

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 *
 Å KESSEL MARK
 (Last) (First) (Middle)

2. Date of Event Requiring Statement
 (Month/Day/Year)
 12/30/2009

3. Issuer Name **and** Ticker or Trading Symbol
 DYNVAX TECHNOLOGIES CORP [DVAX]

4. Relationship of Reporting Person(s) to Issuer

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

C/O DYNVAX
TECHNOLOGIES
CORPORATION, Å 2929
SEVENTH STREET, SUITE 100
(Street)

(Check all applicable)

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

BERKELEY, Å CA Å 94710

(City) (State) (Zip)

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)

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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 | 4. Conversion or Exercise | 5. Ownership Form of | 6. Nature of Indirect Beneficial Ownership |
|---|---|--|---------------------------|----------------------|--|
|---|---|--|---------------------------|----------------------|--|

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

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 | X | X | X | X |

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.