

## Michael Kern

ASSOCIATE

Data, Privacy, and  
Cybersecurity  
*Brussels*

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## FOCUS AREAS

Data, Privacy, and  
Cybersecurity

## EXPERIENCE

Michael Kern is an associate in the Brussels office of Wilson Sonsini Goodrich & Rosati, where his practice focuses on data, privacy, and cybersecurity.

Michael provides comprehensive counsel on privacy, cybersecurity, and AI matters, both contentious and non-contentious issues. He helps clients to successfully implement privacy compliance, respond to data breaches, assess data privacy and security risks, and design privacy compliance programs. Michael also regularly advises clients on all privacy aspects of corporate transactions.

Michael's practice centers on representing clients in regulatory investigations and enforcement actions related to data protection, AI, and cybersecurity in Europe and throughout the world. He assists companies in navigating complex regulatory landscapes, responding to inquiries from data protection authorities, and developing strategies to mitigate enforcement risks.

Michael supports a broad range of clients, from emerging companies to global market leaders, in a range of data-driven and other industries such as technology, media, automotive, financial institutions, healthcare, and insurance. He also advises companies on compliance with EU digital regulations, such as the Artificial Intelligence Act, Digital Services Act, Data Act, Data Governance Act, and NIS 2.

Prior to joining the firm, Michael worked in the privacy and cybersecurity practice group of Schoenherr (Vienna).

Michael is a native speaker of German and fluent in English and Italian.

## CREDENTIALS

### Education

- LL.M., International Business Law, Queen Mary University London, 2019  
*With Distinction*
- B.A., Romance Philology, University of Vienna, 2018  
*With Merits*
- Master of Laws, University of Vienna, 2015

### Admissions

- Vienna Bar
- Brussels Bar E-List

## INSIGHTS

### Select Publications

- “Checklist: Overview of the layered regulatory regime of the Digital Services Act - Applicability of DSA obligations by type and size of intermediary services,” *Ecolex* (in German) 214, 2024
- “Automated decision-making under Art 22 GDPR for systems that merely support decision-making, such as scoring,” *Ecolex* (in German) 191, 2024
- “The new EU-US Data Privacy Framework as legal basis for data transfers to the USA,” *Ecolex* (in German) 982, 2023
- “On the relationship between the lawfulness of data processing and accountability under the GDPR,” *Ecolex* (in German) 626, 2023
- “On the right to receive a “copy” under Art 15 (3) GDPR,” *Ecolex* (in German) 546, 2023
- “Sending newsletters following an insolvency-related business transfer,” *Ecolex* (in German) 349, 2023
- Co-author, “Monitoring provisions, recording and retention obligations, treatment of confidential information,” *Austrian Practitioner's Handbook on Foreign Direct Investment* (in German) 193-213, 2022
- “Why the Rome I Regulation Has No Mandatory Application When Determining the Substantive Law in International Commercial Arbitration,” 4 *Arbitration: The International Journal of Arbitration, Mediation and Dispute Management* 482-502, 2020
- Co-author, “Applicable Law in Arbitral Proceedings,” *Austrian Practitioner's Handbook on Arbitration and ADR* (in German) 117-193, 2021
- Co-author, “Regulatory Monitoring Provisions in the Context of Foreign Direct Investment,” *Austrian Practitioner's Handbook on Foreign Direct Investment* (in German) 193-213, 2022