



Ekachai Chotpitayasunon

Partner

T: +66 2 838 1750 ext. 1818

E: ekachai.c@kap.co.th

Languages

- Thai
- English

Education and Admission

- LL.M, Northwestern University, School of Law, United States
- LL.M, Chulalongkorn University
- LL.B (Honors), Chulalongkorn University

www.kudunandpartners.com

Kudun and Partners
23rd Floor, Unit C and F,
Gaysorn Tower
127 Ratchadamri Road,
Lumpini, Pathumwan
Bangkok, 10330, Thailand

Practice Description

Ekachai is primarily engaged in capital markets (including IPOs and debt/equity offerings), mergers and acquisitions, as well as banking and finance (bills of exchange and debt financing) and corporate restructuring. He has particular expertise in offering debentures and debt instruments from several Thai companies through a private placement offering to institutional investors and high net worth individuals.

Ekachai has represented a wide spectrum of companies from small local firms to state-owned enterprises and large foreign multinationals. He has deep-rooted experience in the real estate and property development sector, having spearheaded numerous complex real estate development projects. The other major industry sectors which he serves include financial services, energy & power (renewable energy – solar/wind), oil & gas, and technology, media and telecoms (TMT). He has handled fund-raising projects for several TMT (tech start-ups) including online financial investment, online education, cloud accounting software and transportation services.

Area of expertise

- Banking and finance
- Capital markets
- Corporate and M&A
- State-owned enterprise law

Professional Experience

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

Practice Focus

Significant transactions and projects in which Ekachai has been involved include:

Corporate, Mergers and Acquisitions and Joint Ventures

- 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 ພົງສຸບທະວີ ກໍ່ສ້າງຂົວທາງ, ເຄຫາສະຖານ ແລະ ຊົນລະປະທານ ຈໍາກັດຜູ້ ໐໓໑) 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).
- Advising 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, Serie A and Serie B investors.
- Acting as legal counsel to 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).
- Advising 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).
- Advising 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).
- Acting as legal counsel to 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).

- Advising 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).
- Advising 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).

Equity Capital Market (ECM)

- Acting as legal counsel to 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).
- Acting as legal counsel to 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 Market (DCM)

- 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.
- Acting as legal counsel to 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.
- Acting as legal counsel to 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.