



David Lee Kovacs

PARTNER



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David Lee Kovacs practices in most areas of corporate law involving complex business transactions. He focuses on mergers and acquisitions, joint ventures, private equity, lending, licensing, business enterprise structuring and formation, and dispute and "corporate strife" resolution.

David has represented clients in diverse industries, including those in computer software, Internet, natural health products, corporate catering, secret shopping, information technology, apparel, printing, real estate, medical, legal, management consulting and accounting. He has led transactions ranging from a few million dollars to more than \$500 million. A substantial part of David's practice involves family businesses.

David has been an active speaker and lecturer at law schools and legal education organizations. David has been a speaker on continuing legal education programs sponsored by Strafford and the Clear Law Institute, lecturing on merger and acquisition related subjects. As a member of the Practicing Law Institute (PLI) faculty, he lectured on "Drafting Commercial Agreements" and has been a part of "PLI's MCLE Bridge the Gap Program: Drafting Commercial Agreements." David has taught two courses at the Fordham University School of Law Continuing Legal Education Program, "Negotiating and Drafting Commercial Agreements" and "Fundamental Principles in Letters of Intent, Employment Agreements, Loan Agreements and Acquisition Agreements."

He is a member of the Board of Directors of The Friends of the Open University of Israel.

Prior results do not guarantee a similar outcome.

Education

- Cornell University Law School (J.D.)
- Tufts University (B.A., *summa cum laude*)

Bar/Court Admissions

Practices / Industries

- Corporate
- Intellectual Property
- Fintech & Marketplace Lending
- Employment Law - Employment & Severance Agreements
- Mergers & Acquisitions
- Private Investment Funds
- Start-ups & Emerging Companies
- Intellectual Property, Entertainment/Media & Technology
- Consumer/Luxury Goods

- New York

Professional Affiliations

- Member, American Bar Association
- Member, New York State Bar Association

Publications

July 18, 2018

Key Concerns for Individuals Considering Becoming Directors of Private Companies and a Review of Indemnification and D&O Insurance

April 5, 2018

Should You Take that Board Seat?
Private Company Director

Representative Matters

- Represented Ariela & Associates International in all aspects of the transaction in the acquisition of Parade Inc., which is a beloved Gen Z seller of “the internet’s favorite underwear.”
- Represented Ariela & Associates International LLC (AAI), one of the largest privately held US intimate apparel companies, in connection with their purchase of Curvy Couture, a full figure intimate apparel brand dedicated to boosting women’s confidence. David assisted in all aspects of the negotiations of this transaction, working directly with top management of AAI.
- Represented a natural health products company in a merger with another company in the same space with acquisition and growth financing provided by a pair of private equity firms. He is now acting as outside general counsel to the combined company in its ongoing operations. In that capacity, David represented the company in its private placements with two international pharmaceuticals and in its first acquisition.
- Represented a corporate catering company in its acquisition by a multinational company.
- Represented a global technology company in joint ventures with a Japanese company to license its products in Japan and a Dubai company to license its products in Dubai.
- Represented a client in the acquisition of a company in the health, fitness and wellness space.
- Ongoing licensing for a number of clients in the technology, internet, software, secret shopping, and apparel industries.
- Acted as counsel to one of the investors making a \$200M investment in a start-up clean energy company which produces batteries for electric cars (featured in a front page story in the Wall St. Journal)

- Over a period of 20 years acted as outside counsel to a software development company which licenses treasury trading systems to the largest banks and corporates worldwide.
- Represented a public Australian health care information technology company in its first US acquisition.
- Assisted an equity holder in a leading apparel company in her acquisition of a controlling interest in the company and restructured the company's credit facility. He acts as outside general counsel to the company.
- Acted as counsel to an internet company in its sale to a leading business magazine's .com division.
- Represented a software company in its sale to one of the largest private equity firms.
- Over a period of seven years acted as counsel to a Middle Eastern bank in its acquisition of controlling interests in US companies and mezzanine debt transactions in the US.
- Assisted a software company in the formulation of a joint venture with one of the largest banks in Europe.

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