



# Ekachai Chotpitayasunon

Partner

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### Languages

- Thai
- English

### Education

- LL.M., Northwestern University, School of Law, USA
- LL.M., Chulalongkorn University, Thailand
- LL.B. (Honors), Chulalongkorn University, Thailand

[www.kudunandpartners.com](http://www.kudunandpartners.com)

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### Profile

Ekachai is a partner at Kudun and Partners, focusing on capital markets, mergers and acquisitions, and banking and finance. He has significant expertise in initial public offerings, debt and equity offerings, and corporate restructuring. Notably, he has facilitated the offering of debentures and debt instruments for a range of Thai companies through private placements targeted at institutional investors and high-net-worth individuals.

With a diverse clientele that includes SMEs, state-owned enterprises, and large multinational corporations, Ekachai brings a wealth of experience, particularly in the real estate and property development sector, where he has successfully managed complex development projects. His industry knowledge extends to financial services, energy including renewable sources such as solar and wind, oil and gas, and technology, media, and telecommunications (TMT). He has played a key role in fundraising for various TMT clients, including tech start-ups in sectors such as digital investment platform, education, cloud accounting, and transportation services.

### Areas of Expertise

- Banking and Finance
- Capital markets and securitization
- Corporate and M&A
- State-owned enterprise law
- Cannabis law

### Professional Experience

- Senior Associate, Weerawong, Chinnavat & Peangpanor
- Associate, White and Case (Thailand)
- KPMG Phoomchai Tax & Legal

### Awards and Recognitions

- Highly Regarded Lawyer in Corporate and M&A by IFRL 1000, 2023-2024
- Rising star partner in Corporate and M&A by Asialaw, 2023-2024

### Practice Focus

A selection of matters in which Ekachai has been involved include:

#### Corporate and M&A

- Representing Bay Computing Co., Ltd. (“Baycoms”), an IT security system solution provider, on the sale of its retail unit selling computers and peripheral units in specialized stores to Beryl 8 Plus Public Company Limited (“BE8”) for a total value of THB 1.439 billion, through a two-tiered transaction. The transactions involved an entire business transfer (EBT) for approximately THB 1.24 billion and an offshore structuring for the sale of shares in Baycoms to BE8 for approximately THB 200 million.
- Representing Advanced Info Service Public Company Limited in a joint venture with Siam Commercial Bank Public Company Limited under the name "AISCB" offering digital financial services for a total value of THB 600 million.
- Represented founders of Living Mobile Co., Ltd, a leading startup based in Thailand, renowned for its exceptional point-of-sale (POS) and software solutions tailored for the food and beverage industry under the brand “FoodStory”. The company’s groundbreaking technology and innovative approach have reshaped the dining experience not only within Thailand but also across international borders. The transaction amounts to approximately THB 584 million.
- Representing Eakphoomsub Development Co., Ltd., a real estate developer, and its majority shareholder with respect to the joint investment and vendor financing with its EPC contractor for the development and construction of an award winning condominium - Oneder Kaset for a total value of THB 400 million.
- Representing Amara Asia Company Limited, a leading company engaging in a sustainable long-term cannabis ecosystem in Thailand, with respect to the acquisition of 80% shareholding in Bienestar T&N Company Limited, an international standard of greenhouse cannabis farming company, from its existing shareholders.
- Representing JKN Global Media Public Company Limited—a leading media content provider in Thailand—in a two-layer transaction involving a cross-border acquisition of 51% shareholding in High Shopping Company Limited (HS) from Intouch Media Company, together with financing obligations, for a total value of THB 533 million and further providing an additional loan to HS in the amount of not exceeding THB 15 million.
- Advising FWD General Insurance Public Company Limited on licenses, permits, and regulatory compliance for the business operation of the company in Thailand.
- Representing Bolttech Insurance Broker (Thailand) Co. Ltd., one of Thailand’s leading insurance platforms, in connection with secretarial services, which include providing general corporate advice in relation to the insurance sector in Thailand.

