



1 James R. Batchelder (CSB # 136347)  
Andrew T. Radsch (CSB # 303665)  
2 **ROPES & GRAY LLP**  
1900 University Avenue, 6th Floor  
3 East Palo Alto, CA 94303-2284  
Telephone: (650) 617-4000  
4 james.batchelder@ropesgray.com  
andrew.radsch@ropesgray.com

5 Additional counsel on signature page

6 *Attorneys for Plaintiff and Counterclaim Defendant*  
7 **YANGTZE MEMORY TECHNOLOGIES COMPANY, LTD.**  
*and Counterclaim Defendant*  
8 **YANGTZE MEMORY TECHNOLOGIES, INC.**

9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

11 YANGTZE MEMORY TECHNOLOGIES  
12 COMPANY, LTD.,

13 Plaintiff,

14 v.

15 MICRON TECHNOLOGY, INC., and  
16 MICRON CONSUMER PRODUCTS  
GROUP, LLC,

17 Defendants.

18 MICRON TECHNOLOGY, INC.,

19 Counterclaim Plaintiff,

20 v.

21 YANGTZE MEMORY TECHNOLOGIES  
22 COMPANY, LTD., and YANGTZE  
MEMORY TECHNOLOGIES, INC.,

23 Counterclaim Defendants.

Case No. 3:23-cv-05792-RFL

**YMTC’S STATEMENT OF NON-OPPOSITION TO  
MTI’S UNOPPOSED MOTION TO MODIFY THE  
CASE SCHEDULE TO PERMIT MTI TO  
REASSERT COUNTERCLAIMS**

Date: March 4, 2025  
Time: 10:00 a.m. PT  
Judge: Hon. Rita F. Lin  
Courtroom: 15, 18th Floor



1 On January 29, 2025, Micron filed its Unopposed Motion to Modify the Case Schedule to Permit  
2 MTI to Reassert Counterclaims. Dkts. 212-1 (sealed), 213 (redacted). Although YMTC does not oppose  
3 the relief sought in Micron’s Motion, YMTC is compelled to respond because Micron’s Motion is fraught  
4 with misstatements of the record. YMTC therefore submits this statement to correct these  
5 mischaracterizations.

6 **First**, Micron’s assertions that YMTC made “misstatements about [its] infringing activity” is false.  
7 *Contra* Dkt. 212-1, at 2, 8. As Micron notes, YMTC stated that YMTC does not “sell[] the accused 3D  
8 NAND products in the U.S.,” and does not “undertak[e] U.S.-based commercial activity”—both of which  
9 are true. Dkt. 212-1, at 3 (quoting Dkt. 53 (YMTC’s Reply ISO Motion to Dismiss Counterclaims), at 1,  
10 2). What Micron now points to are a handful of non-revenue generating alleged importations of accused  
11 products into the United States—something which does not plausibly result in harm to Micron. *Cf.* Dkt.  
12 212-1, at 3-4 (identifying only alleged importation—but no sales). Further, the Court’s finding that  
13 **Micron’s** factual allegations “do not provide a sufficient basis for the Court to plausibly infer that [YMTC]  
14 was selling, offering to sell, importing, or using” accused products reflects deficiencies in Micron’s  
15 pleading, not misstatements by YMTC.

16 **Second**, Micron’s assertions that YMTC made an “incomplete Patent L.R. 3-4(d) production” or  
17 incomplete production of “sales and importation” information (Dkt. 212-1, at 2, 5, 8) are also false. Patent  
18 L.R. 3-4(d) obligates YMTC to produce “[d]ocuments sufficient to show the *sales, revenue, cost, and*  
19 *profits* for accused instrumentalities identified pursuant to Patent L.R. 3-1(b) for any period of alleged  
20 infringement.” Patent L.R. 3-4(d) (emphasis added). YMTC made a complete production of that  
21 information. Micron does not dispute that YMTC produced documentation of its sales in response to this  
22 Rule, including a spreadsheet identifying all responsive YMTC sales. *See* Dkt. 212-1 (citing YMTC-  
23 MICRON\_0009683). YMTC’s production of documents showed YMTC’s “sales, revenue, cost, and  
24 profits” of YMTC’s accused products during the period of alleged infringement. Indeed, Micron has not  
25 identified any alleged importation that needed to be disclosed under Patent L.R. 3-4(d), nor did Micron  
26 produce evidence of its own non-sales importations in its Patent L.R. 3-4(d) disclosures. The documents  
27 and information YMTC produced after its Patent L.R. 3-4(d) disclosures that Micron identifies in its  
28 Motion show only **non-revenue-generating** shipments to the United States for, e.g., a mere [redacted] units

