

**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**



## TABLE OF CONTENTS

I.	INTRODUCTION .....	1
II.	LEGAL STANDARDS .....	2
III.	FACTUAL BACKGROUND.....	3
A.	Plaintiffs JDI and Panasonic, and Third Party JDI America .....	3
B.	Tianma Microelectronics .....	4
C.	Third Party Tianma America and Its U.S.-Based Activities.....	4
D.	Third Party Hitachi America.....	6
IV.	ARGUMENT .....	7
A.	Plaintiffs Could Have Originally Brought Suit Against TMC in the Central District of California .....	7
B.	The Private Factors Weight Heavily in Favor of Transferring This Case .....	7
1.	The first private interest factor favors transfer because significantly more sources of proof reside in the Central District of California than anywhere else in the United States. ....	7
2.	The second private interest factor favors transfer because the Central District of California Court can compel the attendance of relevant third-party witnesses, while the Eastern District of Texas cannot.....	8
3.	The third private interest factor favors transfer because the cost of attending trial in the Central District of California will be lower for most of the willing witnesses.....	9
4.	The fourth private interest factor is neutral because transferring this case to the Central District of California would present no other practical problems.....	10
C.	The Public Factors Further Weigh in Favor of Transferring This Case. ....	11
1.	The Central District of California has a strong local interest in determining a patent dispute between two companies with California subsidiaries. ....	12
2.	The other public factors are neutral. ....	13
V.	CONCLUSION.....	13



**TABLE OF AUTHORITIES**

	<b>Page(s)</b>
<b>Cases</b>	
<i>Alexander v. Daybrook Fisheries, Inc.</i> , No. G-06-505, 2007 U.S. Dist. LEXIS 35048 (S.D. Tex. May 14, 2007).....	8
<i>Blue Spike, LLC v. Juniper Networks Inc.</i> , No. 6:17-CV-16-KNM, 2018 U.S. Dist. LEXIS 239344 (E.D. Tex. Mar. 8, 2018); .....	9
<i>In re Genentech, Inc.</i> , 566 F.3d 1338 (Fed. Cir. 2009).....	9, 10, 13
<i>In re Hoffman La-Roche Inc.</i> , 587 F.3d 1333 (Fed. Cir. 2009).....	12
<i>In re HTC Corp.</i> , 889 F.3d 1349 (Fed. Cir. 2018).....	7
<i>Humble Oil &amp; Ref. Co. v. Bell Marine Serv., Inc.</i> , 321 F.2d 53 (5th Cir. 1963) .....	2
<i>Japan Display Inc. v. Tianma America, Inc.</i> , No. 2:21-mc-00374-CAS-MAAx (C.D. Cal. Apr. 5, 2021) .....	1
<i>Mohamed v. Mazda Motor Corp.</i> , 90 F. Supp. 2d 757 (E.D. Tex. 2000).....	11
<i>Monarch Networking Solutions LLC v. Cisco Sys., Inc.</i> , Case No. 2:20-cv-00015-JRG (E.D. Tex. Jan. 5, 2021) .....	8
<i>In re Nintendo Co., Ltd.</i> , 589 F.3d 1194 (Fed. Cir. 2009).....	2, 13
<i>Rembrandt Vision Techs., L.P. v. Johnson &amp; Johnson Vision Care, Inc.</i> , No. 2:09-cv-200-TJW, 2011 U.S. Dist. LEXIS 78312 (E.D. Tex. July 19, 2011).....	11
<i>Tech. Props. Ltd. v. Canon, Inc.</i> , No. 6:12-cv-202, 2014 WL 12603506 (E.D. Tex. July 15, 2014) .....	9
<i>Trover Grp., Inc. v. Tyco Int’l, Ltd.</i> , No. 2:13-CV-0052-WCB, 2014 U.S. Dist. LEXIS 193369 (E.D. Tex. Apr. 11, 2014) .....	12



*In re Volkswagen AG*,  
371 F.3d 201 (5th Cir. 2004) .....2, 10

*In re Volkswagen of Am., Inc.*,  
545 F.3d 304 (5th Cir. 2008) .....2, 3, 10

*W. Coast Trends, Inc. v. Ogio Int'l, Inc.*,  
No. 6:10-CV-688, 2011 U.S. Dist. LEXIS 124343 (E.D. Tex. Oct. 27, 2011) .....12

**Federal Statutes**

28 U.S.C. § 1404.....8

28 U.S.C. § 1404(a) .....1, 2, 11

28 U.S.C. § 1782.....1

**Rules**

Fed. R. Civ. P. 45(c) .....9



## 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.<sup>1</sup>

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.

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<sup>1</sup> 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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