

Maxell, Ltd. v. Apple Inc.: ***Apple's Motion to Transfer***

Case No. 5:19-cv-00036-RWS

September 17, 2019

Grounds For Transfer:

1. Forum-selection clause from NDA
2. Private and public interest factors under *Volkswagen*

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“The Federal Circuit has held that a forum selection clause applies if the **nexus** between the case and the agreement at issue is ‘**non-frivolous.**’ ...

[T]he ‘district court should **ordinarily transfer** the case to the forum specified in that clause unless there are **extraordinary circumstances** unrelated to the convenience of the parties’ that disfavor transfer.”

EVS Codec Techs., LLC v. LG Elecs., Inc.,
No. 2:18-cv-00343-JRG, 2019 WL 2904747, *2 (E.D. Tex. July 5, 2019)

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