Paper No. 37

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD., MICRON TECHNOLOGY, INC.,
MICRON SEMICONDUCTOR PRODUCTS, INC., and
MICRON TECHNOLOGY TEXAS LLC,[†]

Petitioner,

v.

NETLIST, INC.,

Patent Owner

IPR2023-00454
Patent 11,093,417 B2

PETITIONER'S UPDATED EXHIBIT LIST

[†] Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC filed a motion for joinder and a petition in IPR2023-01141 and have been joined as petitioners to this proceeding.

EXHIBIT LIST

Exhibit #	Description
1001	U.S. Patent No. 11,093,417 (issued Aug. 17, 2021)
1002	File History of U.S. Patent No. 11,093,417 (filed Nov. 25, 2019)
1003	Declaration of Dr. Andrew Wolfe
1004	Curriculum Vitae of Dr. Andrew Wolfe
1005	U.S. Provisional Application No. 60/645,087 (filed Jan. 19, 2005)
1006	U.S. Provisional Application No. 60/588,244 (filed July 15, 2004)
1007	U.S. Provisional Application No. 60/550,668 (filed March 5, 2004)
1008	U.S. Provisional Application No. 60/575,595 (filed May 28, 2004)
1009	U.S. Provisional Application No. 60/590,038 (filed July 21, 2004)
1010	File History of U.S. Patent No. 7,286,436 (filed March 7, 2005)
1011	U.S. Patent No. 7,286,436 (issued Oct. 23, 2007)
1012	U.S. Patent No. 7,289,386 (issued Oct. 30, 2007)
1013	Affirmance of the Examiner's Decision on Reexamination of '386 Patent (Feb. 25, 2015)
1014	Reexamination Certificate for '386 Patent (Aug. 19, 2016)
1015	U.S. Patent No. 7,619,912 (issued Nov. 17, 2009)
1016	Decision on Reexamination of '912 Patent (June 6, 2016); Decision Under 37 C.F.R. § 41.77(f) (July 27, 2018); and Decision on Rehearing (Jan. 31, 2019)
1017	Reexamination Certificate for '912 Patent (Feb. 8, 2021)
1018	Petition for *Inter Partes* Review of U.S. Patent No. 7,619,912 (Feb. 17, 2022)

Exhibit #	Description
1019	Patent Owner Preliminary Response to Petition for *Inter Partes* Review of U.S. Patent No. 7,619,912 (July 21, 2022)
1020	Declaration of Michael C. Brogioli, Ph.D. in Support of Patent Owner Preliminary Response to Petition for *Inter Partes* Review of U.S. Patent No. 7,619,912 (July 21, 2022)
1021	Reply to Patent Owner Preliminary Response to Petition for *Inter Partes* Review of U.S. Patent No. 7,619,912 (Aug. 26, 2022)
1022	Sur-Reply to Patent Owner Preliminary Response to Petition for *Inter Partes* Review of U.S. Patent No. 7,619,912 (Sept. 9, 2022)
1023	Decision Granting Institution of *Inter Partes* Review of U.S. Patent No. 7,619,912 (Oct. 19, 2022)
1024	Patent Owner's Request for Rehearing of Decision Granting Institution of *Inter Partes* Review of U.S. Patent No. 7,619,912 (Nov. 2, 2022)
1025	Order of *Sua Sponte* Director Review of Decision Granting Institution of *Inter Partes* Review of U.S. Patent No. 7,619,912 (Jan. 5, 2023)
1026	U.S. Patent No. 7,864,627 (issued Jan. 4, 2011)
1027	Decision on Appeal of Reexamination of '627 Patent (May 30, 2016); Decision Under 37 C.F.R. § 41.77(f) (May 31, 2018)
1028	Reexamination Certificate for '627 Patent (Nov. 5, 2018)
1029	U.S. Patent No. 8,756,364 (issued June 17, 2014)
1030	IPR2017-00549 Final Written Decision ('364 Patent) (May 3, 2018)
1031	IPR Certificate for '364 Patent (May 26, 2020)
1032	U.S. Patent No. 7,532,537 (issued May 12, 2009)
1033	IPR2017-00667 Final Written Decision ('537 Patent) (July 18, 2018)

