

DYNAVAX TECHNOLOGIES CORP

Form 8-K

August 23, 2005

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549  
FORM 8-K  
CURRENT REPORT  
PURSUANT TO SECTION 13 OR 15(D) OF THE  
SECURITIES EXCHANGE ACT OF 1934**

Date of report (Date of earliest event reported): August 17, 2005

**DYNAVAX TECHNOLOGIES  
CORPORATION**

(Exact name of Registrant as Specified in its Charter)

Delaware  
(State or Other Jurisdiction  
of Incorporation)

000-50577  
(Commission File  
Number)

33-0728374  
(IRS Employer  
Identification No.)

2929 Seventh Street, Suite 100, Berkeley,  
(Address of Principal Executive Offices)

CA 94710  
(Zip Code)

Registrant's telephone number, including area code: (510) 848-5100

N/A

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 5.03.** Amendments to Articles of Incorporation or Bylaws; Change in Fiscal Year.

On August 17, 2005, the board of directors of Dynavax Technologies Corporation (the "Company") adopted an amendment to Section 3.1 of the Company's bylaws increasing the fixed number of directors of the Company thereunder from seven (7) to nine (9).

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**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, as amended, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**Dynavax Technologies Corporation**

Date: August 23, 2005

By: /s/ Deborah A. Smeltzer  
Deborah A. Smeltzer  
Vice President, Operations and Chief  
Financial Officer