

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

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 | |
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|--|---|--|--|
| 1. Name and Address of Reporting Person* <u>GAGO AGUSTIN V</u> <hr/> (Last) (First) (Middle) <u>C/O DELCATH SYSTEMS, INC.</u> <u>600 FIFTH AVENUE, 23RD FLOOR</u> <hr/> (Street) <u>NEW YORK NY 10020</u> <hr/> (City) (State) (Zip) | 2. Date of Event Requiring Statement (Month/Day/Year) <u>02/17/2010</u> | 3. Issuer Name and Ticker or Trading Symbol <u>DELCATH SYSTEMS INC [DCTH]</u> | 5. If Amendment, Date of Original Filed (Month/Day/Year) |
| | | 4. Relationship of Reporting Person(s) to Issuer (Check all applicable) Director _____ 10% Owner _____ <input checked="" type="checkbox"/> Officer (give title below) _____ Other (specify below) _____ <p style="text-align: center;"><u>EVP Global Sales & Marketing</u></p> | 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 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) |
|---------------------------------|---|--|---|
| <u>Common Stock</u> | <u>75,000</u> | <u>D</u> | |

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: Direct (D) or Indirect (I) (Instr. 5) | 6. Nature of Indirect Beneficial Ownership (Instr. 5) |
|--|--|-------------------|---|--|--|---|
| | Date Exercisable | Expiration Date | | | | |
| <u>Stock Option (right to buy)</u> | <u>(1)</u> | <u>11/02/2019</u> | <u>Common Stock</u> 200,000 | <u>4.29</u> | <u>D</u> | |

Explanation of Responses:

1. The option vests in 23 monthly installments of 8,333 shares each, beginning on December 2, 2009, and a final installment of 8,341 shares on November 2, 2011, subject to forfeiture in the event of certain circumstances.

Remarks:

/s/ Barbra Keck, pursuant to a Confirming Statement executed by Agustin Gago 03/01/2010
 ** 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 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).

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.

Confirming Statement

This Confirming Statement ("Statement") confirms that the undersigned, Agustin Gago, has authorized, directed and designated each of David McDonald and Barbra Keck (

The authority of the Designees under this Statement shall continue until the undersigned is no longer required to file Forms 3, 4, and 5 with respect to the undersig
to the date and subject hereof.

Date: 2/24/2010

Undersigned's Name: Agustin Gago

(Print)

Undersigned's Signature: /s/ Agustin Gago

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