

Federal Circuit Clears VLSI and Intel Trial

JANUARY 21, 2021

In re: Intel Corporation, 2021-111

The Federal Circuit denied Intel’s mandamus petition seeking to vacate Judge Albright’s order re-transferring the case from the Austin Division back to the Waco Division pursuant to 28 U.S.C. § 1404(a). In a per curiam decision, the Federal Circuit acknowledged the Western District’s compliance with its December 2020 writ of mandamus order. The Western District assessed whether “‘unanticipated post-transfer events frustrated the original purpose for transfer’ of the case from Waco to Austin originally” and “concluded that it did and that re-transfer to Waco was warranted.” The court concluded that “[w]hile we may have evaluated these factors and the parties’ arguments differently, we are unable to say that the district court’s conclusion amounts to a clear abuse of discretion.”

Jury selection is on February 11, 2021 with trial set to begin on February 16, 2021 in Waco.

Read the Federal Circuit’s order [here](#).

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