

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

PARUS HOLDINGS INC.)

Plaintiff,)

v.)

APPLE INC.,)

Defendant.)

Civil Action No. 6:19-cv-432-ADA

JURY TRIAL DEMANDED

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

TABLE OF CONTENTS

I. INTRODUCTION 1

II. BACKGROUND 1

III. LEGAL STANDARD..... 5

IV. ALL OF THE FACTORS FAVOR TRANSFER..... 6

 A. This Suit Could Have Been Brought in the Northern District of California 6

 B. The Northern District of California Is Clearly the More Convenient Forum 6

 1. The Private Factors Favor Transfer 6

 2. The Public Factors Favor Transfer 10

V. CONCLUSION..... 10

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>ACQIS LLC v. EMC Corp.</i> , 67 F. Supp. 3d 769 (E.D. Tex. 2014).....	7
<i>DataQuill, Ltd. v. Apple Inc.</i> , No. A-13-CA-706-SS, 2014 WL 2722201 (W.D. Tex. June 13, 2014)	6, 9
<i>In re Genentech, Inc.</i> , 566 F.3d 1338 (Fed. Cir. 2009).....	8, 9
<i>Humble Oil & Ref. Co. v. Bell Marine Serv., Inc.</i> , 321 F.2d 53 (5th Cir. 1963)	5
<i>In re Nintendo Co. Ltd.</i> , 589 F.3d 1194 (Fed. Cir. 2009).....	5
<i>Parus v. Amazon.com</i> , No. 6:19-cv-00454-ADA	10
<i>Polaris Innovations Ltd. v. Dell, Inc.</i> , No. SA-16-CV-451-XR, 2016 WL 7077069 (W.D. Tex. Dec. 5, 2016).....	9
<i>In re Toyota Motor Corp.</i> , 747 F.3d 1338 (Fed. Cir. 2014).....	5
<i>In re TS Tech. USA Corp.</i> , 551 F.3d 1315 (Fed. Cir. 2008).....	10
<i>Uniloc USA, Inc. v. Apple Inc.</i> , No. A-18-CV-992-LY, 2019 WL 2035583 (W.D. Tex. Apr. 8, 2019).....	9
<i>Via Vadis, LLC v. Netgear, Inc.</i> , No. A-14-cv-809-LY, 2015 WL 10818675 (W.D. Tex. July 30, 2015).....	9
<i>In re Volkswagen AG</i> , 371 F.3d 201 (5th Cir. 2004)	5
<i>In re Volkswagen of America</i> , 545 F.3d 304 (5th Cir. 2008)	6
<i>Wet Sounds, Inc. v. Audio Formz, LLC</i> , No. A-17-CV-141-LY, 2017 WL 4547916 (W.D. Tex. Oct. 11, 2017).....	6

XY, LLC v. Trans Ova Genetics, LC,
No. W-16-CA-00447-RP, 2017 WL 5505340 (W.D. Tex. Apr. 5, 2017).....6

Statutes

28 U.S.C. § 1404(a)1, 8, 11

Other Authorities

U.S. Patent Nos. 7,076,4311

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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