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

IQAR INC. F/K/A INVENTLY AUTOMOTIVE, INC.	§	
	§	Civil Action No. 1:23-cv-00694-DII
Plaintiff,	§	
	§	**JURY TRIAL DEMANDED**
v.	§	
TESLA, INC.,	§	
	§	[redacted]
Defendant.	§	

DEFENDANT TESLA, INC.'S OPPOSED MOTION TO TRANSFER VENUE TO THE NORTHERN DISTRICT OF CALIFORNIA UNDER 28 U.S.C. § 1404(a)

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I. INTRODUCTION

Pursuant to 28 U.S.C. § 1404(a), Tesla respectfully requests that the Court transfer this case to the Northern District of California—a venue clearly more convenient than the Western District of Texas. This case has little to nothing to do with this District. The wealth of relevant witnesses and evidence—from both plaintiff and defendant—is located in the Northern District of California. No witnesses or evidence are located in the Western District of Texas. Although Tesla recently moved its corporate headquarters to Austin, this case has no meaningful connection to the Western District of Texas, as Tesla is not aware of any relevant witnesses or documents located in Texas. To the contrary, the Accused Features were designed and developed in the Northern District of California. All relevant witnesses and documentation are similarly located there. Thus, as set forth below, all the significant convenience factors weigh strongly in favor of transfer to the Northern District of California.

Plaintiff iQar Inc. has no connection to this District because it is a Delaware corporation with a principal place of business in Los Altos, California, in the Northern District of California, and with no known offices in the Western District of Texas. Additionally, the predecessors to iQar, Invently Automotive and Motility Systems, were also located in the Northern District of California and the named inventors of the Asserted Patents are believed to reside there as well.

Transfer should be granted in these circumstances when the "only connection…between this case and the Western District of Texas is that [the defendant] has a general presence in the district. *In re Google LLC*, No. 2021-171, 2021 WL 4592280, at *7 (Fed. Cir. Oct. 6, 2021) ("In fact, there is nothing at all that ties this case to the Western District of Texas: no witnesses reside there; no evidence is present there; and none of the conduct giving rise to this action took place there."). By any measure, the Northern District of California is a clearly more convenient venue, not only for Tesla, but for iQar, and for critical third-party witnesses who reside there.

II. STATEMENT OF FACTS

A. Plaintiff's Allegations

iQar filed suit against Tesla on June 20, 2023, alleging infringement of U.S. Patent Nos. 7,925,426 (the "'426 patent"), 8,972,161 (the "'161 patent"), 10,829,002 (the "'002 patent"), 10,850,616 (the "'616 patent"), and 10,882,399 (the "'399 patent") (collectively, the "Asserted Patents"). Dkt. 1. In its Complaint, iQar accuses Tesla of directly, indirectly, and willfully infringing the Asserted Patents. Dkt. 1, ¶¶ 42-111. Tesla has moved to dismiss iQar's claims of willful and indirect infringement. Dkt. 21.

According to the Complaint, iQar's technology relates to vehicle navigation and the use of "data and various information sources to increase the efficiency of vehicles." *Id.* ¶¶ 17, 18, 23. iQar further alleges the Asserted Patents accomplish this goal by using sensor data and other information to "increase the efficiency and range of electric vehicles by determining the speed at which a vehicle should travel and/or the power that should be applied." *Id.* ¶ 23. The Complaint points to Tesla's vehicles' alleged ability to analyze "the route, the initial battery pack temperature, forecasted wind speed and direction" to "more accurately predict[] energy consumption," "to predict a user's destination when it determines the vehicle lacks sufficient charge for the entire route," and "to collect and analyze sensor information, associate current conditions with route segments, and upload that information to a remote database" as infringing the Asserted Patents (the "Accused Features"). *Id.* ¶ 24.

