

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

SCRAMOGE TECHNOLOGY LTD.,

Plaintiffs,

v.

SAMSUNG ELECTRONICS CO., LTD., and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Civil Action No. 6:21-cv-00454-ADA



JURY TRIAL DEMANDED

**DEFENDANTS' OPPOSED MOTION TO TRANSFER TO THE NORTHERN
DISTRICT OF CALIFORNIA UNDER 28 U.S.C. § 1404(a)**

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I. INTRODUCTION

Defendants Samsung Electronics Co., Ltd. (“SEC”) and Samsung Electronics America, Inc. (“SEA”) (collectively, “Samsung”) seek transfer of this action to the Northern District of California (“N.D. Cal.”) under 28 U.S.C. § 1404(a). N.D. Cal. is a clearly more convenient forum for this action.

In this action, an Irish entity asserts patents that it acquired from a Korean company against technology that was designed and engineered in Korea. Plaintiff Scramoge Technology Ltd. (“Scramoge”) does not conduct any business in the United States, much less in the Western District of Texas (“W.D. Tex.”), and does not appear to have any witnesses or documents in this District. Scramoge acquired the Asserted Patents¹ from LG Innotek Co., Ltd., a Korean entity, where Defendant Samsung Electronics Co., Ltd. is also incorporated, and where the accused products and functionality were designed and engineered. In short, there is zero nexus between this action and W.D. Tex., other than Scramoge’s decision to file the complaint in this District.

Further, Scramoge’s allegations mirror its allegations in separate cases against Apple Inc. (“Apple”) and Google LLC (“Google”).² Those companies have now moved to transfer their respective cases to N.D. Cal., and judicial economy weighs strongly in favor of litigating these cases in the same court. Moreover, key third-party witnesses, including the American arm of the original assignee of the Asserted Patents, [REDACTED], and authors and inventors of relevant prior art reside in N.D. Cal. Accordingly, the private and

¹ U.S. Patent Nos. 9,553,476 (“the ’476 Patent”), 9,825,482 (“the ’482 Patent”), 9,997,962 (“the ’962 Patent”), 9,843,215 (“the ’215 Patent”), 10,367,370 (“the ’370 Patent”), and 10,424,941 (“the ’941 Patent”) (collectively, “Asserted Patents”).

² *Scramoge Technology Ltd. v. Apple Inc.*, Case No. 6:21-cv-00579-ADA (W.D. Tex.) (“Apple Action”); *Scramoge Technology Ltd. v. Google LLC*, Case No. 6:21-cv-00616-ADA (W.D. Tex.) (“Google Action”).

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