

## Len Jacoby

Partner



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Technology Transactions  
Intellectual Property  
Mergers and Acquisitions  
Private Equity  
Venture Capital  
Emerging Companies  
Technology  
Software  
Artificial Intelligence  
Fintech and Payments  
Telecommunications and Wireless  
Digital Health  
Manufacturing  
Retail and Consumer Products  
Food and Beverage  
Fashion, Apparel and Beauty

Len advises clients on transactions involving intellectual property, technology, data, brands and content. He counsels public and private companies, private equity firms, venture capital firms and investment banks on issues in the context of mergers and acquisitions, joint ventures, investments, public offerings and other corporate matters. Len also represents companies on business deals and strategic considerations involving the commercialization of IP rights and related products and services, including IP and technology licenses, software-as-a-service agreements, research and development (R&D) agreements, manufacturing and supply agreements, and other commercial arrangements.

Len's robust industry experience includes artificial intelligence (AI) and generative AI, software, hardware information and communications technology, , financial services and fintech, industrial products, manufacturing, digital health, media, retail and consumer products, and food and beverages. He represents clients at all stages of their life cycles. Len advises startups and emerging growth companies deploying cutting-edge technologies, developing next-generation products and building thriving brands. Len also counsels prominent public companies and private equity firms and their portfolio companies, which turn to him for important domestic and cross-border transactions, strategic advice in connection with the adoption of new business models or technologies, and the IP aspects of exit events and complex M&A transactions, including spinoffs and asset divestitures.

Len is a recognized leader in his field and has presented on IP and technology transactions in various settings and developed the curriculum for one of the first law school classes on the subject. Len is a Certified Information Privacy Professional (CIPP/US) under the International Association of Privacy Professionals. He also holds a Certificate in Cybersecurity Oversight from Carnegie Mellon University's Software Engineering Institute and a Certificate in Economics of Blockchain and Digital Assets from The Wharton School of the University of Pennsylvania. Len serves on the Board of Trustees of the IP Law Foundation.

During his 30 years of legal practice, Len has worked on transactions worth more than \$350 billion. Please see a list of illustrative transactions below.

## Illustrative Transactions

- 24M, a developer of battery technology for electric vehicles and energy storage systems, on its acquisition of a Thai manufacturing plant, and on IP licenses and R&D agreements with partners such as Fujitsu, Fujifilm, Kyocera and Volkswagen
- 3M on numerous acquisitions, including its \$1 billion acquisition of M\*Modal's cloud-based, AI-powered technology business, and its related IP licenses and strategic services agreement with M\*Modal's remaining service business; \$2 billion acquisition of Scott Safety from Johnson Controls; \$2.5 billion acquisition of Capital Safety from KKR; and acquisitions of Ceradyne and Cogent Systems
- Abu Dhabi Investment Authority (ADIA) on its participation in a \$500 million round of equity financing in Moderna Therapeutics, a clinical-stage biotechnology company developing mRNA therapeutics and vaccines
- Agilent Technologies on its \$2.2 billion acquisition of ACEA Biosciences and cancer diagnostics company Dako from private equity group EQT
- Alphabet/Google on numerous M&A matters, including Google's acquisitions of Admeld, AdMob, Autofuss, Bepob, Clever Sense, Episodic, ITA Software, Like.com, Mechanical Zoo, Meka Robotics, Next New Networks, Pattern, Quickoffice, reCAPTCHA, Redwood Robotics, Viewdle, Wavii, Waze, Wildfire Interactive, Workbench and Zave, in addition to other IP matters and counseling
- América Móvil on its \$905 million acquisition of Nextel's operations in Brazil and \$648 million acquisition of Telefónica's operations in El Salvador and Guatemala
- American Express on the formation of a joint venture with Lianlian Group for a mobile payment network in China, a joint venture of its Global Business Travel division with an investor group led by Certares and Qatar Investment Authority, and its \$1.1 billion acquisition of GE's corporate payment services business
- Attentive, an SMS marketing platform, on its acquisition of Privy
- Axion Ray, an AI-driven engineering and quality control platform, on commercial deals with Baxter, Newell, Boeing and Pratt & Whitney
- Barclays on the sale of its risk analytics and index solutions business to Bloomberg, acquisition of Bear Wagner Specialists, and acquisition of the core business of Lehman Brothers out of bankruptcy (together with related IT and data services agreements)
- Bausch + Lomb on its acquisition of ISTA Pharmaceuticals, a prescription eye care business
- Carlyle Global Partners on its minority investment in roofing and building materials company TAMKO, in tandem with the spinout of its composite decking business
- Cerberus Capital Management on its investments and roll-up strategies, including in connection with Eos Energy, Aquatech and other businesses, in addition to advising its portfolio companies on licenses, joint development agreements and the commercialization of IP
- Citi Venture Capital on its acquisition of Ness Technologies, a provider of information technology solutions and services
- A consortium of banks, including Bank of America, BNY Mellon, Citi, Credit Suisse, Morgan Stanley and UBS, on establishing the Open Platform for Unregistered Securities
- A consortium of banks, including Bank of America, Barclays Capital, Citi, Credit Suisse, Goldman Sachs and Morgan Stanley, on an investment in Tradeweb Markets
- A consortium of banks, including Barclays, BNY Mellon, Credit Suisse, Goldman Sachs and JP Morgan Chase, on the founding of Clariant Entity Hub with DTCC and its subsequent sale to Thomson Reuters
- A consortium of banks, including Goldman Sachs, J.P. Energy Ventures, Morgan Stanley and Tudor Investment Corp., on a joint venture with the Chicago Mercantile Exchange to form carbon exchange GreenX
- Contentsquare on its acquisition of Loris AI, a conversation intelligence platform, and Heap
- Datadog, a public cloud monitoring and security company, on its acquisition of Eppo and Sscreen
- DataRobot on its acquisition of Algorithmia, an AI model management and deployment solution
- E. Shaw, on its spinout of startups such as Flox, a software development platform
- DigitalOcean, a public cloud infrastructure company, on its acquisitions of Paperspace and Cloudways

