



David Makarechian

Partner

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David Makarechian is Chair of O'Melveny's Emerging Technologies Group and Head of O'Melveny's Northern California Corporate Department. He has more than twenty-five years of experience in mergers & acquisitions, focused on representing acquirers and targets in the technology life sciences and emerging growth company sectors, in Silicon Valley, nationally and internationally. His clients include public and private companies, venture capital and private equity investors, multinational corporations and sovereign wealth funds. His practice also includes joint ventures, corporate governance and 1934 Act reporting of public companies, and the representation of venture-backed companies and venture capital and private equity investors.

David has served as lead counsel in hundreds of mergers and acquisitions, ranging in size from \$1 million to over \$4 billion, as well as numerous venture capital, angel and private-equity financings, and a significant number of recapitalizations, public offerings and other transactions in the technology sector. David's practice covers security, identity management, augmented and virtual reality, energy technology, life sciences, biotech, semiconductor technologies and equipment, optics and other hardware, technology enabled services and software of all types including security, enterprise SaaS, block chain, AI, cloud, data analytics, mobile and consumer internet. David also has experience with companies in the food-tech and ag-tech sectors, as well as growth companies in food and beverage and retail.

David has significant experience with transactions involving South and South East Asia, having co-founded O'Melveny's Singapore office and serving as a member of O'Melveny's Asia

Admissions

Bar Admissions
California

Education

University of Virginia School of Law,
J.D., 1993
Colorado College, B.A., 1988

Practice for approximately five years. He has represented international private equity and venture capital funds, sovereign wealth funds, international investment banks, sovereign issuers and multinational companies in transactions in the region, with a focus on Singapore, Indonesia and India. He earned recognition as one of the top international lawyers in Singapore in the areas of Corporate/M&A and International Capital Markets from *Chambers & Partners*, the *International Financial Law Review* and *Legal 500*.

David is recognized for his ability to provide experienced guidance and practical solutions on business and legal issues. *Chambers & Partners* describes him as a “professional and detail-oriented” lawyer who also is “very cool and pragmatic,” and *Legal 500* cites clients who praise him as “responsive, diligent, and thorough.”

Prior to joining O’Melveny, David was a partner in the Palo Alto office of another *AmLaw 50* Law Firm.

Experience

Representative M&A Transactions

- Synaptics (Nasdaq: SYNA): Acquisition of DisplayLink Corp.
- Synaptics (Nasdaq: SYNA): Acquisition of the wireless IoT business of Broadcom (Nasdaq: AVGO).
- Finisar (Nasdaq: FNSR): Acquisition by II-VI Incorporated (Nasdaq: IIVI).
- Ultratech Inc. (Nasdaq: UTEK): merger with Veeco Instruments (Nasdaq: VECO).
- HID Global Corporation: Acquisition of the Identity Solutions Business of De La Rue Ltd. (LSE: DLR).
- Clear Trip (India): Sale to FlipKart (India).
- HID Global Corporation: Acquisition of omni-ID.
- HID Global Corporation: Acquisition of Access-IS.
- Strava: Acquisition of Recover Athletics.
- Custom Power Inc.: Sale to Solid State Plc. (AIM: SOLI).
- HID Global Corporation: Acquisition of HydrantID.
- WeWork: Acquisition of Spacious Inc.
- Flatiron School: Acquisition of SecureSet.
- HID Global Corporation: Acquisition of PTI Security, Inc.
- WeWork: Acquisition of Waltz, Inc.
- Booking Holdings Inc. (Nasdaq: BKNG): Acquisition of Venga Inc.
- HID Global Corporation: Acquisition of Mercury Security Products, LLC.
- HID Global Corporation: Acquisition of Cross Match, Inc.
- Campbell Soup Corporation (NYSE: CPB): Sale of Habit LLC.
- Avid Secure: Acquisition by Sophos Ltd. (LSE: SOPH).
- Truett-Hurst Inc. (Nasdaq: THST): sale of wholesale wine business to Precept Brands.
- Mez Mobile Inc.: Acquisition by American Express (NYSE: AXP).
- Cedexis Inc.: Acquisition by Citrix Systems, Inc. (Nasdaq: CTXS).
- X15 Software, Inc.: Acquisition by FireEye, Inc. (Nasdaq: FEYE).

- Akamai Technologies, Inc. (Nasdaq: AKAM): Acquisition of Soasta, Inc.
- HID Global Corporation: Acquisition of IdenTrust.
- Android, Inc.: Acquisition by Google Inc. (Nasdaq: GOOG).

Representative Growth Equity/Buyout Transactions

- PriceLabs, Inc: Strategic investment by Summit Partners.
- Odessa, Inc.: Strategic investment by Thomas H. Lee Partners.
- OnShift Inc.: Strategic investment by Clearlake Capital
- GIC: Strategic investment in General Fusion.
- GIC: Strategic investment in ChargePoint Inc.
- Resolve Systems, LLC: Acquisition by Insight Venture Partners.
- Tricentis GmbH: Strategic investment and recapitalization by Insight Venture Partners.
- Mitsui & Co. (USA), Inc.: Strategic investment in Beyond Meat.
- GIC: Strategic investment in Uber Inc.
- GIC: Strategic investment in Square Inc.

Venture Capital Transactions

Multiple company and investor-side representations in a variety of technology sectors, including:

- Artificial Intelligence
- Augmented and Virtual Reality
- Automotive Technology
- Battery and Energy Storage
- Biotech
- Biomedical devices
- Block Chain
- Clean Energy
- Cloud Computing
- Consumer Hardware
- Consumer Internet
- Crypto Currencies
- Data Analytics
- Enterprise SaaS
- Fintech
- Food Tech
- Gaming
- Genomics
- Health Tech
- Identity Management

- Media Tech
- Medical Device
- Memory
- Mobile
- Nanotechnology
- Online learning
- Online Travel
- Optical technologies and photonics
- Payments
- Security
- Semiconductor and Hardware
- Technology Enabled Services
- Wearables

Corporate & Government Experience

Vice President and General Counsel

- 24/7 Customer, Inc., a technology-enabled services company with approximately 9,000 employees in the US, Asia and Latin America (2006-2008)

Professional Activities

Board Advisor

- Start-Up Sandbox, Santa Cruz, California. A business incubator associated with the University of California, Santa Cruz.

Executive Sponsor

- Silicon Catalyst, Santa Clara, California. The world's only business incubator focused exclusively on accelerating solutions in silicon.

Speaker

- Faculty Member, PLI's Advanced Venture Capital Institute, "M&A Exits of Venture Backed Companies" (2021 - 2018).
- Legal Issues Facing Venture-Backed Start-Ups: Silicon Catalyst (June 2019).
- Panelist, "Best Practices in Internet and Mobile Mergers & Acquisitions," 15th Annual Stanford E-Commerce Best Practices Conference (June 2018).

Member

- Board of Advisors, Texas Innovation Center at the University of Texas at Austin.

Honors & Awards

- Recognized by *IFLR1000* as a "Leading Lawyer" (2017) and "Highly Regarded" (2018-2021) in Capital Markets