

Samsung Defendants Lost Motion to Transfer to NDCA in Patent Infringement Case Involving Wireless Charging Technology

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On May 16, 2022, Judge Albright denied Defendants Samsung Electronics Co., Ltd. Inc's ("SEC") and Samsung Electronics America, Inc's ("SEA") (collectively, "Samsung" or "Defendants") Motion to Transfer Venue from the Western District of Texas ("WDTX") to the Northern District of California ("NDCA").

Plaintiff Scramoge Technology Ltd. accused Defendants of patent infringement of U.S. Patent Nos. 9,553,476 ("the '476 Patent"); 9,825,482 ("the '482 Patent"); 9,997,962 ("the '962 Patent"); 9,843,215 ("the '215 Patent"); 10,367,370 ("the '370 Patent"); and 10,424,941 ("the '941 Patent") (collectively, the "Asserted Patents"). These patents allegedly covered aspects of wireless charging technology, and the accused products include Samsung Galaxy models, Samsung Note models, Samsung Fold models, and Samsung Watch models.

Judge Albright concluded that "this is a case where the bulk of the evidence and witnesses are in South Korea and China, not in either contested venue." His detailed analysis is as follows:

PRIVATE INTEREST FACTORS

1. The court found that the first factor, relative ease of access to sources of proof was neutral. Specifically, the court found that the relevant evidence is overseas and not within either contested venue, and therefore the factor was found to be neutral.
2. The court found that the second factor, the availability of compulsory process to secure the attendance of witnesses, was neutral. The court found that the third-party witnesses were not located in either contested venue. Furthermore, the court refused to consider several prior art inventors that Samsung identified because it improperly identified the individuals for the first time on reply, depriving Plaintiff a fair chance to respond. Plaintiff did not argue that it needed to compel any witnesses near the WDTX.
3. The court found that the cost of attendance for willing witnesses disfavored transfer. Notably, the court found that witnesses who must spend a significant amount of time away from home no matter where they testify, did not affect the analysis. Also, Plaintiff identified four witnesses with relevant information who would find travel within Texas to be more convenient. Therefore, this weighed against transfer.

4. The court found that the fourth factor, all other practical problems that make trial easy, expeditious, and inexpensive, disfavored transfer. Judge Albright found that there are co-pending cases involving the same plaintiff and overlapping patents. However, the defendants in the cases also moved to transfer, and therefore the court gave this factor reduced, non-dispositive weight against transfer.

PUBLIC INTEREST FACTORS

1. The court found that the first factor, administrative difficulties flowing from court congestion, disfavored transfer. Despite Federal Circuit admonition, Judge Albright found that this factor disfavored transfer because recent statistics show that the WDTX “consistently reached trials faster than the NDCA, with an approximate time to trial of two years.” However, Judge Albright did note that “[t]he Court weighs this as a single factor that does not outweigh multiple other factors.”
2. Second, as to the local interest in having localized interests decided at home, the court found that this factor was neutral. The court recognized that SEC has a presence in the WDTX and SEA has an office in the NDCA. However, neither office has any particular interest because it is not “the true ‘home’ of the dispute.” Furthermore, Scramoge lacks local interest in either venue. Therefore, this factor was neutral.
3. Both parties agreed that the third factor – the familiarity of the forum with the law that would govern the case – was neutral.
4. Both parties agreed that this fourth factor – avoidance of unnecessary problems of conflict of laws or in the application of foreign law – was neutral.

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