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

JAWBONE INNOVATIONS, LLC,	§	Case No. 6:21-cv-00984-ADA
Plaintiff,	§	**JURY TRIAL DEMANDED**
v.	§	[redacted]
APPLE INC.,	§	
Defendant.	§	

PLAINTIFF JAWBONE INNOVATIONS, LLC'S
RESPONSE IN OPPOSITION TO DEFENDANT APPLE INC.'S MOTION
TO TRANSFER VENUE TO THE NORTHERN DISTRICT OF CALIFORNIA (DKT. 38)

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I. INTRODUCTION

Plaintiff Jawbone Innovations, LLC ("Jawbone" or "Plaintiff") is a Texas company with offices in Waco and Marshall. Jawbone receives audio products at those offices and distributes them to customers in the United States. Defendant Apple Inc. ("Apple" or "Defendant") maintains a substantial presence in this District, including maintaining a 133-acre campus and over 6,200 employees; Apple's investments and activities in this District are "expected to make Apple the largest private employer in Austin." Indeed, Austin employs Apple's second largest population of employees, with large numbers of employees working in engineering, R&D, operations, finance, sales, and customer support. Jawbone's witnesses, including the principal inventor on all of the Asserted Patents, are located closer to this District and would find it more convenient to testify in this Court, and several of the third-party witnesses identified by Apple have submitted that they are willing to travel to this District for trial or are outside the Northern District of California.

Accordingly, Apple has failed to meet its burden to demonstrate that transferring this action to the Northern District of California ("NDCA") is "clearly more convenient" for all parties and witnesses, and its Motion should be denied.

II. BACKGROUND

A. Procedural Background

Jawbone filed its Complaint in this action on September 23, 2021. *See* Dkt. 1. Jawbone also filed three other cases in this District and in the Eastern District of Texas involving the Patents-in-Suit. *See Jawbone Innovations, LLC v. Samsung Elecs. Co.*, No. 2:21-cv-00186-JRG, Dkt. 1 (E.D. Tex. May 27, 2021) ("*Samsung* Case"); *Jawbone Innovations, LLC v. Amazon.com, Inc. and Amazon.com Servs., Inc.*, No. 2:21-cv-00435-JRG, Dkt. 1 (E.D. Tex. Nov. 29, 2021) ("*Amazon* Case"); and *Jawbone Innovations, LLC v. Google LLC*, No. 6:21-cv-00985-ADA, Dkt. 1 (W.D. Tex. Sept. 23, 2021) ("*Google* Case"). Jawbone filed an Amended Complaint on December 23,

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