B. Plaintiff Has Connections to the Northern District of California but None to Texas

Plaintiff is a Delaware corporation with its principal place of business in Los Altos, California, which is in the Northern District of California. Dkt. 1, ¶ 4. The applicant and original assignee of the '161, '002, '616, and '339 patents, Invently Automotive, Inc., is also

located in Los Altos, California. Dkt. 1-2, fields (71), (73); Dkt. 1-3, fields (71), (73); Dkt. 1-4, fields (71), (73); Dkt. 1-5, fields (71), (73). The original assignee of the '426 patent, Motility Systems, is located in Woodside, California, also in the Northern District of California. Dkt. 1-1, field (73). The named inventors of the Asserted Patents are Martin Koebler, Nicole G. Goldstein, Stephen J. Brown, and Jason H. Harper. Dkt. 1-1, field (72) Dkt. 1-2, field (72); Dkt. 1-3, field (72); Dkt. 1-4, field (72); Dkt. 1-5, field (72). Nicole G. Goldstein and Stephen J. Brown are listed as residing in Woodside, California, and Jason H. Harper is listed as residing in Pleasanton, California. *Id*. Both locations are in the Northern District of California. According to Ms. Goldstein's LinkedIn page, she is still located in Redwood City, California, which is in the Northern District of California. Ex. A (Nicole Goldstein LinkedIn page). And while it is unclear whether Mr. Brown still resides in the Northern District of California, he is an officer of iQar Inc. (formerly known as Invently Automotive Inc.), which has a principal place of business in Los Altos, California, in the Northern District of California. Ex. B (Stephen J. Brown LinkedIn Page).

It does not appear that Plaintiff maintains any physical presence in this District or has any other connection to this District outside of the filing of this lawsuit.

C. Tesla's Witnesses and Evidence Are in the Northern District of California or Otherwise Outside of Texas

Tesla was founded in San Carlos, California, in 2003 and opened its first factory in Fremont, California, in 2010. To this day, Tesla's principal place of business and U.S. workforce is concentrated in the San Francisco Bay Area of the Northern District of California, where it employs over 30,000 people. Ex. C ("Fox Decl."), ¶ 2. Although Tesla recently moved its headquarters to Austin, Texas, that location employs substantially fewer people and none of the engineers that designed and developed the Accused Features. *See generally* Fox Decl.

As it relates to iQar's allegations in this case, the teams of engineers with knowledge of the design, development, and functionality of the Accused Features reside in the Northern District of California. *See generally* Fox Decl.; Ex. D ("Berchmans Decl."). As such, Tesla expects that multiple witnesses from its San Francisco Bay Area offices may testify at trial. For example, Tesla has identified the following employees who work in the groups responsible for the Accused Features, all of them residing in the Northern District of California:

- Matthew Fox, Senior Staff Systems Design Architecture Engineer, leads a team of software engineers, some of whom have knowledge of Tesla's navigation systems and specifically "Systems Optimization" (Fox Decl., ¶¶ 1, 4):
    - Charlotte Chapellier is a Senior Systems Optimization and Modeling Engineer. Her work concerns algorithms for route optimization within Trip Planner. She works in Tesla's Palo Alto office and [redacted]. Fox Decl., ¶ 5.
    - Jose Rondon is a Senior Systems Optimization and Modeling Engineer. His work concerns algorithms for route optimization within Trip Planner. He works in Tesla's Palo Alto office and [redacted]. Fox Decl., ¶ 6.
    - Karthik Gopalakrishnan is a Senior Systems Design and Architecture Engineer. His work concerns navigation and energy consumption modeling for Tesla's Trip Planner feature. He works in Tesla's Palo Alto office and [redacted]. Fox Decl., ¶ 7.
    - Tianyou Hu is a Roadtrip Planner Development Engineer. His work concerns engineering for routing, navigation, and maps in Tesla's Roadtrip Planner feature. He works in Tesla's Palo Alto office and [redacted]. Fox Decl., ¶ 8.
    - Alejandro Fernandez Canosa is a Staff Systems Optimization and Modeling Engineer. His work concerns navigation and energy consumption modeling for Tesla's Trip Planner feature. He works remotely from [redacted]. However, Mr. Canosa lived in [redacted] for many years and returns to the San Francisco Bay Area to work in Tesla's Palo Alto office one month out of every six months. Fox Decl., ¶ 9.
- Fredrick Prashanth John Berchmans, Staff Software Engineer, works with a team of software engineers, some of whom have knowledge of Tesla's navigation system and specifically "Routing and Guidance" (Berchmans Decl., ¶¶ 1-4):

- Aleksei Potov is a Senior Staff Software Engineer. His work concerns telemetry analysis, route optimization, and map improvements. He works in Tesla's Palo Alto office, which is located in the San Francisco Bay Area and [redacted]. Berchmans Decl., ¶ 5.