- Dow on certain IP matters related to its \$130 billion merger of equals with DuPont and the \$1.1 billion sale of its Brazilian corn seed business to CITIC Agri Fund
- Everbridge, a global enterprise resilience and security company taken private by Thoma Bravo, on software and hardware agreements and strategic collaborations
- Frame AI, an AI-powered conversation management platform, on its sale to HubSpot
- General Mills on its \$8 billion acquisition of Blue Buffalo Pet Products
- GlaxoSmithKline on its acquisition of Human Genome Sciences and the restructuring of a joint venture between GSK's ViV Healthcare (with Pfizer) and Shionogi & Co. in connection with the development and commercialization of HIV integrase inhibitor drugs
- Grupo Bimbo on its acquisitions of Sara Lee Corp.'s North America, Spain and Portugal Fresh Bakery businesses; acquisition of East Balt Bakeries; and other licensing and IP matters
- HCA Healthcare, one of the largest healthcare providers in the US, on technology agreements
- Henkel on its \$3.6 billion acquisition of Sun Products Corp., an owner of premium laundry and home care brands, from Vestar Capital Partners, and acquisitions of The Bergquist Company, Sexy Hair Concepts, Alterna and Kenra Professional
- HiredScore, an AI-driven talent management platform, on its sale to Workday
- Hillhouse Capital on its formation of a joint venture with Peet's Coffee to enable their first international expansion and open coffee cafes and retail locations in China
- INEOS, one of the world's largest chemical companies, on certain M&A matters
- Jackpocket, a leading lottery app, on its acquisition by DraftKings
- JetBlue, on its sale of JetBlue Ventures to SKY Leasing, including a related brand license and strategic partnership agreement
- International Flavors & Fragrances on its \$7.1 billion acquisition of Frutarom and acquisitions of David Michael & Co. and Ottens Flavors
- Istithmar on its joint venture with Education Media and Publishing Group to hold, finance and manage certain educational content-related investments and activities
- Jeffrey Bezos-controlled entities on their \$250 million purchase of The Washington Post and various regional publishers, including related trademark and content licenses with respect to retained operations and publications
- Logicworks, a cloud services company, on its sale to Cox Communications
- Lowe's Companies, on commercial transactions and counseling involving AI, software, hardware and technology services
- Investment Corporation of Dubai on its participation in an investment in Inari, a next-generation seed company using and developing related computational and genetic tools
- JUUL on a \$12.8 billion minority investment by Altria (including related IP license and commercial agreements) and certain other IP matters and counseling
- Keysight Technologies on its acquisitions of Ixia and Anite, a wireless R&D supplier
- Kindred Healthcare hospitals and acute care services on its \$4.1 billion sale to a consortium consisting of TPG, Welsh Carson and Humana, and previously on its \$1.8 billion acquisition of Gentiva Health Services
- Lenovo on its acquisition of the x86 server hardware and services business of IBM
- M13 on its partnership with PepsiCo to create a founder-in-residence program for health and wellness startups
- Mack Weldon on licensing and distribution matters
- Medifast, the public nutrition and weight loss company, on IP and licensing and matters
- Medtronic on its \$42.9 billion acquisition of Covidien and divestiture of certain medical device assets for regulatory compliance
- Momofuku on the spinoff of its consumer packaged goods business led by private equity investors Siddhi Capital and Alliance Consumer Growth and various IP and licensing issues
- Morgan Stanley on a joint venture with Citi to combine their retail brokerages and wealth management businesses by forming Morgan Stanley Smith Barney
- Movable Ink, an AI-powered content platform, on its acquisition of AI content engine Coherent Path and

