



## Zachary R. Willenbrink

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### Practice Areas

Contract & Commercial Litigation

Data Privacy, Cybersecurity & Technology

Litigation

Mergers & Acquisitions

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, and serves on the firm's Recruiting, Information Security, Artificial Intelligence (AI), and Ethics committees.

Zach advises clients on the legal risks associated with data, information systems, and emerging technologies, offering practical, business-minded advice on everything from compliance programs and incident response to litigation strategy. His work spans the full lifecycle of cybersecurity, privacy, and AI legal issues, including:

- Designing and operationalizing programs that meet evolving state, federal, and international laws.
- Preparing for data incidents with tabletop exercises and breach simulations for business and legal teams.
- Leading breach response efforts as outside counsel and "breach coach."
- Drawing on years of litigation experience, guiding organizations through internal investigations, regulatory scrutiny, consumer class actions, and other high-stakes disputes and litigation involving data and technology.

Zach's industry certifications and service include:

- IAPP Artificial Intelligence Governance Professional (AIGP)
- IAPP Certified Information Privacy Professional, United States (CIPP/US) and EU (CIPP/E)
- IAPP Certified Information Privacy Manager (CIPM)
- IAPP Certified Information Privacy Technologist (CIPT)
- IAPP Privacy Law Specialist (PLS)
- CompTIA Security+
- ISC<sup>2</sup> Certified in Cybersecurity (CC)
- UCLA Cybersecurity Certificate
- Service on the Sedona Conference's Working Groups 11 and 13 drafting groups on the legality of ransomware payments, leadership liability for cybersecurity failures, onward transfers of personal data in bankruptcy and M&A contexts, and development of AI tools.

Outside Godfrey & Kahn, Zach led the global privacy program and cybersecurity legal operations as in-house counsel at a Fortune 500 manufacturing company. Zach also developed and teaches *Cybersecurity: Law and Practice* at Marquette Law School, and spent nearly five years clerking for U.S. District Judge J.P. Stadtmueller of the Eastern District of Wisconsin.

When not working, 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.

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.

As *pro bono* counsel representing indigent parties, prevailed on appeal before the Seventh Circuit in a civil rights case and successfully opposed certiorari in criminal cases before the U.S. Supreme Court.

## 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 Missouri  
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  
The Sedona Conference Working Group 11

## Honors

CompTIA Security+ Certification  
Certified in Cybersecurity by ISC<sup>2</sup>  
AIGP, CIPM, CIPP/US, CIPP/E, CIPT, and PLS certifications from the International Association of Privacy Professionals (IAPP)

## Honors (continued)

UCLA Cybersecurity Certificate

Recognized by Best Lawyers "Ones to Watch" (Appellate Practice, 2021 – 2023)

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

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

Bel Canto Chorus, Board Member

Sculpture Milwaukee, Board Member

Lynden Sculpture Garden, Board Member

Godfrey & Kahn's AI Committee, Member

Godfrey & Kahn's Ethics Committee, Member

Godfrey & Kahn's Information Security Committee, Member

Godfrey & Kahn's Recruiting Committee, Member