

TABLE OF CONTENTS

| | <u>Page(s)</u> |
|--|-----------------------|
| I. INTRODUCTION | 1 |
| II. BACKGROUND | 2 |
| A. Plaintiff Quest NetTech Corporation | 2 |
| B. Apple’s Connections to Texas and this Eastern District of Texas | 3 |
| III. ARGUMENT | 4 |
| A. Legal Standard..... | 4 |
| B. The Private Interest Factors Weigh Against Transfer | 6 |
| 1. Relative Ease of Access to Sources of Proof Weighs Against Transfer | 6 |
| 2. Availability of Compulsory Process to Secure the Attendance of Witnesses Does Not Favor Transfer | 8 |
| 3. The Cost of Attendance for Willing Witnesses Weighs Against Transfer | 10 |
| 4. All Other Practical Problems Weigh Against Transfer | 11 |
| C. The Public Interest Factors Weigh Against Transfer | 11 |
| 1. Local Interest Weighs Against Transfer | 12 |
| 2. Court Congestion Weighs Against Transfer..... | 12 |
| 3. Familiarity with the Governing Law and Conflicts of Law | 12 |
| D. NetTech’s Choice of Venue Should Be Given Consideration | 13 |
| IV. CONCLUSION..... | 15 |

TABLE OF AUTHORITIES

| | Page(s) |
|---|----------------|
| Cases | |
| <i>Abatix Corp. v. Capra</i> , No. 2:07-cv-541, 2008 WL 4427285 (E.D. Tex. Sept. 24, 2008)..... | 10 |
| <i>AGIS Software Development LLC v. Apple Inc.</i> , No. 2:17-cv-516-JRG, 2018 WL 2721826 (E.D. Tex. June 6, 2018)..... | 6, 8, 15 |
| <i>AGIS Software Development LLC v. HTC Corp.</i> , No. 2:17-cv-00514-JRG, 2018 WL 4680558 (E.D. Tex. Sept. 28, 2018)..... | 10 |
| <i>Aloft Media, LLC v. Adobe Sys.</i> , No. 6:07-CV-355, 2008 WL 819956 (E.D. Tex. Mar. 25, 2008)..... | <i>passim</i> |
| <i>In re Apple Inc.</i> , 743 F.3d 1377 (Fed. Cir. 2014)..... | 7 |
| <i>In re Apple Inc.</i> , No. 2018-151, Dkt. 20 (Fed. Cir. Oct. 16, 2018)..... | 4, 15 |
| <i>Arielle, Inc. v. Monster Cable Prod., Inc.</i> , No. 206CV382TJW, 2007 WL 951639 (E.D. Tex. Mar. 26, 2007)..... | 8, 9 |
| <i>Core Wireless Licensing, S.A.R.L. v. Apple Inc.</i> , No. 6:12-cv-100-LED-JDL, 2013 WL 682849 (E.D. Tex. Feb. 22, 2013)..... | 5, 7, 14 |
| <i>CXT Sys., Inc. v. Container Store, Inc.</i> , No. 2:18-cv-00173-RWS-RSP, 2019 WL 1506015 (E.D. Tex. Apr. 5, 2019)..... | 5, 6, 12, 13 |
| <i>Frito-Lay N. Am. Inc. v. Medallion Foods, Inc.</i> , 867 F. Supp. 2d 859 (E.D. Tex 2012)..... | 8, 10 |
| <i>Gulf Oil Corp. v. Gilbert</i> , 330 U.S. 501 (1947)..... | 6, 13 |
| <i>Kahn v. Gen. Motors Corp.</i> , 889 F.2d 1078, 1083 (Fed. Cir. 1989)..... | 5 |
| <i>Novelpoint Learning v. Leapfrog Enter.</i> , No. 6:10-cv-229, 2010 WL 5068146 (E.D. Tex. Dec. 6, 2010)..... | 7 |
| <i>Peloton Interactive, Inc. v. Flywheel Sports, Inc.</i> , No. 2:18-cv-00390-RWS-RSP, 2019 WL 2303034 (E.D. Tex. May 30, 2019)..... | 12 |

Seven Networks, LLC v. Google LLC,
No. 2:17-cv-00442-JRG, 2018 WL 4026760 (E.D. Tex. Aug. 15, 2018)6, 8

In re Verizon Business Network Servs. Inc.,
635 F.3d 559 (Fed. Cir. 2011).....15

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

In re Volkswagen of Am., Inc.,
545 F.3d 304 (5th Cir. 2008)5, 6

Statutes

28 U.S.C. § 1404(a)1, 4, 6

Plaintiff, Quest NetTech Corporation (“NetTech” or “Plaintiff”), hereby opposes Defendant Apple Inc.’s (“Apple” or “Defendant”) Motion to Transfer Venue Under 28 U.S.C. § 1404(a) (Dkt. No. 20). This motion should be denied because Apple has failed to show that the Northern District of California is clearly more convenient for party witnesses and non-party witnesses, and Apple has not shown that other relevant factors weigh in favor of transfer.

I. INTRODUCTION

Apple has failed to meet its burden to show that transferring this action to the Northern District of California is “clearly more convenient” for *all* parties and witnesses. Focusing only on its own alleged inconvenience, Apple fails to acknowledge that NetTech is a Texas limited liability company with significant ties to the district, including its principal place of business, and has failed to demonstrate any connection between NetTech and the Northern District of California.

Apple fails to give credence to its own significant ties to this District and its surrounding areas in Texas. For example, Apple houses its largest campus outside of its California headquarters in Austin, Texas. The Austin campus, a 1.1 million square foot facility, hosts more than 6,000 people who have been reported to house Apple’s business operations for the entire Western Hemisphere. Further, a number of employees at the Austin, Texas campus are dedicated to working on Apple Pay technology, which is central to the Accused Devices in this case. Additionally, numerous Apple employees and ex-employees live within 100 miles of the District in and around Plano, TX. *See* Exs. 1-4.¹ These potential witnesses are likely knowledgeable regarding features of the Accused Products. Apple alleges inconvenience, yet it

¹ “Ex. _” refers to exhibits attached to the Declaration of Vincent J. Rubino, III in Support of Plaintiff Quest Nettech Corporation’s Response in Opposition to Apple Inc.’s Motion to Transfer Venue Under 28 U.S.C. § 1404(a) (Dkt. 20)

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