- Chujia Liu is a Staff Software Engineer. His work concerns navigation performance. He works in Tesla's Palo Alto office and [redacted] Berchmans Decl., ¶ 6.

- Erich Shan is a Software Engineer. His work concerns software development for maps and navigation. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 7.

- Evan Small is a Principal Software Engineer. His work concerns the software that provides the user interface in Tesla's vehicles. He works in Tesla's Palo Alto office and [redacted]. Pranay Shah, a direct report of Evan Small's, may also have information regarding the accused features. Pranay is a Senior Software Engineer. His work concerns destination prediction in Tesla's Navigation system. He works in Tesla's Palo Alto office and [redacted] Berchmans Decl., ¶ 8.

- Feng Wan is a Staff Software Engineer. His work concerns software engineering for routing, navigation, and maps. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 9.

- Qijun Chen is a Staff Software Engineer. His work concerns software development for navigation services and predictive destination features, including for Autopilot. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 10.

- Ken Tang is a Staff Software Engineer. His work concerns software engineering for maps and navigation. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 11.

- Peng Zhou is a Software Engineer. His work concerns maps and navigation features used for Autopilot. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 12.

- Rupsha Chaudhuri is a Staff Software Engineer. Her work concerns maps and automations. She works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 13.

- Supratik Maitra is a Senior Staff Software Engineer. His work concerns Tesla's Trip Planner feature. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 14.

- Weiji "Victor" Li is a Software Engineer. His work concerns maps and navigation. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 15.

- Zuf Wang is a Staff Engineering Program Manager. His work concerns project management for the Routing and Guidance team. He works in Tesla's Palo Alto office and [redacted]. Berchmans Decl., ¶ 16.

Tesla is not aware of any relevant employees that are located in this District. Fox Decl., ¶ 10; Berchmans Decl., ¶ 17.

The servers that Tesla engineers access to store technical documents, engineering documents, and other documents and data related to the Accused Features are physically located at [redacted]. Fox Decl., ¶ 11; Berchmans Decl., ¶ 18. Other documents relevant to the development and/or design of the Accused Features are created and maintained by Tesla's engineers in [redacted] Fox Decl., ¶ 11; Berchmans Decl., ¶ 18. These documents are either physically present in, or electronically accessible from, [redacted] Fox Decl., ¶ 11; Berchmans Decl., ¶ 18. None of Tesla's relevant documents are located in this District. Fox Decl., ¶ 11; Berchmans Decl., ¶ 18.

III. LEGAL STANDARD

"For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought." 28 U.S.C. § 1404(a). In analyzing a motion to transfer under § 1404(a), the law of the regional circuit applies. *In re Samsung Elecs. Co.*, 2 F.4th 1371, 1375 (Fed. Cir. 2021); *In re Apple Inc.*, 979 F.3d 1332, 1336 (Fed. Cir. 2020). First, the movant must show that the claims "might have been brought" in the proposed transferee district. *In re Volkswagen of Am., Inc.*, 545 F.3d 304, 312-13 (5th Cir. 2008) ("*Volkswagen II*"). Second, the movant must show that the "transferee venue is clearly more convenient" than the case where the case was originally filed. *Id*. at 315.

In evaluating convenience, courts weigh both private and public interest factors. *In re Volkswagen AG*, 371 F.3d 201, 203 (5th Cir. 2004) ("*Volkswagen I*"). The private factors include: "(1) the relative ease of access to sources of proof; (2) the availability of compulsory process to secure the attendance of witnesses; (3) the cost of attendance for willing witnesses; and (4) all other practical problems that make trial of a case easy, expeditious and inexpensive." *Id*. The public interest factors include: "(1) the administrative difficulties flowing from court congestion; (2) the local interest in having localized interests decided at home; (3) the familiarity of the forum with the law that will govern the case; and (4) the avoidance of unnecessary problems of conflict of laws of the application of foreign law." *Id*.

