



Zachary R. Willenbrink

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Practice Areas

Appellate

Contract & Commercial
Litigation

Data Privacy, Cybersecurity
& Technology

Financial Services Litigation

Litigation

Non-Competition & Trade
Secrets

Securities Litigation

Admissions

Wisconsin

Education

Juris Doctor, Marquette
University, 2011, *magna cum
laude*

Bachelor of Arts, Bellarmine
University, 2008, *cum laude*

Zach is a shareholder on the firm's Data Privacy, Cybersecurity & Technology and Litigation teams. He leads the Data Disputes and Cybersecurity practices and is also a member of the firm's recruiting and ethics committees.

Clients turn to Zach for practical, business-oriented advice on compliance, breach preparation and response, and tech litigation. Zach helps clients design and implement cybersecurity and privacy programs to comply with the growing number of applicable state, federal, and international laws. Zach also stays on the forefront of Artificial Intelligence developments and works with clients to development AI programs reflecting current best practices. He counsels clients on preparing for and responding to information security and privacy breaches, including leading tabletop exercises and acting as breach coach to guide clients through the complex process of responding to a data incident. And, when disputes arise on security, privacy, IT contracting, and related issues, Zach leads high-stakes commercial litigation and consumer-class- and regulatory-action defense.

Zach's professional experience outside Godfrey & Kahn includes in-house-counsel, governmental, and academic work. Zach led the global privacy program and cybersecurity operations of the in-house legal department of a Fortune 500 manufacturing company. Zach developed and teaches the course Cybersecurity: Law and Practice at Marquette Law School. He also spent nearly a half-decade clerking for U.S. District Judge J.P. Stadtmueller of the Eastern District of Wisconsin. Zach's industry certifications and service include:

- CompTIA Security+
- ISC2 Certified in Cybersecurity (CC)
- UCLA Cybersecurity Certificate
- IAPP Certified Information Privacy Professional, United States (CIPP/US)
- IAPP Certified Information Privacy Manager (CIPM)
- Service on the Sedona Conference Working Group 11's drafting group on the legality of ransomware payments

Outside of work, Zach enjoys writing music. He's released music and toured the country as a member of several bands, and his solo work has been used in the scores of feature-length films.

Representative Experience

Led the privacy program and cybersecurity operations of the in-house legal team for a Fortune 500 company.

Developed corporate policies and related governance materials on cybersecurity, privacy, AI, and other technology issues.

Guided many businesses through cybersecurity incidents, including the post-breach notification process, disputes, and recovery.

Negotiated privacy and cybersecurity terms in complex commercial contracts for the sale and purchase of software.

Won summary judgment in one of the first pieces of wire transfer fraud litigation to reach a dispositive decision in Wisconsin.

Successfully defended a publicly-traded company against a putative class of consumers alleging claims under the Telephone Consumer Privacy Act, resulting in a walk-away dismissal by the named plaintiff.

Settled on favorable terms multiple consumer-privacy, consumer-protection, and trade-practice claims, including putative class actions.

Both obtained and defended against requests for temporary restraining orders and preliminary injunctions in multiple cases involving non-compete agreements and trade-secrets claims relating to alleged data theft.

Won transfer of a case alleging false advertising and unfair trade practices, on the basis of a lack of personal jurisdiction, to a more favorable venue.

Represented U.S. dairy organizations and companies opposing the registration of GRUYERE as a certification mark in the U.S., ultimately prevailing in a trial before the Trademark Trial and Appeal Board, subsequent district-court appeal, and additional appeal to the Fourth Circuit. All three tribunals published their decisions: 2020 U.S.P.Q.2d 10892 (T.T.A.B. 2020); 575 F.Supp.3d 627 (E.D. Va. 2021) and 61 F.4th 407 (4th Cir. 2023). The case received press coverage in publications including [The New York Times](#), [The Washington Post](#), [The Guardian](#), [U.S. News](#), [Reuters](#), [Law360](#), [Fox Business](#), and others.

Prevailed in a pro bono appeal before the Seventh Circuit on behalf of an Illinois state prisoner alleging civil rights violations.

Successfully opposed certiorari in cases pending before the U.S. Supreme Court.

Compelled arbitration in a corporate governance dispute between majority and minority shareholders.

Prevailed on a motion to dismiss fraud and breach-of-contract claims brought by a purchaser following its acquisition of a large regional business, then obtained an affirmance of that dismissal on appeal.

In a complex business dispute with components in several different courts: defeated a motion for an anti-suit injunction filed in the Delaware Court of Chancery; obtained reinstatement of a breach of contract claim following discovery; and defeated a motion for summary judgment.

Court Admissions

United States Court of Appeals, Second Circuit
United States Court of Appeals, Fourth Circuit
United States Court of Appeals, Seventh Circuit
United States District Court, Central District of Illinois
United States District Court, Eastern District of Wisconsin
United States District Court, Western District of Wisconsin
United States Supreme Court

Professional Association Memberships

Eastern District of Wisconsin Bar Association
International Association of Privacy Professionals
Seventh Circuit Bar Association
Thomas E. Fairchild American Inn of Court
The Sedona Conference Working Group 11

Honors

CompTIA Security+ Certification

Certified in Cybersecurity by (ISC)²

CIPM and CIPP/US certifications from the International Association of Privacy Professionals (IAPP)

UCLA Cybersecurity Certificate

Recognized by *Best Lawyers* "Ones to Watch" (Appellate Practice, 2021 – 2024)

Recognized by *Super Lawyers*

Named a 2019 "Up and Coming Lawyer" by *Wisconsin Law Journal*

Am Law Litigator of the Week Runner-Up (4th Circuit/Gruyere Case, March 2023)

Activities

Bel Canto Chorus, Past Board Member

Frank Lloyd Wright's Burnham Block, Past Board Member

Godfrey & Kahn's Ethics Committee, Member

Godfrey & Kahn's Recruiting Committee, Member

Marquette University Law School, Cybersecurity: Law and Practice, Adjunct Professor

Marquette University Law School's National Appellate Advocacy Competition Moot Court teams, Past Coach

Eastern District of Wisconsin Bar Association's Charles N. Clevert Mentorship Program, Past Mentor