

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

**DEMARAY LLC,**

Plaintiff,

v.

**SAMSUNG ELECTRONICS CO., LTD (A  
KOREAN COMPANY), SAMSUNG  
ELECTRONICS AMERICA, INC.,  
SAMSUNG SEMICONDUCTOR, INC.,  
and SAMSUNG AUSTIN  
SEMICONDUCTOR, LLC,**

Defendants.

**Case No. 6:20-cv-00636-ADA**

**JURY TRIAL DEMANDED**

**PUBLIC VERSION**

**DEMARAY LLC'S OPPOSITION TO SAMSUNG'S MOTION TO  
TRANSFER VENUE**

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\* Unless otherwise noted, internal citations and subsequent history are omitted, and emphasis is added.

\* All exhibits are attached to the Declaration of C. Maclain Wells (“Wells”) filed herewith. Also referenced is the Declaration of Brian Marcucci (“Marcucci”) also filed herewith.

## I. INTRODUCTION

This case involves Samsung's configuration and use of semiconductor fabrication chambers [REDACTED], to *manufacture semiconductor chips in this District*, and which Samsung thereafter *markets and sells in high volumes in this District*. Contrary to Samsung's assertions, it has extensive case-related contacts with this District, *including its only two domestic fabs where it has over 3000 employees and makes the semiconductor products made in the infringing manner*. The primary reactor supplier to which Samsung points, Applied Materials ("Applied"), similarly has extensive case-related contacts here— [REDACTED] [REDACTED] [REDACTED]. This District is thus not just a legally proper forum for this action—a fact that Samsung necessarily concedes—but is the most sensible and convenient forum.

An additional reason this case should remain here is that the case has already progressed significantly before this Court, and Samsung has participated extensively in those proceedings. Samsung, for instance, has answered the complaint, submitted a case schedule in which it agreed to *Markman* hearing and trial dates in Waco, participated in discovery hearings, produced core technical documents, commenced the claim construction process, and has demanded and will shortly receive depositions (including about claim construction)—all in this case. In addition, Demaray sued Intel at the same time as Samsung on the same patents (Case No. 6:20-cv-00634-ADA). Like Samsung, Intel has extensive contacts with this district relating to its infringement. Transferring this case, while keeping the Intel case, would be grossly inefficient.

Despite its extensive case-related connections to this District and the considerable progress already made here, Samsung has decided that it would prefer to litigate this matter elsewhere—in particular, in a court facing a serious backlog and that is much slower to get to trial before even considering that it typically stays proceedings in favor of IPRs. To that end,

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