="checkbox"/> None
<input type="text"/>	<input type="text"/>	
Street Address 1	Street Address 2	
<input type="text"/>	<input type="text"/>	
City	State/Province/Country	ZIP/Postal Code
<input type="text"/>	<input type="text"/>	<input type="text"/>
State(s) of Solicitation	<input type="checkbox"/> All States	
<input type="text"/>		

## 13. Offering and Sales Amounts

Total Offering

Total Offering Amount \$  USD ☐ Indefinite

Total Amount Sold \$  USD

Total Remaining to be Sold \$  USD ☐ Indefinite

Clarification of Response (if Necessary)

## 14. Investors

☐ Select if securities in the offering have been or may be sold to persons who do not qualify as accredited investors, Number of such non-accredited investors who already have invested in the offering

Regardless of whether securities in the offering have been or may be sold to persons who do not qualify as accredited investors, enter the total number of investors who already have invested in the offering:

## 15. Sales Commissions & Finders' Fees Expenses

Provide separately the amounts of sales commissions and finders' fees expenses, if any. If the amount of an expenditure is not known, provide an estimate and check the box next to the amount.

Sales Commissions \$  USD ☐ Estimate

Finders' Fees \$  USD ☐ Estimate

Clarification of Response (if Necessary)

## 16. Use of Proceeds

Provide the amount of the gross proceeds of the offering that has been or is proposed to be used for payments to any of the persons required to be named as executive officers, directors or promoters in response to Item 3 above. If the amount is unknown, provide an estimate and check the box next to the amount.

\$  USD ☐ Estimate

Clarification of Response (if Necessary)

## Signature and Submission

Please verify the information you have entered and review the Terms of Submission below before signing and clicking SUBMIT below to file this notice.

### Terms of Submission

In submitting this notice, each Issuer named above is:

- Notifying the SEC and/or each State in which this notice is filed of the offering of securities described and undertaking to furnish them, upon written request, the information furnished to offerees.
- Irrevocably appointing each of the Secretary of the SEC and, the Securities Administrator or other legally designated officer of the State in which the Issuer maintains its principal place of business and any State in which this notice is filed, as its agents for service of process, and agreeing that these persons may accept service on its behalf, of any notice, process or pleading, and further agreeing that such service may be made by registered or certified mail, in any Federal or state action,

administrative proceeding, or arbitration brought against it in any place subject to the jurisdiction of the United States, if the action, proceeding or arbitration (a) arises out of any activity in connection with the offering of securities that is the subject of this notice, and (b) is founded, directly or indirectly, upon the provisions of: (i) the Securities Act of 1933, the Securities Exchange Act of 1934, the Trust Indenture Act of 1939, the Investment Company Act of 1940, or the Investment Advisers Act of 1940, or any rule or regulation under any of these statutes, or (ii) the laws of the State in which the issuer maintains its principal place of business or any State in which this notice is filed.

- Certifying that the Issuer is not disqualified from relying on any Regulation D exemption it has identified in Item 6 above for one of the reasons stated in Rule 505(b)(2)(iii).

Each Issuer identified above has read this notice, knows the contents to be true, and has duly caused this notice to be signed on its behalf by the undersigned duly authorized person.

For signature, type in the signer's name or other letters or characters adopted or authorized as the signer's signature.

Issuer	Signature	Name of Signer	Title	Date
<b>COPYTELE INC</b>	<b>/s/ Lewis H. Titterton, Jr.</b>	<b>Lewis H. Titterton, Jr.</b>	<b>Chairman and Chief Executive Officer</b>	<b>2012-09-18</b>