

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner

v.

NETLIST, INC.,
Patent Owner

Case IPR2026-00017
U.S. Patent No. 9,824,035

PATENT OWNER NETLIST, INC.’S MANDATORY NOTICES

Mail Stop “PATENT BOARD”
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Patent Owner Netlist, Inc. (“Patent Owner”) hereby files these mandatory notices pursuant to 37 C.F.R. § 42.8(a)(2).

I. REAL PARTY-IN-INTEREST

The Patent Owner and real party-in-interest is Netlist, Inc.

II. RELATED MATTERS

U.S. Patent No. 9,824,035 (“the ’035 patent”) was previously subject to *inter partes* review in proceeding no. IPR2022-00236, which was filed by Micron Technology, Inc., et al. In that proceeding, the Board ultimately invalidated claims 1, 10-13, 21, and 22 of the ’035 patent. The Board found that claims 2 and 6 of the ’035 patent had not been shown to be unpatentable.

The ’035 patent claims the benefit of U.S. Patent Nos. 9,563,587 and 9,128,632. U.S. Patent Nos. 10,860,506; 10,268,608 (“the ’608 patent”); and 11,762,788, and pending U.S. Patent Application No. 18/452,554 claim the benefit of the ’035 patent.

Various petitions for *inter partes* review have been filed against the above-listed related patents:

Proceeding No.	Petitioner	Patent No.	Filed	Status
IPR2017-00730	SK hynix Inc. et al.	9,128,632	January 20, 2017	Institution denied July 21, 2017
IPR2022-00711	Samsung Electronics Co., Ltd.	10,860,506	March 22, 2022	Claims 1-20 found unpatentable October 17, 2023; currently on appeal (CAFC Case No. 24-1521)

Proceeding No.	Petitioner	Patent No.	Filed	Status
IPR2023-00205	Micron Technology, Inc., et al.	10,860,506	November 18, 2022	Joined with IPR2023-00205
IPR2022-00237	Micron Technology, Inc., et al.	10,268,608	December 23, 2021	Institution denied July 19, 2022
IPR2023-00847	Samsung Electronics Co., Ltd.	10,268,608	April 27, 2023	No challenged claims found unpatentable December 10, 2024; currently on appeal (CAFC Case No. 25-1378)
IPR2024-00370	Micron Technology, Inc., et al.	10,268,608	January 10, 2024	Institution denied July 23, 2024

The '035 patent or at least one of the above-listed related patents is or has been at issue in the below-listed district-court and I.T.C. litigation proceedings:

Proceeding	Filed	Related Patent(s) at Issue	Status
<i>In the Matter of Dynamic Random Access Memory (DRAM) Devices, Products Containing the Same, and Components Thereof, Investigation No. 337-TA-3854 (I.T.C.)</i>	September 30, 2025	10,268,608; 9,824,035	Pending
<i>Netlist, Inc. v. Micron Technology, Inc. et al., Case No. 1:22-cv-00136 (W.D. Tex.)</i>	April 28, 2021	10,268,608; 9,824,035	Pending
<i>Netlist, Inc. v. Micron Technology, Inc. et al., Case No. 6:21-cv-00431 (W.D. Tex.)</i>	April 28, 2021	10,268,608; 9,824,035	Terminated February 14, 2022

Proceeding	Filed	Related Patent(s) at Issue	Status
<i>Netlist, Inc. v. Micron Technology, Inc. et al.</i> , Case No. 2:23-cv-00628 (E.D. Tex.)	December 22, 2023	10,860,506	Pending
<i>Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.</i> , Case No. 2:22-cv-00293 (E.D. Tex.)	August 1, 2022	10,268,608	Terminated December 2, 2024
<i>Netlist, Inc. v. Micron Technology, Inc. et al.</i> , Case No. 2:22-cv-00203 (E.D. Tex.)	June 10, 2022	10,860,506	Pending
<i>Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.</i> , Case No. 2:21-cv-00463 (E.D. Tex.)	December 20, 2021	10,860,506	Terminated August 11, 2023
<i>Samsung Electronics Co., Ltd. et al v. Netlist, Inc.</i> , Case No. 1:21-cv-01453 (D. Del.)	October 15, 2021	10,860,506	Pending
<i>Samsung Electronics Co., Ltd. et al v. Netlist, Inc.</i> , Case No. 1:25-cv-01371 (D. Del.)	November 11, 2025	9,824,035	Pending

The '608 patent is currently at issue in *ex parte* reexamination control no. 90/015,449, filed on August 14, 2025.

Petitioner has also filed petitions for *inter partes* or post-grant review of commonly-assigned U.S. Patent Nos. 12,373,366 (IPR2026-00018; PGR2026-00001); 12,308,087 (IPR2025-01402; PGR2025-00071); and 10,025,731 (IPR2025-01431).

III. LEAD AND BACK-UP COUNSEL

Lead Counsel for Patent Owner is:

Richard M. Bemben (Reg. No. 68,658)
rbemben-PTAB@sternekessler.com
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 772-8549 (telephone)
(202) 371-2540 (facsimile).

Back-up Counsel for Patent Owner are:

Jennifer Meyer Chagnon (Reg. No. 55,440)
jchagnon-PTAB@sternekessler.com
STERNE, KESSLER, GOLDSTEIN & FOX PLLC
1101 K Street, NW, 10th Floor
Washington, DC 20005
(202) 772-8890 (telephone)
(202) 371-2540 (facsimile);

Richard C. Kim (Reg. No. 40,046)
rkim@netlist.com
Netlist, Inc.
111 Academy Way, Suite 100
Irvine, CA 92617
(949) 679-0124 (telephone);

Raymond K. Chan (Reg. No. 66,164)
rchan@netlist.com
Netlist, Inc.
111 Academy Way, Suite 100
Irvine, CA 92617
(949) 679-0101 (telephone); and

Francisco A. Rubio-Campos (Reg. No. 45,358)
frubio@netlist.com
Netlist, Inc.
111 Academy Way, Suite 100
Irvine, CA 92617
(949) 377-0296.

IV. SERVICE INFORMATION

Please address all correspondence to the lead and back-up counsel as shown above. Patent Owner consents to electronic service by e-mail at all of the e-mail addresses listed above and PTAB@sternekessler.com.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Richard M. Bemben/

Richard M. Bemben
Registration No. 68,658
Lead Attorney for Patent Owner

Date: November 20, 2025

1101 K Street, NW
10th Floor
Washington, DC 20005
(202) 371-2600

CERTIFICATE OF SERVICE (37 C.F.R. § 42.6(e))

I certify that the above-captioned **PATENT OWNER NETLIST, INC.'S MANDATORY NOTICES** was served in its entirety on November 20, 2025, upon the following parties via electronic mail:

Eliot D. Williams (Lead Counsel)
Theodore W. Chandler (Back-up Counsel)
Ferenc Pazmandi (Back-up Counsel)
Mark A. Speegle (Back-up Counsel)
BAKER BOTTS L.L.P
DLSamsungNetlistIPRs@BakerBotts.com

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

/Richard M. Bemben/

Richard M. Bemben
Registration No. 68,658
Lead Attorney for Patent Owner

Date: November 20, 2025

1101 K Street, NW
10th Floor
Washington, DC 20005
(202) 371-2600