Where most witnesses and evidence are closer to the transferee venue with few or no convenience factors favoring the plaintiff's chosen venue, the case should be transferred. *See, e.g.*, *In re Apple Inc.*, No. 2021-181, 2021 WL 5291804, at *5 (Fed. Cir. Nov. 15, 2021) (ordering the district court to transfer case because the "center of gravity of [the] action is clearly in the transferee district, not in the Western District of Texas); *see also In re Nintendo Co.*, 589 F.3d 1194, 1198 (Fed. Cir. 2009); *In re Juniper Networks, Inc.*, 14 F.4th 1313, 1321, (Fed. Cir. 2021); *In re Samsung Elecs. Co.*, 2 F.4th 1371, 1379 (Fed. Cir. 2021); *In re Apple Inc.*, 979 F.3d 1332, 1342 (Fed. Cir. 2020); *In re Microsoft Corp.*, No. 2023-128, 2023 WL 3861078, at *2 (Fed. Cir. June 7, 2023).

IV. The Northern District of California Is Clearly the More Convenient Venue

Plaintiff could have brought this case in the Northern District of California. Not only does Plaintiff reside in the Northern District, but Tesla's principal place of business is also there. As outlined in the attached Declarations, the Northern District of California is where the Accused Features were designed and developed. The Northern District of California is not only an appropriate forum but a clearly more convenient one.

A. The Private Interest Factors Favor Transfer

The private interest factors strongly favor transfer because the overwhelming majority of the party, and critically, third-party witnesses and evidence in this case is located in, or is more easily accessible from, the Northern District of California.

1. The Most Important Factor—Convenience of Witnesses—Strongly Favors Transfer

The convenience of the witnesses is the most important factor in the transfer analysis. *Super Interconnect Techs. v. Google LLC*, No. 6:21-CV-00259-ADA, 2021 WL 6015465, at *3 (W.D. Tex. Nov. 5, 2021). Here, where the potentially relevant witnesses are primarily located in the Northern District of California, the convenience of witnesses strongly favors transfer.

Tesla has identified 18 employees who work on the teams responsible for implementing the Accused Features who work out of Tesla's Palo Alto office and reside in the Northern District. *See generally* Fox Decl.; Berchmans Decl. Two others (Matthew Fox and Alejandro Canosa) live outside of the Northern District of California, but travel back to Palo Alto periodically for work. Fox Decl., ¶¶ 1, 9. Both the engineering teams for the relevant software associated with Tesla's Accused Features reside in the Northern District of California. *See generally* Fox Decl; Berchmans Decl. They, along with their team members, are the best sources of knowledge concerning the design and Development of the Accused Features and should be accounted for in the convenience analysis. *See In re Google LLC*, No. 2021-170, 2021 WL 4427899, at *4 (Fed. Cir. Sept. 17, 2021) ("We have rejected the district court's reliance on the fact that a party's ability to compel the testimony of its employees supports assigning little or no weight to the convenience and cost of those witnesses."). In contrast, Tesla is not aware of any witnesses knowledgeable about the design and development of the Accused Features who are based in this District. Fox Decl., ¶ 10; Berchmans Decl., ¶ 17.

The Northern District of California also appears to be more convenient for Plaintiff. Plaintiff is a patent assertion entity incorporated in Delaware and headquartered in Los Altos, California, in the Northern District of California. Dkt. 1, ¶ 4. iQar's predecessor and the original assignee of four of the five asserted patents, Invently Automotive, Inc., was located in Los Altos, California. Dkt. 1-2, fields (71), (73); Dkt. 1-3, fields (71), (73); Dkt. 1-4, fields (71), (73); Dkt. 1-5, fields (71), (73). The original assignee of the '426 patent, Motility Systems, is located in Woodside, California, which is in the Northern District of California. Dkt. 1-1, field (73). Three of the four named inventors were also located in the Northern District of California at the time the Asserted Patents were filed, between 2005 and 2019, and at least two still appear to still be located there. Dkt. 1-1, fields (72), (22); Dkt. 1-2, fields (72), (22); Dkt. 1-3, fields (72), (22); Dkt. 1-4, fields (72), (22); Dkt. 1-5, fields (72), (22); Ex. A; Ex. B. Tesla expects that one or more employees of iQar or its predecessor, former or current employees of Motility Systems, and the named inventors may serve as witnesses in this trial, and the Northern District of California would be a more convenient forum for those witnesses.

