

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP**

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

OMB APPROVAL	
OMB Number:	3235-0287
Estimated average burden hours per response:	0.5

1. Name and Address of Reporting Person* <u>Lufkin Dan W</u>  (Last) (First) (Middle) C/O ELECTRO-OPTICAL SCIENCES, INC. 3 WEST MAIN ST. SUITE #201  (Street) IRVINGTON NY 10533  (City) (State) (Zip)	2. Issuer Name and Ticker or Trading Symbol <u>ELECTRO OPTICAL SCIENCES INC /NY</u> [ MELA ]	5. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input checked="" type="checkbox"/> Director 10% Owner Officer (give title below) Other (specify below)
	3. Date of Earliest Transaction (Month/Day/Year) 09/10/2009	
	4. If Amendment, Date of Original Filed (Month/Day/Year)	
		6. Individual or Joint/Group Filing (Check Applicable Line) <input checked="" type="checkbox"/> 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	(A) or (D)	Price			

**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 Securities Underlying Derivative Security (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4)	10. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)	
				Code	V	(A)	(D)	Date Exercisable	Expiration Date						Title
Stock Option	\$3.71	09/10/2009	09/10/2009	G	V	5,000		12/05/2009	12/05/2013	Common Stock	5,000	\$0.00	5,000	I	Daniel Patrick Clarence Lufkin Trust <sup>(1)</sup>
Stock Option	\$4.92	09/10/2009	09/10/2009	G	V	5,000		11/30/2008	11/30/2012	Common Stock	5,000	\$0.00	5,000	I	Daniel Patrick Clarence Lufkin Trust <sup>(1)</sup>
Stock Option	\$7.75	09/10/2009	09/10/2009	G	V	5,000		12/01/2007	12/01/2011	Common Stock	5,000	\$0.00	5,000	I	Daniel Patrick Clarence Lufkin Trust <sup>(1)</sup>
Stock Option	\$3.71	09/10/2009	09/10/2009	G	V		5,000	12/05/2009	12/05/2013	Common Stock	5,000	\$0.00	0	D	
Stock Option	\$4.92	09/10/2009	09/10/2009	G	V		5,000	11/30/2008	11/30/2012	Common Stock	5,000	\$0.00	0	D	
Stock Option	\$7.75	09/10/2009	09/10/2009	G	V		5,000	12/01/2007	12/01/2011	Common Stock	5,000	\$0.00	0	D	

**Explanation of Responses:**

1. Dan W. Lufkin disclaims beneficial ownership of these stock options being transferred to Daniel Patrick Clarence Lufkin Trust.

**Remarks:**

/s/ Philip DeBellis as attorney-in-fact for Dan W. Lufkin 09/14/2009

\*\* Signature of Reporting Person Date

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

\* 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).

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

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 Number.