



## TODD S. KARTCHNER

Pronouns: he/him

Director

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Business Litigation  
Real Estate  
Intellectual Property  
Blockchain & Cryptocurrency  
Construction Law  
Privacy & Data Security

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Do not go where the path may lead, go instead where there is no path  
and leave a trail.

-Ralph Waldo Emerson



### TODD S. KARTCHNER

In 2021, *Arizona Business Magazine* rated Todd as one of the top 100 lawyers in Arizona. In 2020, Todd Kartchner was recognized by *Super Lawyers*<sup>®</sup> as one of the top 50 attorneys in the State of Arizona.

Todd serves on Fennemore's eight-person management committee and as the firm's Chief Privacy Officer. He also oversees litigation throughout the firm. Todd is licensed in three states (Arizona, Nevada and California) and represents clients in multiple jurisdictions throughout the country. In particular, Todd devotes his practice to the following:

- **Data Privacy and Cybersecurity:** Todd counsels clients with regard to data privacy and cybersecurity issues, including compliance with U.S. federal and state privacy and information management requirements. Todd also provides counsel and assistance with security breaches, including breach investigations, customer and donor notification, and discussions and negotiations with hosting service providers.
- **Intellectual Property Litigation:** Todd frequently represents clients in intellectual property cases involving patent, copyright, and trademark infringement. He has been particularly successful in combating patent trolls and protecting the interests of his clients from these predators.
- **Indian Law:** Todd frequently represents Indian tribes and fights aggressively to protect their interests. He is well-versed in gaming compacts, tribal sovereignty, tribal jurisdiction, contracts with private entities and intergovernmental agreements.
- **Blockchain and Cryptocurrency:** Todd is a thought leader in the burgeoning fields of blockchain and cryptocurrency law, including smart contracts and digital currencies. He is knowledgeable in the SEC regulations applicable to these

revolutionary technologies.

Todd also has wide-ranging experience in the telecommunications industry, particularly in representing infrastructure providers as well as developers specializing in multi-dwelling units (MDUs).

Outside of work, Todd enjoys spending time with his wife and six active children.

A competitor by nature, Todd is an avid cyclist who stays in shape by competing in rigorous time trials.

## EDUCATION

- J.D., *magna cum laude*, University of Arizona, James E. Rogers College of Law
- B.A. Brigham Young University
- Order of the Coif
- Judicial Law Clerk to the Honorable Earl H. Carroll, U.S. District Court for the District of Arizona, 2002-2003

## AREAS OF PRACTICE

- Business Litigation
- Real Estate
- Intellectual Property
- Blockchain & Cryptocurrency
- Construction Law
- Privacy & Data Security

## OTHER EXPERIENCE

- Asia Practice
- Business and Personal Injury Torts
- E-Discovery and Data Management
- Indian Law
- Litigation
- Patent Litigation
- Product Liability
- Real Estate Litigation

## AWARDS AND HONORS

- *Best Lawyers in America*<sup>®</sup>, Litigation – Construction, Personal Injury Litigation – Defendants, 2024
- *Benchmark Litigation*, Local Litigation Star, 2016 and 2024
- *Southwest Super Lawyers*<sup>®</sup>, Business Litigation, 2017-2023

- *Best Lawyers in America*<sup>®</sup>, Construction Law, Litigation – Intellectual Property, Litigation – Real Estate, Litigation – Regulatory Enforcement (SEC, Telecom, Energy), Real Estate Law 2020-2022
- *Southwest Super Lawyers*<sup>®</sup>, Top 50 Arizona Super Lawyers, 2020
- Top 100 Lawyers, *AZ Business Magazine*, 2021
- *Southwest Rising Stars*<sup>®</sup>, Business Litigation, 2012

## ARTICLES AND PRESENTATIONS

- Featuring, "Table of Experts: Digital privacy," Phoenix Business Journal, May 26, 2023
- Featuring, "What Do the Multimillion-Dollar Google Settlement, Meta Fine Mean for Data Privacy?" Information Week, December 1, 2022
- Author, "Fennemore Recognizes the Critical Importance of Cybersecurity Awareness Month," Fennemore Blog, October 11, 2022
- Featuring, "What the American Data Privacy and Protection Act means for Arizona businesses," AZ Big Media, September 14, 2022
- Author, "How to help ensure your AI applications are legal," Phoenix Business Journal, April 18, 2022
- Author, "Developing Artificial Intelligence: Are Your Lawyers Involved?" inBusiness, March 2022
- Interview, "Leadership Profile With Attorney Todd Kartchner," Fennemore Blog, August 12, 2021
- Quoted, "Here's how to save your COVID vaccine card while protecting your privacy," 12News, August 11, 2021
- Quoted, "Devices can be convenient but could potentially be harmful to personal information," Arizona PBS, June 22, 2021
- Quoted, "Amazon's brainchild 'Sidewalk' is active," KYMA, June 15, 2021
- Quoted, "Why Online Scams Are Booming," Lifewire, May 3, 2021
- Interview, "Tech Topics in Healthcare and Legal," Podomatic, December 6, 2020
- Quoted, "11 Worst States for Coronavirus Fraud," *Expert Insurance Reviews*, May 27, 2020
- Quoted, "Tribes Say Calif. Stuck in 'Catch-22' In Card Game Rights Suite," *Law360*, January 7, 2020
- Quoted, "What Trends Are Shaping Blockchain in the Legal Industry? 7 Experts Share Their Insights," *Disruptor Daily*, June 20, 2019
- Quoted, "What Are the Challenges to Blockchain Adoption in the Legal Industry? 10 Experts Share Their Insights," *Disruptor Daily*, May 10, 2019
- Quoted, "What's the State of Blockchain in the Legal Industry? 9 Experts Share Their Insights," *Disruptor Daily*, April 12, 2019
- Quoted, "Blockchain and Its Impact on the Legal Industry," *Rocket Matter's Legal Productivity*, August 3, 2018
- Quoted, "The Problems with Blockchain's Smart Contracts," *CMS Wire*, April 9, 2018
- Quoted, "Blockchain is Disrupting the Future of Legal Tech," *Bigger Law Firm*, March 8, 2018

## PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, State Bar of Arizona
- Member, State Bar of Nevada
- Member, State Bar of California
- Past Member, Arizona Chamber of Commerce and Industry: Legal, Regulatory and Financial Services Committee

- Past President, Federal Bar Association, Phoenix Chapter

## **ADMISSIONS**

- Arizona
- California
- Nevada
- U.S. District Court, District of Arizona
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. District Court, District of Nevada
- U.S. Court of Federal Claims
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit