

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 *                            |                                                            | 2. Date of Event Requiring Statement          | 3. Issuer Name <b>and</b> Ticker or Trading Symbol                     |                                                      |
| Â KESSEL MARK                                                        |                                                            | (Month/Day/Year)                              | DYNVAX TECHNOLOGIES CORP [DVAX]                                        |                                                      |
| (Last)                                                               | (First)                                                    | (Middle)                                      | 12/30/2009                                                             |                                                      |
| C/O DYNVAX TECHNOLOGIES CORPORATION,Â 2929 SEVENTH STREET, SUITE 100 |                                                            |                                               | 4. Relationship of Reporting Person(s) to Issuer                       | 5. If Amendment, Date Original Filed(Month/Day/Year) |
| (Street)                                                             | (Check all applicable)                                     |                                               |                                                                        |                                                      |
|                                                                      | <input checked="" type="checkbox"/> Director               | <input checked="" type="checkbox"/> 10% Owner |                                                                        |                                                      |
|                                                                      | <input type="checkbox"/> Officer                           | <input type="checkbox"/> Other                |                                                                        |                                                      |
|                                                                      | (give title below)                                         |                                               | (specify below)                                                        |                                                      |
| BERKELEY,Â CAÂ 94710                                                 | 6. Individual or Joint/Group Filing(Check Applicable Line) |                                               |                                                                        |                                                      |
| (City)                                                               | (State)                                                    | (Zip)                                         | <input checked="" type="checkbox"/> Form filed by One Reporting Person |                                                      |
|                                                                      |                                                            |                                               | <input type="checkbox"/> 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 <sup>(1)</sup>                           |

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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|                                     | Date Exercisable | Expiration Date | (Instr. 4)<br>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<br>C/O DYNAVAX TECHNOLOGIES CORPORATION<br>2929 SEVENTH STREET, SUITE 100<br>BERKELEY, CA 94710 | X             | X         | X       | X     |

## Signatures

/s/ Mark Kessel                      01/04/2010

           \*\*Signature of                      Date  
Reporting Person

## 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) Includes 7,910,764 shares held by Symphony Capital Partners, L.P. and 430,036 shares held by Symphony Strategic Partners, LLC. Mark 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.
  - (2) 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 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.