## UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

PARUS HOLDINGS INC.	)
Plaintiff,	) ) Civil Action No. 6:19-cv-432-ADA
v.	) <b>JURY TRIAL DEMANDED</b>
APPLE INC.,	) JURY I RIAL DEMIANDED
Defendant.	
Defendant.	)
	)

DEFENDANT APPLE INC.'S OPPOSED MOTION TO TRANSFER **FOR FORUM NON CONVENIENS** 

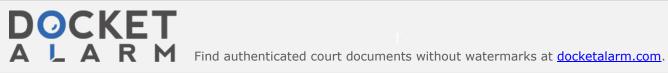


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### I. INTRODUCTION

The Northern District of California ("N.D. Cal.") would be a clearly more convenient forum for this case. Apple employees knowledgeable about the research, development, marketing, and finances of the accused aspects of Siri are centered in Apple's headquarters in N.D. Cal. In its pleadings, Parus Holdings Inc. refers to a few Apple retail stores, but has not identified a single relevant witness or document—of either Apple or Parus—in this District.

Parus has no reason for maintaining this action in this District. Parus is a Delaware corporation headquartered in Illinois with no offices or employees in Texas. In fact, Parus has more connections to N.D. Cal. than this District, as both its Chief Technology Officer and Chief Marketing Officer appear to reside in the San Francisco Bay area.

With respect to third-party witnesses, Apple intends to rely on the Open Agent Architecture system to invalidate the asserted patents, and from its investigation, the individuals knowledgeable about this system are located in N.D. Cal. Apple is not aware of, nor has Parus identified, any third parties located in the Western District of Texas ("W.D. Tex.").

Apple therefore requests transfer of this action to N.D. Cal. under 28 U.S.C. § 1404(a). Counsel for the parties met and conferred in good faith and could not resolve the matter.

### II. BACKGROUND

This Lawsuit and the Asserted Patents. Parus filed this action against Apple on July 22, 2019, (ECF No. 1), and a First Amended Complaint ("FAC") on October 21, 2019 (ECF No. 28). Apple subsequently moved to dismiss on November 5, 2019. (ECF No. 35.) Parus opposed Apple's motion on November 19, 2019. (ECF No. 37.) There have been no other filings or activity in this case. The FAC alleges infringement of U.S. Patent Nos. 7,076,431 and 9,451,084 by Apple products with Siri.

Both asserted patents list the same two named inventors: Alexander Kurganov and



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