

LANDRYS RESTAURANTS INC
Form 3
August 21, 2007

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

OMB APPROVAL

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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 * | | 2. Date of Event Requiring Statement | 3. Issuer Name and Ticker or Trading Symbol | |
| Â DEUTSCHE BANK AG\ | | (Month/Day/Year) | LANDRYS RESTAURANTS INC [LNY] | |
| (Last) | (First) | (Middle) | 08/14/2007 | |
| TAUNUSANLAGE 12 D-60325 | | 4. Relationship of Reporting Person(s) to Issuer | | 5. If Amendment, Date Original Filed(Month/Day/Year) |
| (Street) | | (Check all applicable) | | 6. Individual or Joint/Group Filing(Check Applicable Line) |
| FRANKFURT AM | | <input type="checkbox"/> Director <input checked="" type="checkbox"/> 10% Owner | | <input checked="" type="checkbox"/> Form filed by One Reporting Person |
| MAIN,Â I8Â | | <input type="checkbox"/> Officer <input type="checkbox"/> Other | | <input type="checkbox"/> Form filed by More than One Reporting Person |
| (City) | (State) | (Zip) | (give title below) (specify below) | |

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) |
|---------------------------------|---|--|---|
| Landry's Restaurants Inc. | 2,017,203 | D | Â |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly. SEC 1473 (7-02)

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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 Security (Instr. 4) | 4. Conversion or Exercise Price of Derivative Security | 5. Ownership Form of Derivative Security: Direct (D) or Indirect | 6. Nature of Indirect Beneficial Ownership (Instr. 5) |
|--|--|---|--|--|---|
| | Date Exercisable | Expiration Date | Title | Amount or Number of | |

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| | | | Shares | | (I) (Instr. 5) | |
|--|-------|-------|-------------------------------------|--------|-------------------|---|
| Landry's Restaurants Inc. Total Return Swap | Â (1) | Â (1) | Landry's Restaurants (1) Inc. | \$ (1) | D (1) | Â |
| Landry's Restaurants Inc. Total Return Swap | Â (2) | Â (2) | Landry's Restaurants (2) Inc. | \$ (2) | D (2) | Â |
| Landry's Restaurants Inc. Total Return Swap | Â (3) | Â (3) | Landry's Restaurants (3) Inc. | \$ (3) | D (3) | Â |
| Landry's Restaurants Inc. Total Return Swap | Â (4) | Â (4) | Landry's Restaurants (4) Inc. | \$ (4) | D (4) | Â |
| Landry's Restaurants Inc. Total Return Swap | Â (5) | Â (5) | Landry's Restaurants (5) Inc. | \$ (5) | D (5) | Â |
| Landry's Restaurants Inc. Total Return Swap | Â (6) | Â (6) | Landry's Restaurants (6) Inc. | \$ (6) | D (6) | Â |
| Landry's Restaurants Inc. Total Return Swap | Â (7) | Â (7) | Landry's Restaurants (7) Inc. | \$ (7) | D (7) | Â |
| Landry's Restaurants Inc. Total Return Swap | Â (8) | Â (8) | Landry's Restaurants (8) Inc. | \$ (8) | D (8) | Â |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|---|---------------|-----------|---------|-------|
| | Director | 10% Owner | Officer | Other |
| DEUTSCHE BANK AG\ TAUNUSANLAGE 12 D-60325 FRANKFURT AM MAIN,Â I8Â | Â | Â X | Â | Â |

Signatures

Jeffrey A. Ruiz 08/21/2007

**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) (1) On December 5, 2006, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 207,300 shares of Landry's common stock

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and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.

- (2) On March 21, 2007, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 97,800 shares of Landry's common stock and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.
- (3) On April 5, 2007, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 26,100 shares of Landry's common stock and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.
- (4) On April 23, 2007, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 4,900 shares of Landry's common stock and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.
- (5) On May 4, 2007, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 165,500 shares of Landry's common stock and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.
- (6) On June 1, 2007, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 92,000 shares of Landry's common stock and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.
- (7) On June 15, 2007, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 37,500 shares of Landry's common stock and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.
- (8) On July 7, 2007, the reporting person entered into a security-based swap agreement under which the reporting person (a) will receive periodic payments representing the market performance of a hypothetical position of 148,800 shares of Landry's common stock and (b) will make periodic LIBOR-based cash payments based on the notional amount of the swap agreement.

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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