



## Jesse D. Birbach

**ASSOCIATE**

Silicon Valley

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### Jesse is an associate in the Licensing, Strategic Partnering and Commercial Transactions group.

Jesse provides pragmatic, business-driven legal advice to early-stage technology companies that are often disadvantaged by unequal bargaining power. He specializes in product counselling, strategic alliances, data privacy, licensing and commercialization of intellectual property and technology assets, and advising venture capitalists and companies on intellectual property and technology aspects of venture capital financings and merger and acquisition activities.

His diverse industry experience includes enterprise software/SaaS, social media, payments technology, technical hardware, data analytics, consumer products, mobile applications, video games, unmanned aerial vehicles, submarines, and biotechnology. He assists clients with website and application terms and conditions and privacy policies, end user license agreements, support and maintenance agreements, SaaS offerings, promotion and marketing agreements, collaboration and development agreements, distribution agreements, clinical research organization agreements, evaluation and beta testing agreements, and a variety of other in- and out-licensing deals.

He has negotiated commercial deals across from many U.S. and international companies, including:

- **Media, Publishing and Entertainment:** ABC, Al Jazeera Media Network, BBC, BuzzFeed, CBS, CNN, Cox, Disney, Hearst Magazines, Los Angeles Times, McGraw Hill, NBCU, New York Times, News Corporation, NHK, Shaw Media, The Telegraph, Time, US News, Weather Channel
- **Financial Services:** Accenture, Ameriprise, Ant Group (note: Alipay merged with Ant Financial to make Ant Group), Bank of America, Citi, Fannie Ma, Fidelity, Goldman Sachs, ING, JP Morgan Chase, Morgan Stanley, PNC Bank, Quicken Loans, Royal Bank Scotland, Royal Australian Bank, Schwab, SoFi, Standard Bank of South Africa, Stripe, UBS, USAA, USAID, Vanguard, VISA



- **E-Commerce/Retail and Consumer Products:** Amazon, Big Lots, Costco, Estee Lauder, Home Depot, Lenskart, Luxottica, Macys, Moen, Office Depot, Renault, Starbucks, Subaru, Tesla, Toyota Research Institute, Verifone, VW, Walmart, Zenni
- **Software and Technology:** ADP, Apple, Ant Group, Atlassian, Cengage, CDW, GoPro, Google, Hewlett Packard Enterprise, IBM, Intel, Iron Mountain, Microsoft, Oracle, Samsung, SoftBank, T-Mobile, Twitch, Yahoo, Zuora
- **Travel and Hospitality:** AirBnb, American Airlines, California Restaurant Association, Delta Airlines, Four Seasons, Lyft, Princess Cruise Lines, Qantas
- **Industrial:** British Columbia Hydro and Power, Florida Power and Light, Ford Motor Company, General Motors, Landis+Gyr, Los Angeles District for Water and Power, Mercedes, Southern California Edison, Qualcomm
- **Governmental and Universities:** City of New York, Columbia School of Journalism, Department of Homeland Security, In-Q-Tel, Princeton, Stanford, University of California (Berkeley)
- **Life Sciences:** Amgen, Eli Lilly, Roche
- **Consulting:** Booz Allen

Prior to law school, Jesse was an officer in the United States Navy, where he obtained the rank of lieutenant commander. He served aboard the nuclear submarine USS KENTUCKY and as a staff officer at the Pentagon. His decorations include the Navy Commendation Medal (two awards), Navy Achievement Medal (three awards), and various campaign and unit awards. In addition, he was a Submarine Junior Officer of the Year recipient for 2007.

Select Deals:

- Supported venture capital fund and company clients in nearly 300 venture financings investing and raising over \$8 billion.
- Represented Course Hero in its acquisition of Symbolab
- Represented Course Hero in its acquisition of LitCharts
- Represented Course Hero in its acquisition of Quillbot
- Represented Course Hero in its acquisition of CliffsNotes
- Represented Liftoff Mobile in its acquisition by Blackstone for \$400 million
- Represented Poynt in its acquisition by GoDaddy for \$320 million
- Represented True North Therapeutics in acquisition by Bioverativ for \$825 million
- Represented iPierian in its acquisition by Bristol-Byers Squibb for \$725 million
- Represented Caviar in its acquisition by Square
- Represented Nominum in its acquisition by Akamai for \$225 million
- Represented POPSUGAR in selling asset to Ebates/Rakuten
- Represented POPSUGAR in its acquisition by Group Nine Media for more than \$300 million



- Represented Actiance in its acquisition by K1 Investment for \$225 million
- Represented Prevoty in its acquisition by Imperva for \$140 million
- Represented Sentient Energy in its acquisition by Koch Engineered Solutions for \$105 million
- Represented Instart Logic in its acquisition by Akamai for \$350 million
- Represented Librato in its acquisition by SolarWinds for \$400 million
- Represented Catherex in its acquisition by Amgen for \$255 million
- Represented AdEspresso in its acquisition by Hootsuite for \$34 million
- Represented Quinstreet in its acquisition of Modernize for \$68 million
- Represented Quinstreet in selling assets to EducationDynamics
- Represented Speramus in its acquisition by Square
- Represented Glide Labs in its acquisition by Compass
- Represented Sass Labs in its acquisition by HireVue
- Represented Homelight in its acquisition of Disclosure.io
- Represented Grove Collaborative in its acquisition of Sustain Natural
- Represented CogENT in selling assets to Entellus Medical
- Represented Heroik labs in its acquisition by Cisco Systems
- Represented GameFly in its acquisition by Alliance Entertainment
- Represented Pathogenomix in its acquisition by Isentio AS
- Represented Glooko in its acquisition by Diasend
- Represented Sauce Labs in its acquisition of TestObject
- Represented Yard Club in its acquisition by Caterpillar

## **EDUCATION**

- Stanford Law School, J.D.
- Georgia Institute of Technology (Georgia Tech), B.S.E., Mechanical Engineering

## **FOCUS**

- Licensing, Strategic Partnering & Commercial Transactions
- Privacy & Data Security
- Emerging Companies
- Mergers & Acquisitions
- Investor Side Financings



G U N D E R S O N   D E T T M E R

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- Venture Financings

**ADMISSIONS**

- California
- United States Patent and Trademark Office
- Certified Information Privacy Professional (CIPP/US)