In contrast, litigating in this District would pose significant cost and inconvenience for any Tesla employee (or other witness located in the Northern District of California) who would have to travel to a distant court. *In re Google LLC*, No. 2021-170, 2021 WL 4427899, at *4 (Fed. Cir. Sept. 27, 2021) ("[T]he inquiry should focus on the cost and inconvenience imposed on the witnesses by requiring them to travel to a distant forum and to be away from their homes and work for an extended period of time."). Transfer would avoid this unnecessary disruption of being away from work and home, and would not result in any additional inconvenience to Plaintiff. To the contrary, the Northern District of California would similarly preclude any unnecessary disruption for Plaintiff's witnesses. The convenience of the witnesses strongly

favors transfer. *See id*. ("Our cases have emphasized that when there are numerous witnesses in the transferee venue and the only other witnesses are far outside the plaintiff's chosen forum, the witness-convenience factor favors transfer."). This factor weighs heavily in favor of transfer.

2. Availability of Compulsory Process Favors Transfer

The second private interest factor looks to "the availability of compulsory process to secure the attendance of witnesses." *Volkswagen I*, 371 F.3d at 203. This factor "weigh[s] heavily in favor of transfer when more third-party witnesses reside within the transferee venue than reside in the transferor venue." *In re Apple Inc.*, 581 F. App'x 886, 889 (Fed. Cir. 2014) (nonprecedential). When there is "nothing on the other side of the ledger, the factor strongly favors transfer." *In re Samsung Elecs. Co., Ltd.*, 2 F.4th 1371, 1379 (Fed. Cir. 2021). Here, where all likely third-party witnesses are located in the transferee venue, and none reside in the transferor venue, this factor strongly favors transfer.

"The Federal Circuit has held that, under Fifth Circuit law, 'when there is no indication that a non-party witness is willing, the witness is presumed to be unwilling and considered under the compulsory process factor.'" *Lynk Labs, Inc. v. Home Depot USA, Inc.*, No. 6:21-CV-00097-ADA, 2022 WL 1593366, at *5 (W.D. Tex. May 19, 2022) (quoting *In re HP Inc.*, No. 2018-149, 2018 WL 4692486, at *3 n.1 (Fed. Cir. Sept. 25, 2018)). Former employees fall into the category of "unwilling witnesses." *Id*. at *6 ("[G]iven her status as a former employee, the Court will treat Ms. Kramer as an unwilling witness whose testimony the NDGA, but not this District, can compel.").

Here, to the extent there are any potential witnesses still located in the Northern District of California who are former employees of iQar, Invently Automotive, or Motility Systems, they are unwilling witnesses located within the Northern District's subpoena power that cannot be compelled to testify by this District. Likewise, if the named inventors are no longer employed by

iQar but still reside in the Northern District of California, they are also unwilling witnesses located within the Northern District's subpoena power. In particular, Ms. Goldstein (a named inventor and former Motility System employee) no longer appears to be employed by iQar but resides in the Northern District of California. Ex. A. This factor weighs heavily in favor of transfer.

3. Relative Ease of Access to Sources of Proof

"In patent infringement cases, the bulk of the relevant evidence usually comes from the accused infringer. Consequently, the place where the defendant's documents are kept weighs in favor of transfer to that location." *In re Apple Inc.*, 979 F.3d 1332, 1340 (Fed. Cir. 2020) (finding the District Court "erred by failing to meaningfully consider the wealth of important information in NDCA," including Defendant's relevant source code). "The Fifth Circuit has explained that while electronic storage of documents makes them more widely accessible than was true in the past, the fact that documents can often be accessed remotely does not render the sources-of-proof factor irrelevant." *In re Google LLC*, No. 2021-171, 2021 WL 4592280, at *7 (Fed. Cir. Oct. 6, 2021).

Here, Tesla's relevant documents are located in the Northern District of California. The servers that Tesla engineers access to store technical documents, engineering documents, and other documents and data related to the Accused Features are physically located at [redacted] Fox Decl., ¶ 11; Berchmans Decl., ¶ 24. As are other documents relevant to the design and development of the steering system that are created and maintained by Tesla's engineers in Palo Alto. *Id*. These documents are either physically present in or electronically accessible from [redacted]. *Id*. Furthermore, because Plaintiff, its predecessors, and at least one of the named inventors are located in the Northern District of California, any documents or sources of evidence the Plaintiff may possess are likely located in the Northern

District of California. *See supra*, § II.B. Because both parties' sources of proof are in the Northern District of California, and there is no known evidence from Plaintiff or third parties in this District, this factor weighs in favor of transfer.

