

Mark S. Eisen

Chicago
T 312.212.4956
meisen@beneschlaw.com

Overview

Mark's practice focuses on defending companies against consumer fraud and statutory class actions. Mark defends cases alleging theories of false labeling and deceptive practices and defends all manner of statutory privacy claims, including those brought under the Telephone Consumer Protection Act, the Fair Credit Reporting Act, the Fair and Accurate Credit Transactions Act and the Biometric Information Privacy Act.

Mark's practice is truly nationwide. Over the last five years, he has defended cases in Arizona, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Maryland, Michigan, Minnesota, Missouri, Nevada, New Jersey, New York, North Carolina, South Carolina, Ohio, Pennsylvania, Utah, Texas, Washington and Wisconsin.

Representative Matters

- Secured the complete dismissal of a novel cannabis class action in Illinois, alleging that certain concentrate products were deceptive. This decision marked a substantial win in a new area of law and helped put an end to a string of class actions against the cannabis industry.
- Served as defense counsel in multiple benzene class action cases filed in Illinois and New York. Drafted motions to dismiss, assisted in mediation preparation and settlement negotiations, and negotiated indemnification from the manufacturer following benzene contamination in consumer product packaging.
- Represented national consumer goods company in putative class action concerning alleged product defect.

- Secured dismissal with prejudice for national consumer health company in defense of consumer class action concerning product labeling.
- Achieved dismissal of myriad FACTA class actions in state and federal court.
- Managed defense of series of class actions concerning the recall of a consumer good.
- Defended threatened class action regarding the labeling of popular snack foods product.
- Defended multiple class actions regarding the labeling of over-the-counter pharmacy products.

Credentials

EDUCATION

- Boston University School of Law, 2012, J.D., *magna cum laude*
  - Note Development Editor, *Boston University International Law*
- University of Southern California, 2008, B.A., Political Science and Economics, *magna cum laude*

BAR & COURT ADMISSIONS

- California
- Illinois
- North Carolina
- U.S. District Court for the Eastern District of North Carolina
- U.S. District Court for the Middle District of North Carolina
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Central District of California
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Missouri
- U.S. District Court for the Northern District of Illinois
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Western District of Texas

Awards & Recognition

- Listed, *The Best Lawyers in America®* Ones to Watch, Commercial Litigation, 2021-2025

News & Insights

- BREAKING: Seventh Circuit Holds Text Messages are not Telephone Calls Under Section 227(c)(5) of the TCPA
  July 14, 2026 | Client Alerts & Insights
- Tariff Refund Litigation: A Primer on Common Plaintiff's Theories of Recovery and Importer of Record Defenses
  June 10, 2026 | Client Alerts & Insights
- Law360 Highlights Benesch Litigators Mark Eisen and Olivia Sullivan in Biometric Privacy Case
  April 21, 2026 | Media Mentions
- Law.com Quotes Partner Mark Eisen on the Evolving Landscape of Biometric Privacy Claims
  April 16, 2026 | Media Mentions
- Benesch Partners Jennifer Hoover and Mark Eisen Featured in Law360 on THC Potency Class Action Dismissal
  March 17, 2026 | Media Mentions
- Benesch Partners Bryna Dahlin and Mark Eisen Mentioned in Law360 on Court Dismissal of THC Potency Lawsuit
  March 16, 2026 | Media Mentions
- Opportunity and Uncertainty in Equal Measure: What You Should Know About the FCC's Proposed TCPA Rulemaking
  October 16, 2025 | Client Alerts & Insights
- Texas Expands Mini-TCPA: Text Marketing Now in the Crosshairs
  August 27, 2025 | Client Alerts & Insights
- SCOTUS Rejects FCC Edicts: Courts are (Finally) Free to Interpret the TCPA
  June 26, 2025 | Client Alerts & Insights
- Time of Day TCPA Cases Inundate the Federal Docket
  March 17, 2025 | Client Alerts & Insights

Speaking & Events

PAST EVENTS

- The Tides Have Turned: The FCC Revisits Revocation Under the TCPA | Mark Eisen, Kennedy Dickson
  October 4, 2026 | Firm Events
- Pump the Brakes: An Analysis of the TCPA Following Loper Bright and McLaughlin Chiropractic | Mark S. Eisen
  April 23, 2026 | Firm Events
- Go West...and Lawyer Up! Recent Trends in Consumer Litigation on the West Coast | Kennedy Dickson, Mark S. Eisen, Andrew J. Jarzyna, Michael D. Meuti
  January 22, 2026 | Firm Events