- Advising and assisting Bolttech Life Insurance Broker (Thailand) Co., Ltd. on the application and registration of the amendment to include the operation of the reinsurance and Limited broker, dealer and underwriter (LBDU) business to the company's objectives.
- Representing Frank.co.th, an online car insurance provider in relation to providing general corporate advice including secretarial assistance to the company.
- Representing Living Mobile Company Limited (FoodStory) with respect to Series B Funding led by Beacon VC, the venture capital arm of KASIKORNBANK PCL (KBank) and JWD InfoLogistics PCL (JWD).
- Representing Demeter Corporation Public Company Limited (DCORP) with business in the Innovation, Media and Renewable Energy sectors on its acquisition of assets and rights to operate in-store media advertising from N.E.XT Company Limited, a leading provider of in-store radio advertising media valued at approximately THB 40 million (USD 1.26 million).
- Representing JKN Global Media Public Company Limited, the market leader in Thailand's content distributorship industry, in connection with the Exclusive Distributorship Agreement with BEC World Public Company Limited and The Bangkok Television Company Limited in distributing all Channel 3 TV's drama series, the most-watched Thai channel in certain territories.
- Representing Phongsubthavy Roads and Bridges Construction and Irrigation Sole Company Limited (having the local name as ບໍລິສັດ ພິງ ຊັບທະວີ ກໍ່ສ້າງຂົວທາງ, ເຄຫາສະຖານ ແລະ ຊົນລະປະທານ ຈໍາກັດຜູ້ດຽວ) in relation to a cross-border sale of shares in Nam San 3A Power Sole Company Limited, who owns a hydro power plant of 69 MW in the Lao PDR - the transaction pursuant to a whole share acquisition, with a value of approximately THB 5.3 billion (USD 175.6 million).
- Representing Finnomena Company Limited, a fast-growing financial advisory firm, in connection with the Share Subscription Agreement and Shareholders' Agreement for its rounds of funding from Angel, Series A and Series B investors.
- Representing Hydrotek Public Company Limited, a leader in environment and waste management company in connection with the acquisition of 66% shares in SUT Global Company Limited by way of entire business transfer, with a deal value of THB 500 million (USD 16 million).
- Representing Scan Inter Public Company Limited — an energy business enterprise that specialises in providing a complete natural gas system — in connection with the acquisition of shares in several gas station-related companies, with an approximate total value of THB 300 million (USD 9.6 million).
- Representing Thai ultimate shareholders of SECO Transport Co., Ltd. on their sale of share capital to a Thai business partner, with a deal value of THB 120 million (USD 3.8 million).

- Representing TIME dotCom International Sdn Bhd - a subsidiary of a Malaysian listed company for acquisition, through a partial voluntary tender offer, of 38.75 percent of the issued share capital of Symphony Communication Public Company Limited, with an approximate total value of THB 1.54 billion (USD 49.4 million).
- Representing DOD Biotech Public Company Limited, a manufacturer of dietary supplements, in connection with the acquisition of 90% shares in PCCA Laboratory Company Limited by way of entire business transfer (EBT) constituting a deal value of THB 297 million (USD 9.5 million).
- Representing Padaeng Industry Public Company Limited, a renewable energy business operator, in its acquisition of 100% shares in IEC Mae Ramat Co., Ltd., which operates a solar power plant project with 6.3 Megawatt in Tak Province comprising a deal value of THB 477 million (USD 15.3 million).
- Representing B.Grimm Joint Venture Holding Company Limited on the requirements and restrictions under the relevant laws related to the preparation of bidding and supporting documents for submission to the Royal Thai Navy for the development of three 60,000 sq.m. condominium buildings on state-owned land with a total value of approximately THB 800 million (USD 25.6 million).
- Representing a group of shareholders in Thai Hua Rubber Public Company Limited — one of the largest multinational enterprises involved in planting, processing and selling of natural rubber in Thailand — for disposal and restructuring of shareholding structure in the company and its subsidiaries, with the deal value of approximately THB 1.2 billion (USD 38.6 million).
- Representing Siamraj Public Company Limited, a Thai listed company engaging in construction, procurement, distribution, and installation of engineered pumps and systems, in connection with the acquisition of 100% shares in Techtronic Company Limited by way of entire business transfer (EBT) with a total deal value of THB 313.45 million (USD 10 million).
- Representing Bliss-Tel Public Company Limited, a company offering information technology, telecommunication and infrastructure, in connection with the acquisition of 35 percent of the issued share capital of Information Technology Group Ltd., with a deal value of THB 700 million (USD 22.5 million).
- Representing Demeter Corporation Public Company Limited (DCORP) with business in the Innovation, Media and Renewable Energy sectors on its acquisition of shares from a 4.9 MW biogas power plant - Akkarawat Renewable Energy Power Plant Company Limited, valued at approximately THB 110 million (USD 3.5 million).

