



Nicholas Kurk

Member

Chicago

E: nkurk@mcdonaldhopkins.com

P: 312.642.6738

Practice Focus

- Litigation
- Intellectual property litigation and dispute resolution
- Intellectual property
- Data privacy litigation
- Data privacy and cybersecurity

Nick concentrates his practice on data privacy / cyber security and intellectual property litigation matters.

He is a Certified Information Privacy Professional (CIPP/US) with experience conducting internal investigations in the wake of a data breach, litigating privacy-related class actions, advising clients regarding their use and protection of consumer and employee data under various privacy laws (e.g., the SCA, GDPR, CCPA), and developing privacy notices, privacy policies, security programs, and incident response plans. As for litigation matters, Nicholas concentrates his practice resolving intellectual property and complex commercial disputes in venues throughout the country.

Nick earned a J.D., *magna cum laude*, in 2006 from the University of Detroit Mercy School of Law where he ranked first in his class. He received a B.S. in Computer Science and Engineering from Michigan State University in 2002. Before joining McDonald Hopkins, he was a shareholder at Young Basile and an associate at Jenner & Block LLP in Chicago.

Representative Cases/Matters

- Obtained \$8.6 million judgment in a trademark infringement action in the Northern District of Illinois, which included a full recovery of attorneys' fees and a permanent injunction.
- Obtained a confidential settlement on behalf of a defendant accused of copyright infringement and trade secret misappropriation of a competitor's software.
- Obtained dismissal of a declaratory judgment action in patent case in the Northern District of California based on lack of personal jurisdiction.
- Primary author of *Daubert* briefs resulting in the wholesale exclusion of plaintiff's damages expert in a trade secrets case, which ultimately lead to a retrial on damages and a final judgment of no damages against the client.
- Secured over \$75 million judgment for a major chemical company in a patent infringement action tried in

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the District of Delaware.

- Obtained dismissal for defendants sued in Illinois state court by a Chinese corporation for trade secret misappropriation related to mobile handset technology.
- Obtained a favorable settlement for a large health care provider in arbitration against its IT outsourcing provider.

Admissions - Court

- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Central District of Illinois
- U.S. Court of Appeals for the 6th Circuit
- U.S. Court of Appeals for the 7th Circuit
- U.S. District Court for the Eastern District of Michigan

Admissions - State

- Illinois

Education

- University of Detroit Mercy School of Law
- Michigan State University

Professional Membership

- International Association of Privacy Professionals, Member

Alerts

- First California Consumer Privacy Act-based class action litigation filed

Blog Posts

- Coronavirus outbreak does not halt CCPA enforcement

News

- McDonald Hopkins welcomes Certified Information Privacy Professional Nicholas A. Kurk to Chicago office