SpencerFane®

Stephen J. Zralek

Partner

Contact

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Overview

Stephen Zralek is an accomplished litigator who helps clients resolve business, intellectual property, and technology disputes in federal and state courts, arbitration, and mediation. Clients seek Stephen's advice as a result of his experience in the courtroom, his creative problem-solving, his tenacity, and his engaging approach. Stephen cares about the long-term success of his clients, demonstrated by the fact that some of his clients have been with him his entire career.

Since graduating law school in 1997, Stephen has dedicated his career to helping clients resolve and avoid complex business disputes and contractual disputes, as well as those involving copyrights, trademarks, patents, antitrust, rights of publicity, trade secrets, noncompete violations, defamation, and domain disputes. He has defended clients in MDLs (multidistrict litigation), and represented both plaintiffs and defendants in class actions. His clients hail from technology, software, health care, real estate development, entertainment, architecture, design, music, film, and other creative fields, and range from startups to household names. He also advises his clients on emerging issues in AI and the intersection between law and technology.

Stephen represents clients in courts and arbitral forums across the country, and he is routinely called on to serve as local counsel within Tennessee's state and federal courts. He also serves as outside general counsel to multiple companies. Upon graduating from law school, Stephen served as a judicial clerk to the Honorable Thomas A. Wiseman, Jr. of the U.S. District Court for the Middle District of Tennessee. He is a Fellow of both the Tennessee Bar Foundation and the Nashville Bar Foundation.

In addition, Stephen helps lead the firm's Creative Content & Brand Protection Market Team, providing a more specialized arena for guidance and collaboration among colleagues navigating creative copyright and trademark disputes and evolving IP regulations as artificial intelligence and other progressive technologies continually reshape the legal landscape.

Stephen is an active member in the International Association of Defense Counsel (IADC), where he won the IADC's 2023 President's Award for his contributions to the organization. Within the IADC, he is a member of the International Arbitration

Committee and serves on the Advisory Board to the International Corporate Counsel College, which is being held in London. He chaired the CLE Committee for the 2025 Midyear Meeting, and previously chaired the IP Committee. He is a frequent speaker and author on issues in business litigation, IP litigation, and litigating before the Tennessee Business Court. He has been quoted by *USA Today*, *Managing IP*, *Young Entrepreneur*, and *IPWatchdog* and featured in the *ABA Journal*. He co-authored "The Pro-IP Act: Another Weapon Against a Failing Economy," published by the ABA's *Landslide* magazine, as well as "Race is On to Recapture Copyrights," published by *The Tennessean*, and co-authored an article published by *Law360*. Fellow attorneys routinely recognize him as one of the "Best of the Bar" within Nashville and the Southeast in peer-review rankings.

Stephen has presented at conferences hosted by, among others, the IADC, the Americana Music Festival, Music Biz, the American Bar Association, the Tennessee Bar Association, the Nashville Bar Association, the PR Society of America, the Nashville Business Journal, Lipscomb University, Vanderbilt University, the trial court judges of Davidson County and Volunteer Lawyers for the Arts.

Through his active participation in TAGLaw, Stephen has developed personal relationships with lawyers across the country and the world. These valuable ties help the firm's clients and attorneys when they need assistance with both business and litigation, knowing that Stephen can instantly connect them with trusted advisors who have been vetted ahead of time. Stephen represents Spencer Fane at TAG's international conferences, and he is honored to serve as TAGLaw's main contact for the firm's Tennessee offices.

In the community, Stephen has served on and chaired many nonprofit boards. He has been a strong advocate for others during his entire career in both the legal profession and in the city of Nashville. He served as lead counsel for sexual abuse survivor Michelle Martin in her successful pursuit of clemency from Tennessee Governor Bill Haslam in 2019. Following the horrific shooting at Covenant School in Nashville, Stephen helped form Voices for a Safer Tennessee.

Education

- University of Tennessee College of Law, 1997 (J.D.)
- Xavier University, 1994 (B.A.), *cum laude*
- University of Oxford, Oriel College, 1993

Bar Admissions

- Tennessee

Court Admissions

- U.S. Supreme Court
- Tennessee Supreme Court
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the District of Columbia
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Middle District of Tennessee
- U.S. District Court for the Eastern District of Tennessee
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. District Court for the District of Maine

Community Involvement

- Tennessee Supreme Court Board of Professional Responsibility
  - Hearing Committee, appointed by the Tennessee Supreme Court, 2020-2021
- St. Bernard Academy
  - President, July 2022-2024
  - Board of Trustees, 2019-present
  - Head of School Search Committee, Co-Chair, 2021
- Treasurer, Friends of Bob Freeman, Tennessee State Representative, 2018-present
- Music City Music Council (MC2), 2019-2020
- Sexual Assault Center, Board of Directors, 2017-2020
  - Co-Chair of 1-in-6 Breakfast
- Leadership Nashville, Class of 2015
  - Alumni Association Board of Directors, 2019-present
- Conexión Américas
  - Chair of the Board, 2013-2015
  - Board Member, 2009-2016
  - Board of Ambassadors, 2016-present
  - Co-Chair of Cafecito, 2011
- Percy Priest Elementary School Extended Day Program, Board Member, 2016-2018
- The Children's House of Nashville, Board Member, 2013-2016
- Nashville For All of Us, Past Chair
- Family & Children's Service
  - Board of Directors, Chair, 2007-2008
  - Board Member, 2001-2009
  - Advisory Board, 2015-present
- St. Augustine's Episcopal Chapel, Member, 2008-present

