

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOVATEC, INC. : CIVIL ACTION
 :
 v. :
 :
 THE CONAIR GROUP, INC. : NO. 09-cv-02887-JF

MEMORANDUM

Fullam, Sr. J.

February 1, 2010

The defendant, Conair Group, has renewed its motion to dismiss or transfer this patent-infringement case, asserting that it should either be dismissed or transferred to the Western District of Pennsylvania. Plaintiff opposes the motion.

Plaintiff is centered in the Baltimore, Maryland area. The defendant is centered in Pittsburgh, Pennsylvania. Both parties do business in this District. The materials submitted in support of and in opposition to the defendant's motion make clear that either this District or the Western District of Pennsylvania would have been an appropriate venue for this case, and that neither of the two Districts is obviously preferable to the other. That being so, I see no reason to disturb plaintiff's choice of venue. The defendant's motion will therefore be denied.

An Order follows.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.

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ORDER

AND NOW, this 1st day of February 2010, IT IS ORDERED:

That the defendant's renewed motion to dismiss or, in
the alternative, to transfer is DENIED.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.