1 between [REDACTED] and the [REDACTED] for testing and  
2 compliance checking, and are not subject to YMTC’s disclosure requirements under the Local Rules. *See*,  
3 *e.g.*, Dkt. 212-1, at 5-6. As to Micron’s discovery requests relating to importation, the parties primarily  
4 disputed the relevance and proportionality of Micron’s requests for *non-U.S.* sales information, resulting  
5 in the Court denying Micron’s motion to compel several of these requests, and granting others only in  
6 part. *See* Dkt. 163. YMTC’s subsequent compliance with the Court’s order is not “belated” discovery  
7 and does not reflect that its compliance with the Local Rules was “incomplete.” *Contra* Dkt. 212-1, at 5.

8 **Third**, YMTC did not “withhold” any discovery or make any “belated” production. *Contra* Dkt.  
9 212-1, at 2-3, 5. YMTC never resisted or delayed discovery into U.S.-related sales transactions or other  
10 alleged U.S.-based activities. *See* Dkt. 147, at 3 (“YMTC is not withholding discovery about its alleged  
11 infringing activities in the United States. It has produced responsive information; continues to search for  
12 additional responsive information; and informed Micron it will be supplementing its interrogatory  
13 responses by October 11.”).

14 Notwithstanding the foregoing, YMTC does not oppose Micron’s motion and modify the case  
15 schedule to permit Micron to file its Second Amended Counterclaims.<sup>1</sup>

16 Dated: February 6, 2025

17 Respectfully submitted,

18 /s/ Andrew T. Radsch

19 James R. Batchelder (CSB # 136347)  
20 Andrew T. Radsch (CSB # 303665)  
21 Daniel W. Richards (CSB #280595)  
22 James F. Mack (CSB # 322056)  
23 Nancy N. Attalla (CSB # 341070)  
24 **ROPES & GRAY LLP**  
25 1900 University Avenue, 6th Floor  
26 East Palo Alto, CA 94303-2284  
27 Telephone: (650) 617-4000  
james.batchelder@ropesgray.com  
andrew.radsch@ropesgray.com  
daniel.richards@ropesgray.com  
james.mack@ropesgray.com

28 <sup>1</sup> YMTC reserves all rights, including to oppose any future motions by Micron to modify the case schedule,  
or amend its counterclaims.



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nancy.attalla@ropesgray.com

Rachael Bacha (NYB # 4817938)  
1211 Avenue of the America  
New York, NY 10036  
Telephone: (212) 596-9062  
rachael.bacha@ropesgray.com

Nicole S. L. Pobre (DCB # 1735421)  
2099 Pennsylvania Avenue,  
N.W. Washington, D.C. 20006  
Telephone: (202) 508-4600  
nicole.pobre@ropesgray.com

Kevin C. Wheeler (CSB # 261177)  
**LATHAM & WATKINS LLP**  
555 11th Street NW, Suite 1000  
Washington DC 20004-1327  
T: (202) 637-2200  
kevin.wheeler@lw.com

Clement Naples (*Pro Hac Vice*)  
1271 Avenue of the Americas  
New York, NY 10020  
T: (212) 906-1200  
clement.naples@lw.com

Brenda L. Danek (*Pro Hac Vice*)  
330 North Wabash Avenue, Suite 2800  
Chicago, IL 60611  
T: (312) 876-7700  
brenda.danek@lw.com

Thomas W. Yeh (CSB #287118)  
355 South Grand Avenue, Suite 100  
Los Angeles, CA 90071  
T: (213) 485-1234  
thomas.yeh@lw.com

Brett M. Sandford (CSB # 302072)  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111  
T: (415) 391-0600  
brett.sandford@lw.com

*Attorneys for Plaintiff and Counterclaim  
Defendant Yangtze Memory Technologies  
Company, Ltd., and Counterclaim  
Defendant Yangtze Memory Technologies,  
Inc.*



**CERTIFICATE OF SERVICE**

I hereby certify that on February 6, 2025, I caused the foregoing document and all attachments thereto to be served via the Court’s ECF system upon all counsel of record per Civil L.R. 5-1(h).

DATED: February 6, 2025

/s/ Andrew T. Radsch  
Andrew T. Radsch

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