4. All Other Practical Problems Are Neutral

This factor is neutral. No practical problems are presented that would weigh against transferring to the Northern District of California because this case is in its early stages. Tesla moved expeditiously to gather relevant facts and move to transfer, even in advance of a judge being assigned and a case schedule being entered.

B. The Public Interest Factors Favor Transfer

1. Local Interest Favors Transfer

This factor considers "the local interest in having localized interests decided at home." *Volkswagen I*, 371 F.3d at 203. It "strongly" favors transfer where there are "significant connections between a particular venue and *the events that gave rise to a suit.*" *In re Apple Inc.*, No. 2021-181, 2021 WL 5291804, at *5 (Fed. Cir. Nov. 15, 2021) (emphasis original; internal citation and quotations omitted). "As the Federal Circuit has instructed, the focus is on where the events forming the basis for infringement occurred, and not the parties' generalized connections to the forum." *OpenText Corp. v. Alfresco Software, Ltd.*, No. 6:20-CV-00928-ADA, 2021 WL 5316410, at *7 (W.D. Tex. Oct. 21, 2021) (citing *In re Juniper Networks, Inc.*, 14 F.4th 1313, 1320 (Fed. Cir. 2021)). "The most relevant considerations are therefore where the design, development, and sale of the accused products occurred." *HD Silicon Sols. LLC v. Microchip Tech. Inc.*, No. 6:20-CV-01092-ADA, 2021 WL 4953884, at *6 (W.D. Tex. Oct. 25, 2021).

The Accused Features were designed and developed in Tesla's Palo Alto office, which still houses the responsible engineering teams to this day. *See supra* § II. C. The Northern

District of California not only has a stronger local interest because the events forming the basis for infringement all occurred there, but it also has an interest in protecting the work and reputation of the Tesla engineers who developed the Accused Features. *See Super Interconnect Techs. v. Google LLC*, No. 6:21-CV-00259-ADA, 2021 WL 6015465, at *10 (W.D. Tex. Nov. 8, 2021) ("The NDCA would certainly have an interest in this case because the cause of action 'calls into question the work and reputation of several individuals residing in or near that district.'") (quoting *In re Hoffmann-La Roche Inc.*, 587 F.3d 1333, 1336 (Fed. Cir. 2009)).

In contrast, this District has no interest in this action. Plaintiff has no apparent connection to Texas and thus has no "local interest" associated with this District. To the contrary, Plaintiff is headquartered in the Northern District of California, its members appear to reside there, and the named inventors of the Asserted Patents appear to reside there. *See supra* II. B. As such, even from Plaintiff's perspective, the Northern District of California has more relation to and interest in this case. This factor strongly favors transfer.

2. The Remaining Public Interest Factors Are Neutral

The public interest factor weighing administrative difficulties flowing from court congestion is neutral. The Federal Circuit has observed that this factor is neutral between the Northern District of California and this District, "considering the close similarity of cases per judgeship and average time to trial of the two forums." *In re Hulu, LLC*, No. 2021-142, 2021 WL 3278194, at *5 (Fed. Cir. Aug. 2, 2011). Additionally, "the prospective speed with which [a] case might be brought to trial" is not "of particular significance" where the plaintiff "does not practice the patent and therefore…is not in need of a quick resolution of [a] case because its position in the market is threatened." *In re WMS Gaming Inc.*, 564 F. App'x 579, 581 (Fed. Cir. 2014) (nonprecedential); *see also In re Juniper*, 14 F. 4th at 1322. Moreover, this factor should be afforded less weight because it "is considered to be the 'most speculative'" factor in the

transfer analysis. *Super Interconnect*, 2021 WL 6015465, at *9 (citing *In re Genentech*, 566 F.3d at 1347).

The final two factors, familiarity with the law and avoidance of problems of conflicts of law or application of foreign law, are neutral. Both forums are familiar with patent law, and there is no prospect for any conflict of law. *See id.*

V. CONCLUSION

For the reasons set forth above, Tesla respectfully requests that the Court transfer this case to the Northern District of California because it is clearly a more convenient forum.

Date: October 31, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served to all counsel of record who are deemed to have consented to electronic service via email on October 31, 2023

/s/ Aamir A. Kazi
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