

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**JAPAN DISPLAY INC. and PANASONIC
LIQUID CRYSTAL DISPLAY CO., LTD.,**

Plaintiffs,

v.

**TIANMA MICROELECTRONICS CO.
LTD.,**

Defendant.

**CIVIL ACTION NO. 2:20-cv-00283-JRG
(LEAD CASE)**

CIVIL ACTION NO. 2:20-cv-00284-JRG

CIVIL ACTION NO. 2:20-cv-00285-JRG

(CONSOLIDATED)

JURY TRIAL DEMANDED

**DEFENDANT'S MOTION TO TRANSFER
TO THE CENTRAL DISTRICT OF CALIFORNIA**



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I. INTRODUCTION

It is an open secret that Plaintiffs purposely avoided naming Tianma America, Inc. (“TMA”) as a defendant so they could keep this dispute away from California, where both Japan Display Inc.’s (“JDI”) U.S. subsidiary and TMA reside. And, up until just a few weeks ago, Plaintiffs had been careful to direct discovery requests *only* to Defendant Tianma Microelectronics Co. Ltd. (“TMC”).

But things finally changed in late April, when Plaintiffs issued a subpoena to TMA. That subpoena seeks *all* documents and information for *all* TMA products, as well as depositions of TMA witnesses. Although TMA is still not a party to this case, Plaintiffs’ latest attempt to drag in witnesses, documents, and other information from TMA makes it much more appropriate for a California court to adjudicate this case. Indeed, less than three months ago, when JDI wanted to get documents from TMA for use in another case, it asked the Central District of California—*not this court*—for assistance.¹

Aside from this being Plaintiffs’ preferred forum, none of the parties has any apparent connection to Texas. With two Japanese companies suing a Chinese company, Plaintiffs could have brought this case anywhere in the U.S. But third-party witnesses, particularly TMA witnesses, are all located in California; and relevant documents, if any, are in California. Defendant TMC therefore respectfully moves the Court to transfer the above-captioned cases to the Central District of California pursuant to 28 U.S.C. § 1404(a). This motion is timely in light of recent developments in this case.

¹ On April 5, 2021, JDI obtained a subpoena from the Central District of California under 28 U.S.C. § 1782, in which seeks information from TMA for use in JDI’s dispute with TMC in China. *See Japan Display Inc. v. Tianma America, Inc.*, No. 2:21-mc-00374-CAS-MAAx (C.D. Cal. Apr. 5, 2021).

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