

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNIVERSAL SECURE REGISTRY, )  
LLC, )  
 )  
Plaintiff, )  
 )  
v. ) Civ. No. 17-585-CFC-SRF  
 )  
APPLE INC., VISA INC. and )  
VISA U.S.A., INC., )  
 )  
Defendants. )

**ORDER**

At Wilmington this Twenty-fifth day of June in 2020:

WHEREAS, Defendants moved to transfer this action to the Northern District of California (D.1. 21);

WHEREAS, in a Report and Recommendation (D.I. 137) issued pursuant to 28 U.S.C. § 636(b), the Magistrate Judge recommended that the Court deny Defendants' motion to transfer;

WHEREAS, Defendants filed objections to that recommendation (D.I. 147);

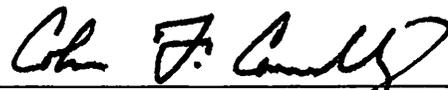
WHEREAS, a motion to transfer is not a dispositive motion for purposes of § 636(b)(1) and is reviewed under the deferential "clearly erroneous or contrary to law" standard set forth in § 636(b)(1)(A), *Agincourt*

*Gaming LLC v. Zynga Inc.*, No. CV 11-720-RGA, 2013 WL 3936508, at \*2 (D. Del. July 29, 2013); and

WHEREAS, the Court has reviewed the Report and Recommendation and Defendants' objections and concurs with the Magistrate Judge's determination that, considered in their totality, the factors set forth in *Jumara v. State Farm, Ins. Co.*, 55 F.3d 873 (3d Cir. 1995), weigh against transfer;<sup>1</sup>

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The Magistrate Judge's recommendation that the Court deny the transfer motion is ADOPTED;
2. Defendants' objections to the Magistrate Judge's recommendation that the Court deny the transfer motion are OVERRULED; and
3. Defendants' motion to transfer (D.I. 21) is DENIED.

  
United States District Judge

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<sup>1</sup> The Court notes that Plaintiff's forum choice should have been given "paramount consideration" and, therefore, that its choice of venue weighed strongly, as opposed to slightly, against transfer. *See Realtime Data LLC v. Egnyte, Inc.*, 2018 WL 5724040 (D. Del. Nov. 1, 2018); *VLSI Tech LLC v. Intel Corp.*, 2018 WL 5342650 (D. Del. Oct 29, 2018).