

KESSEL MARK
Form 3
January 04, 2010

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 *

Â KESSEL MARK

(Last) (First) (Middle)

C/O DYNAVAX
TECHNOLOGIES
CORPORATION,Â 2929
SEVENTH STREET, SUITE 100

(Street)

BERKELEY,Â CAÂ 94710

(City) (State) (Zip)

2. Date of Event Requiring
Statement

(Month/Day/Year)

12/30/2009

3. Issuer Name and Ticker or Trading Symbol

DYNAVAX TECHNOLOGIES CORP [DVAX]

4. Relationship of Reporting
Person(s) to Issuer

5. If Amendment, Date Original
Filed(Month/Day/Year)

(Check all applicable)

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

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

8,340,800

I

See Footnote ⁽¹⁾

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 Security

4. Conversion
or Exercise

5. Ownership
Form of

6. Nature of Indirect
Beneficial
Ownership

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			(Instr. 4)		Price of	Derivative	(Instr. 5)
Date	Expiration	Title	Amount or	Derivative	Security:	Direct (D)	
Exercisable	Date		Number of	Security	or Indirect	(I)	
			Shares			(Instr. 5)	
Common Stock Warrant (right to buy)	12/30/2009 12/30/2014	Common Stock	1,283,200	\$ 1.94	I	See Footnote ⁽²⁾	

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
KESSEL MARK C/O DYNAVAX TECHNOLOGIES CORPORATION 2929 SEVENTH STREET, SUITE 100 BERKELEY, CA 94710	Â X	Â X	Â	Â

Signatures

/s/ Mark Kessel 01/04/2010

^{**}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).
- Includes 7,910,764 shares held by Symphony Capital Partners, L.P. and 430,036 shares held by Symphony Strategic Partners, LLC. Mark
- (1) Kessel is a managing member of Symphony GP, LLC, which is the general partner of Symphony Capital GP, L.P., which is the general partner of Symphony Capital Partners, L.P. Mark Kessel is also a managing member of Symphony Strategic Partners, LLC.
- Includes warrants to purchase 1,217,040 shares held by Symphony Capital Partners, L.P. and warrants to purchase 66,160 shares held by Symphony Strategic Partners, LLC. Mark Kessel is a managing member of Symphony GP, LLC, which is the general partner of
- (2) Symphony Capital GP, L.P., which is the general partner of Symphony Capital Partners, L.P. Mark Kessel is also a managing member of Symphony Strategic Partners, LLC.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *See* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.