

BYRNE PATRICK  
Form 4/A  
December 09, 2005

**FORM 4** UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL  
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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 \*  
BYRNE PATRICK

(Last) (First) (Middle)  
6350 SOUTH 3000 EAST  
(Street)

SALT LAKE CITY, UT 84121  
(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
OVERSTOCK COM INC [OSTK]

3. Date of Earliest Transaction  
(Month/Day/Year)  
11/30/2005

4. If Amendment, Date Original Filed(Month/Day/Year)  
12/01/2005

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

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

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 or Price		
Common Stock	11/30/2005		P		700 A \$ 37.21	1,026,472 <sup>(1)</sup>	D
Common Stock	11/30/2005		P		273 A \$ 37.26	1,026,745	D
Common Stock	11/30/2005		P		2,300 A \$ 37.28	1,029,045	D
Common Stock	11/30/2005		P		11,482 A \$ 37.3	1,040,527	D
Common Stock	11/30/2005		P		1,100 A \$ 37.33	1,041,627	D

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Common Stock	11/30/2005	P	1,600	A	\$ 37.34	1,043,227	D
Common Stock	11/30/2005	P	5,660	A	\$ 37.35	1,048,887	D
Common Stock	11/30/2005	P	600	A	\$ 37.36	1,049,487	D
Common Stock	11/30/2005	P	100	A	\$ 37.37	1,049,587	D
Common Stock	11/30/2005	P	100	A	\$ 37.38	1,049,687	D
Common Stock	11/30/2005	P	1,160	A	\$ 37.39	1,050,847	D
Common Stock	11/30/2005	P	16,300	A	\$ 37.4	1,067,147	D
Common Stock	11/30/2005	P	2,000	A	\$ 37.44	1,069,147	D
Common Stock	11/30/2005	P	6,625	A	\$ 37.45	1,075,772	D
Common Stock	12/01/2005	P	500	A	\$ 37.83	1,076,272	D
Common Stock	12/01/2005	P	100	A	\$ 37.84	1,076,372	D
Common Stock	12/01/2005	P	100	A	\$ 37.85	1,076,472	D
Common Stock	12/01/2005	P	100	A	\$ 37.88	1,076,572	D
Common Stock	12/01/2005	P	200	A	\$ 37.88	1,076,772	D
Common Stock	12/01/2005	P	500	A	\$ 37.75	1,077,272	D
Common Stock	12/01/2005	P	300	A	\$ 37.88	1,077,572	D
Common Stock	12/01/2005	P	278	A	\$ 37.88	1,077,850	D
Common Stock	12/01/2005	P	100	A	\$ 37.88	1,077,950	D
Common Stock	12/01/2005	P	100	A	\$ 37.88	1,078,050	D
Common Stock	12/01/2005	P	100	A	\$ 37.88	1,078,150	D
	12/01/2005	P	100	A		1,078,250	D

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Common Stock					\$				37.88
Common Stock	12/01/2005		P	100	A	\$	1,078,350		37.88 D
Common Stock	12/01/2005		P	300	A	\$	1,078,650		37.88 D
Common Stock	12/01/2005		P	300	A	\$	1,078,950		38.16 D
Common Stock	12/01/2005		P	100	A	\$	1,079,050		38.2 D

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

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(9-02)

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

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. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Owned Beneficially (Instr. 5)
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## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
BYRNE PATRICK 6350 SOUTH 3000 EAST SALT LAKE CITY, UT 84121	X	X	President	

## Signatures

Patrick Byrne                      12/07/2005  
 \*\*Signature of                      Date  
 Reporting Person

## 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 reporting person has determined that 66,559 shares previously reported as directly owned are indirectly owned. Consequently, the  
(1) reporting person has amended his Form 4 filed on October 6, 2005, and is amending his Forms 4 filed on December 1, 2005 to reflect the same correction. No new transaction is reported in this amendment.

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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