Apple closes two Dallas stores in apparent bid to ward off patent trolls



Enlarge / Apple's new store will be at the Galleria Dallas. In addition to being a beautiful mall, it's also outside the reach of the notoriously patent-friendly Eastern District of Texas.

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Apple is closing two Apple stores in the northern suburbs of Dallas in an apparent bid to ward off litigation from patent trolls. The stores are in the Eastern District of Texas, a federal court jurisdiction notorious for its friendliness to

patent holders. As Joe Rossignol at MacRumors points out, closing the two stores will make it easier for Apple to resist being dragged into Eastern District courtrooms in patent cases.

Apple confirmed the closings in a statement to TechCrunch, though the company didn’t say whether the move was patent-related.

The Eastern District wraps around to the North of Dallas, covering Dallas suburbs like Plano and Frisco. Apple currently operates two stores north of Dallas that fall into the Eastern District: Apple Willow Bend and Apple Stonebriar.

On Friday, April 12, Apple is planning to close both of these stores. The next day, Apple will open a new store in the Dallas Galleria, which is conveniently located just across the border in the Northern District of Texas. In this map, I’ve marked the closing stores in blue and the new Galleria location in green:



The move follows a landmark 2017 Supreme Court ruling that tightened up rules against forum shopping in patent cases. The Eastern District is known for its extremely patent-friendly judges, and so for decades patent plaintiffs have set up shop there and sued defendants located all over the country. Prior to 2017, the law allowed a plaintiff based in the Eastern District of Texas to sue defendants there if defendants had even tenuous connections to the district. And, of course, a company of Apple's size has business ties to every part of the country.

But under the Supreme Court's 2017 *TC Heartland* decision, a defendant can only be sued in a district where it

“resides”—meaning where it was incorporated—or “has a regular and established place of business.”

Apple’s two stores in the Eastern District would likely count as “regular and established places of business” for patent-law purposes. So under the new rules, continuing to operate the stores makes it easier for patent plaintiffs to sue Apple in the Eastern District. Luckily for Apple, these stores are pretty close to the border of the Eastern District. And so Apple has apparently decided it’s worth asking the company’s North Dallas customers to drive a little farther to get their iPhones repaired.

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