

eGENE, INC.

Form 3

April 23, 2007

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

OMB APPROVAL

OMB  
Number: 3235-0104Expires: January 31,  
2005Estimated average  
burden hours per  
response... 0.5**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 \*

Â QIAGEN NV

(Last)

(First)

(Middle)

2. Date of Event  
Requiring Statement  
(Month/Day/Year)

04/12/2007

3. Issuer Name and Ticker or Trading Symbol  
eGENE, INC. [EGEI]4. Relationship of Reporting  
Person(s) to Issuer5. If Amendment, Date Original  
Filed(Month/Day/Year)C/O QIAGEN NORTH  
AMERICAN HOLDINGS,  
INC.,Â 19300 GERMANTOWN  
ROAD

(Street)

(Check all applicable)

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

GERMANTOWN,Â MDÂ 20874

(City)

(State)

(Zip)

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 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)

Common Stock, par value \$0.001 per share 5,902,205

I <sup>(1)</sup>see Note 1 below <sup>(1)</sup>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 Security4. Conversion  
or Exercise5. Ownership  
Form of6. Nature of Indirect  
Beneficial Ownership  
(Instr. 5)

# Edgar Filing: eGENE, INC. - Form 3

	Date Exercisable	Expiration Date	(Instr. 4) Title	Amount or Number of Shares	Price of Derivative Security	Derivative Security: Direct (D) or Indirect (I) (Instr. 5)	
			Common Stock, par value \$0.001 per share				
Option (right to purchase)	Â (2)	Â (2)		3,498,133	\$ 1.36	D	Â

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
QIAGEN NV C/O QIAGEN NORTH AMERICAN HOLDINGS, INC. 19300 GERMANTOWN ROAD GERMANTOWN,Â MDÂ 20874	Â	Â X	Â	Â

## Signatures

/s/ Roland  
Sackers

04/23/2007

\_\_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) As of the date hereof, QIAGEN North American Holdings, Inc. ("Holdings"), a wholly-owned subsidiary of QIAGEN N.V., a Dutch public limited liability company ("QIAGEN"), is party to voting agreements dated as of April 12, 2007 (the "Voting Agreements"), with each of the directors and executive officers of eGene, Inc. ("eGene") and certain other stockholders of eGene, which Voting Agreements were entered into in connection with the Agreement and Plan of Merger, dated as of April 12, 2007 (the "Merger Agreement"), among HOLDINGS, Elektra Merger Sub, Inc., a Nevada corporation and a wholly owned subsidiary of HOLDINGS, and eGene. Pursuant to the Voting Agreements, HOLDINGS has been granted a proxy to vote the 5,902,205 shares of eGene common stock that are subject to the Voting Agreements (collectively, the "Shares") on all matters relating to the merger. Accordingly, QIAGEN may be deemed to beneficially own an aggregate of 5,902,205 Shares.

(2) In addition to the voting agreement and arrangements set forth in the Voting Agreements as described above in Note 1, pursuant to the Voting Agreements entered into by the directors and executive officers of eGene, HOLDINGS has been granted an option to purchase any or all of the 3,498,133 Shares owned by such directors and executive officers under certain circumstances as set forth in the Voting Agreements for a purchase price of \$1.36 per share. The options become exercisable if the Merger Agreement is terminated by any party or the Voting Agreement is terminated by HOLDINGS. The Voting Agreements terminate upon the earlier of (a) the termination of the Merger Agreement, (b) the written mutual consent of HOLDINGS and the stockholder, and (c) such date and time as the merger shall become effective in accordance with the terms of the Merger Agreement.

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### Remarks:

NeitherÂ theÂ filingÂ ofÂ thisÂ FormÂ 3Â norÂ anyÂ ofÂ itsÂ contentsÂ shallÂ beÂ deemedÂ toÂ constituteÂ anÂ admis

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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