#### **Equity Capital Markets (ECM)**

- Representing Finnomena Company Limited, Southeast Asia's leading fintech startup operating a digital wealth management platform in relation to the sale of new issued shares and certain number of existing

shares for its rounds of funding Series B investors valued at approximately USD 10 million (THB 319,750,000).

- Representing Urban Mobility Tech Company Limited, a start-up company that focuses on providing ride-hailing on-demand sharing transportation services, in connection with the capital injection from Banpu Infinergy. Co., Ltd. valued at THB 67 million (USD 2.17 million).
- Representing Triple i Logistics Public Company Limited, a Thai listed company engaging in transportation and logistics services, in connection with its domestic initial public offering, with an approximate total value of THB 789.6 million (USD 25.4 million).
- Representing B.Grimm Power Public Company Limited, Thailand's oldest infrastructure developer, in connection with an international initial public offering, company secretary, with a total value of THB 11.5 billion (USD 369.7 million).

#### **Debt Capital Markets (DCM)**

- Representing JKN Global Media Public Company Limited on the offering of a 5-year convertible debenture by way of private placement to one specific investor; North Haven Thai Private Equity Fund of the Morgan Stanley Group, a global financial services company. This joint venture deal includes strategic structure, pricing and terms negotiation, accompanied with sets of complex agreements with a total value of approximately THB 1.2 billion (USD 38.14 million).
- Representing Thai Bonnet Trading Zone Co., Ltd. and Srisawad Finance PCL (debenture holders' representative) in connection with issuing debentures as well as land mortgage registration valued at THB 400 million (USD 12.63 million).
- Representing RHB Securities (Thailand) Public Company Limited, a full-service brokerage firm, for the offering of debt instruments issued by several Thai companies through a private placement offering to institutional investors and/or high net worth individuals.
- Representing KT Zmico Securities Company Limited, a company engaging in securities business, in the offering of debt instruments issued by several Thai companies through a private placement offering to institutional investors and/or high net worth individuals.
- Representing Watergate Hotel through RHB Securities (Thailand) Public Company Limited in the offering of debentures with a total value of THB 200 million (USD 6.4 million), through a private placement offering to institutional investors and/or high net worth individuals.
- Representing Fragrant Property Public Company Limited, a real estate development company, in the offering of debentures with a total value of THB 1,000 million (USD 32.1 million) through a

private placement offering to institutional investors and/or high net worth individuals.

- Representing Nusasiri Public Company Limited, a Thai listed company engaged in the property development business in Thailand, in the offering of debentures with total value up to THB 335 million (USD 10.7 million) through a private placement offering to institutional investors and/or high net worth individuals.
- Representing JKN Global Media Public Company Limited, a major content provider to license copyrighted content in Thailand, in the offering of debentures with a total value up to THB 400 million (USD 12.8 million) through a private placement offering to institutional investors and/or high net worth individuals.

### **Speaking Engagement**

- Speaker on the topic “Merger & Acquisition in Family Business: Legal Issues and Case Studies” by the Association of Family Business Entrepreneurs (AFBE), November 2024
- Lecturers on “Law of Business Organizations and Mergers and Acquisitions” at the Faculty of Law, Bangkok University, July 2024
- Speaker on the topic “Merger & Acquisition in Family Business: Legal Issues and Case Studies” by the Association of Family Business Entrepreneurs (AFBE), May 2024
- Speaker on the topic “PDPA: From a Practical Perspective” by the Association of Family Business Entrepreneurs (AFBE)