Distinctions

- IADC, President's Award, 2023
- *Best Lawyers in America*, 2015-2027
- *Nashville Business Journal,* Best of the Bar, Litigation; Intellectual Property, 2024
- Martindale-Hubbell, AV Preeminent Rating
- *Mid-South Super Lawyers*, Intellectual Property Litigation, 2011-2025
- *Mid-South Super Lawyers*, The Top 100 Attorneys in Tennessee
- Avvo Rating, 10 out of 10

Memberships

- International Association of Defense Counsel (IADC)
  - CLE Steering Committee, Mid-Year Meeting
    - Chair, 2025
    - Member, 2022
  - International Corporate Counsel College, Advisory Board, 2025
  - International Arbitration Committee, Member

    - IP Committee
        - Chair, July 2022-2024
        - Vice-Chair of Programs, 2021-present
        - Vice-Chair of Webinars, 2020-2021
- American Bar Association
    - Copyright Litigation Committee, Past Chair
    - Trademark Litigation Committee
    - Sections of Litigation and Intellectual Property
- Nashville Bar Association
    - Board of Directors, 2017-2020
    - Executive Committee, 2018-2020
    - Intellectual Property Section
    - Federal Courts Section
- Tennessee Bar Association
    - Leadership Law Program graduate, 2007

Presentations and Publications

- "Low Hanging Fruit: Practical Steps for All Clients to Protect their Brands and Creative Content," Spencer Fane Advantage CLE, June 2025
- "SCOTUS Justices Lob Tough Questions at Both Sides in Prince Photo Fair Use Fight," *IP Watchdog,* October 2022
- "Race is On to Recapture Copyrights," *The Tennessean*, November 2012
- "The Pro-IP Act: Another Weapon Against a Failing Economy," *Landslide,* American Bar Association, January-February 2009

Related Experience

- Successfully represented business claimant in arbitration against international entertainment company in contract and fraud dispute where we obtained partial summary judgment early in case, then went on to obtain damages and attorneys' fees
- Achieved complete defense award for national hospitality corporation in 7-day arbitration in contract and fraud dispute where claimant sought a multimillion-dollar award.
- Provides ongoing defense of publicly traded REIT in federal court in MDL where client is accused of antitrust violations.
- Provides ongoing representation of global animal health company against software vendor in federal court dispute involving claims of breach of contract and copyright infringement
- Achieved successful settlement of contract dispute pre-litigation between a national client and its software vendor, where amount in contest exceeded $80 million, but the parties needed to maintain ongoing relationship.
- Managed and achieved successful resolution of lawsuits filed simultaneously in over 20 courts across the country asserting breach of contract by national restaurant chain client.
- Creatively obtained early judgment on the pleadings in multimillion-dollar dispute with national environmental management company, which postured plaintiff-clients for successful settlement.
- Obtained federal court TRO for craft brewing company against national conglomerate for trademark infringement.
- Obtained federal court TRO and preliminary injunction for client against competing business that was created surreptitiously while former employee was still employed by client.
- Obtained federal court TRO for craft brewing company against national conglomerate for trademark infringement.
- Successfully defended national internet provider in trademark infringement dispute.

- Obtained jury verdict for plaintiff in copyright infringement multi-day trial involving architecture between two competing businesses.
- Obtained judgment for plaintiff in trademark infringement bench trial between two competing businesses.
- Obtained jury verdict for personal manager against celebrity in a contract dispute.
- Obtained jury verdict for plaintiff homebuilder on misrepresentation and contract claims.
- Obtained appellate decision affirming dismissal of suit that claimed right of publicity violations by successfully establishing copyright preemption.
- Provides ongoing representation of court-appointed receiver appointed to administer fertility clinic in three simultaneous lawsuits (state, federal, and bankruptcy courts).
- Obtained partial summary judgment for defendant and dismissal of federal class action asserting consumer protection violations by creatively focusing on choice of law issues early in the case, from which all the plaintiffs' claims fell.
- Obtained summary judgment for defendant accused of copyright infringement by proving plaintiff's registrations were not valid and showing that plaintiff had attempted to manufacture evidence after litigation had begun.
- Obtained rare reversal of the Board of Zoning Appeals on behalf of real estate developer client, persuading court that the BZA's decision was arbitrary and capricious.
- Serves as day-to-day outside general counsel to international design firm on issues related to IP, contracts, dispute resolution and avoidance, international arbitration, succession planning, executive compensation, and employment advice.
- Serves as outside general counsel to international bespoke guitar company, connecting with other thought leaders at Spencer Fane to help establish an online marketplace, protect IP, resolve employment disputes, and acquire multiple other businesses.
- Serves as outside general counsel to company with offices in the 48 contiguous states, as well as its CEO/Owner and his family office, connecting them with thought leaders at Spencer Fane to help with executive compensation, succession planning, corporate structure, as well as investments in and management of other entities.
- Provides routine service as local counsel for out-of-state lawyers with litigation in Tennessee state and federal courts.
- Provides representation of widow and son for over 12 years in will contest/estate battle involving decedent's music royalties, with multiple heirs and alleged heirs.
- Has provided over 25 years of continuous representation of national architecture and design firm in its ongoing legal needs, from campaign finance to protection of its IP.