ABSTRACT: Does Venue Transfer Affect Outcome in Patent Litigation? Chester S. Chuang Golden Gate University School of Law WIPIP 2012, Univ. Houston Law Center

Forum shopping is widespread in patent litigation because there are clear differences in outcomes among the various federal districts. Parties that are sued in a particularly disadvantageous forum often file a motion to transfer to a more convenient forum. But what happens to those cases once they are transferred? Alternately, what happens to those cases where transfer is denied? This Article tracks patent infringement cases where a motion to transfer was granted and compares them to cases where a motion to transfer was denied to see if these events affected outcome. The goal of this Article is to present new data about forum shopping by patent litigants to give a richer context to the debate over forum shopping in general and serve as a basis for further investigation into its effects on judicial norms and efficiency.