Exhibit #	Description
1034	IPR2017-00668 Final Written Decision (’537 Patent) (July 18, 2018)
1035	IPR Certificate for ’537 Patent (Apr. 27, 2020)
1036	U.S. Patent No. 7,636,274 (issued Dec. 22, 2009)
1037	Decision on Appeal of Reexamination of ’274 Patent (May 9, 2017)
1038	Reexamination Certificate for ’274 Patent (Nov. 5, 2018)
1039	U.S. Patent No. 7,881,150 (issued Feb. 1, 2011)
1040	IPR2014-00882 Final Written Decision on Remand (’150 Patent) (March 29, 2018)
1041	IPR2014-01011 Final Written Decision on Remand (’150 Patent) (March 29, 2018)
1042	IPR2015-01020 Final Written Decision (’150 Patent) (Sept. 28, 2016)
1043	IPR Certificate for ’150 Patent (Mar. 6, 2019)
1044	File History of U.S. Patent No. 7,916,574 (filed Nov. 29, 2010)
1045	U.S. Patent No. 7,916,574 (issued Mar. 29, 2011)
1046	U.S. Patent No. 8,081,536 (issued Dec. 20, 2011)
1047	IPR2014-00883 Final Written Decision on Remand (’536 Patent) (March 29, 2018)
1048	IPR2015-01021 Final Written Decision (’536 Patent) (Sept. 28, 2016)
1049	IPR Certificate for ’536 Patent (Mar. 11, 2019)
1050	File History of U.S. Patent No. 8,516,188 (filed Nov. 1, 2011)
1051	U.S. Patent No. 8,516,188 (issued Aug. 20, 2013)

Exhibit #	Description
1052	File History of U.S. Patent No. 9,037,774 (filed Aug. 20, 2013)
1053	U.S. Patent No. 9,037,774 (issued May 19, 2015)
1054	File History of U.S. Patent No. 10,489,314 (filed Dec. 28, 2017)
1055	U.S. Patent No. 10,489,314 (issued Nov. 26, 2019)
1056	Decisions Granting Institution of *Inter Partes* Reviews of U.S. Patent No. 10,489,314 (Nov. 1, 2022)
1057	File History of U.S. Patent No. 9,858,215 (filed May 18, 2015)
1058	U.S. Patent No. 9,858,215 (issued January 2, 2018)
1059	File History of U.S. Patent Application No. 17/403,832 (filed Aug. 16, 2021)
1060	JEDEC JESD79 standard for DDR SDRAM (June 2000)
1061	[intentionally omitted]
1062	JEDEC JESD21-C design specification for DDR SDRAM Registered DIMM (January 2002)
1063	[intentionally omitted]
1064	JEDEC JESD79-2 standard for DDR2 SDRAM (Sept. 2003)
1065	Declaration of Julie Carlson (JESD79-2)
1066	JEDEC JESD21-C design specification for DDR2 SDRAM Registered DIMM, Rev. 3.2 (Oct. 4, 2005)
1067	[intentionally omitted]
1068	Harold S. Stone, Microcomputer Interfacing (1982)
1069	Bruce Jacob, *Synchronous DRAM Architectures, Organizations, and Alternative Technologies* (Dec. 10, 2002)