subsequent sale to private equity firm STG

- Nasdaq Private Markets on certain commercial matters
- NewLab on its launch of its Michigan Central venture and incubation platform and on collaborations with companies such as Mitsubishi
- Nikon Instruments on its expansion of research cloud services in the US
- Nutrafol, a provider of hair wellness products, on its sale of a majority stake to Unilever
- Nuvalence, a technology consulting firm, on its acquisition by EY
- OpenText on its acquisitions of Guidance Software and GXS Group
- Payapps, a provider of cloud-based construction software, on its acquisition by Autodesk
- Praeses, a provider of AI-driven data analysis and situational awareness software, on a commercial agreement and licenses
- Puma on its acquisition of Fortune Brands' Cobra golf business
- Rappi on its strategic partnership with and investment from Amazon for last-mile delivery services in Latin America
- RenaissanceRe on technology transactions relating to catastrophe modeling and risk assessment tools, including the licensing of third-party software models and databases, acquisitions of technology assets, and counseling on a variety of other IP-related matters
- Runway on landmark deals in the generative AI space, including licenses and partnerships with Canva, Getty Images, Lionsgate and NVIDIA
- Roquette on its acquisition of Sethness Products Company, a producer of high-quality color products for the food and beverage industry
- Sabre on the sale of Travelocity to Expedia
- Samsung Electronics on the sale of its printer business to HP Inc.
- Sazerac, one of the world's largest distilled spirits companies, on certain acquisitions of beverage brands.
- Sol de Janeiro, a top-selling body care and fragrance brand at Sephora, on its sale of a majority interest to L'Occitane, as well as counseling on licensing, development, manufacturing and distribution and endorsement agreements
- SoundThinking, a public technology company, on its acquisition of SafePoint, a developer of intelligent weapons detection technology, and Geolitica, a provider of predictive policing software
- Summer Fridays, a premium skincare brand, on its strategic investment from private equity firm TSG Consumer Partners
- Stanley Black & Decker on its acquisitions of International Equipment Solutions' attachments business, Sonitrol and CRC-Evans, and sales of its mechanical security business to dormakaba and Hardware & Home Improvement Group (HHI) to Spectrum Brands
- TCGPlayer, an online collectible marketplace, on its sale to eBay
- Tech Data Corp. on its \$2.6 billion acquisition of Avnet's technology solutions business
- Tenable, a public cybersecurity company, on its acquisitions of Apex Security, Vulcan Cyber, Eureka Security, Emertic and Bit Discovery
- Thirty Madison, a specialty healthcare company, on its merger with digital healthcare company Nurx and subsequent acquisition by Remedy Meds
- Tom Ford on product placements in James Bond movies and other IP matters and counseling
- Touchland, the fastest-growing hand sanitizer brand, on its acquisition by Church & Dwight
- TPG on multiple acquisitions, such as RCN and Grande Communications, DTZ, Cassidy Turley, Vertafore and Envision Pharmaceutical, and on sales of portfolio companies, such as Times Higher Education, TES Global, HCP Packaging and Bally
- Varonis, a public AI-powered data security company, on certain commercial matters
- Verance on the global licensing of its content protection and anti-piracy technology to entertainment studios and consumer electronics companies pursuant to FRAND (fair, reasonable and nondiscriminatory) obligations with a standard setting organization, as well as advice on other IP and commercial matters relating to its AI watermarking suite of products
- Verisign on divestitures of multiple businesses, including its online authentication and security business

to Symantec, as well as strategic counseling and transactional work on AI matters, software licenses, patent licenses and open-source software issues

- Vitro on its acquisition of glass manufacturing businesses from PPG and LKQ and the sale of its food and beverages glass container business to Owens-Illinois
- Warburg Pincus on its acquisition and subsequent sale of Electronic Funds Source and its acquisitions of Ascentium Capital and Triton Containers (together with Vestar Capital)]
- Western Digital on its \$19 billion acquisition of SanDisk and Amplidata; sale and licensing of hard disk drive assets to Toshiba to obtain regulatory clearance for its \$8 billion acquisition of Hitachi's global storage division; patent acquisition and cross-license agreements with IBM; and other IP counseling and licensing matters
- WeWork India on its operating and licensing agreement with WeWork Global
- YieldStreet, a private market investing firm, on its acquisition of Cadre

Before joining Cooley, Len established and led the IP and technology transactions practice at a prominent global law firm.

## Education

Harvard Law School JD, 1994

Yale University BA, 1991

## Admissions & Credentials

New York

## Court Admissions

US District Court for the Southern District of New York

US District Court for the Eastern District of New York

## Rankings & Accolades

Lexology Index: Artificial Intelligence

The Legal 500 US: Leading Partner in Technology Transactions

## Memberships & Affiliations

New York City Bar Association

American Intellectual Property Law Association

Licensing Executive Society

International Association of Privacy Professionals