Exhibit #	Description
1070	Bruce Jacob et al., Memory Systems: Cache, DRAM, Disk (2008)
1071	U.S. Patent No. 7,363,422 to Perego et al. (filed Jan. 28, 2004)
1072	U.S. Patent No. 7,155,627 to Matsui (filed Aug. 22, 2003)
1073	U.S. Patent Application Publication No. 2006/0277355 to Ellsberry et al. (filed June 1, 2005)
1074	IPR2018-00362 Final Written Decision (June 27, 2019) ('907 Patent)
1075	U.S. Patent No. 9,606,907 (all claims cancelled)
1076	Decision Granting Institution of *Inter Partes* Review of U.S. Patent No. 10,949,339 (Oct. 19, 2022) (child of U.S. Patent No. 9,606,907, Exhibit 1075)
1077	U.S. Patent Application Publication No. 2002/0112119 to Halbert et al. (published Aug. 15, 2002)
1078	U.S. Patent No. 7,024,518 to Halbert et al. (filed Mar. 13, 2002)
1079	U.S. Patent Application Publication No. 2006/0117152 to Amidi et al. (filed Jan. 5, 2004)
1080	U.S. Patent No, 8,250,295 to Amidi et al. (filed Jan. 5, 2004)
1081	U.S. Patent. No. 5,513,135 to Dell et al. (issued Apr. 30, 1996)
1082	U.S. Patent Application Publication No. 2003/0039151 to Matsui (published Feb. 27, 2003)
1083	[intentionally omitted]
1084	[intentionally omitted]
1085	Amended Complaint in *Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.*, No. 2:22-cv-00293 (E.D. Tex. filed Aug. 15, 2022)
1086	Waiver of Service in *Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.*, No. 2:22-cv-00293 (E.D. Tex. filed Aug. 31, 2022)

Exhibit #	Description
1087	[intentionally omitted]
1088	Amended Complaint in *Netlist, Inc. v. Micron Technology, Inc. et al.*, No. 2:22-cv-00294 (E.D. Tex. filed Aug. 15, 2022)
1089	Micron's Answer in *Netlist, Inc. v. Micron Technology, Inc. et al.*, No. 2:22-cv-00294 (E.D. Tex. filed Sept. 7, 2022)
1090	[intentionally omitted]
1091	*Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation* (June 21, 2022)
1092	Federal Court Management Statistics (Mar. 31, 2022), *available at* <https://www.uscourts.gov/statistics/table/na/federal-court-management-statistics/2022/03/31-1>
1093	Email from counsel for Samsung to counsel for Patent Owner re: stipulation not to pursue certain invalidity defenses if an IPR proceeding is instituted
1094	U.S. Patent & Trademark Office, *Changes Under Consideration to Discretionary Institution Practices, Petition Word-Count Limits, and Settlement Practices for America Invents Act Trial Proceedings Before the Patent Trial and Appeal Board*, 88 Fed. Reg. 24,503 (Apr. 21, 2023)
1095	Transcript of deposition of Steven Przybylski (Feb. 15–16, 2024)
1096	Redline comparing Steven Przybylski's declaration in IPR2023-00454 (EX2024) to his declaration in IPR2023-00455 (EX2024)
1097	Excerpts from Przybylski, Steven A., "NEW DRAM TECHNOLOGIES, A Comprehensive Analysis of the New Architectures," Second Edition, ©1996
1098	Final Written Decision, *Samsung Electronics Co., Ltd. v. Lynk Labs, Inc.*, IPR2022-00149, Paper 33 (PTAB June 26, 2023), *appeal docketed*, No. 23-2346 (Fed. Cir. Aug. 31, 2023)

Exhibit #	Description
1099	Final Written Decision, *Patent Quality Assurance, LLC v. VLSI Tech. LLC*, IPR2021-01229, Paper 129 (June 13, 2023)
1100	Decision Granting Institution, *Samsung Elecs. Co. v. Netlist, Inc.*, IPR2023-00455, Paper 11 (Aug. 1, 2023)
1101	Transcript of deposition of Michael C. Brogioli, Ph.D. (Oct. 3, 2023) [Samsung's EX1101 in IPR2022-00615]
1102	Declaration of Michael C. Brogioli, Ph.D. [Netlist's EX2062 in IPR2022-00615]
1103	Netlist's Technology Tutorial
1104	JEDEC JESD79D standard for DDR SDRAM (January 2004), <http://web.archive.org/web/20040611184458/ http://www.jedec.org/DOWNLOAD/search/JESD79D.pdf>
1105	[intentionally omitted]
1106	[intentionally omitted]
1107	Final Written Decision, *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, IPR2022-00639, Paper 45 (PTAB Oct. 18, 2023)
1108	Decision Denying Patent Owner's Request on Rehearing of Final Written Decision, *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, IPR2022-00639, Paper 48 (PTAB Feb. 9, 2024)
1109	Micron, 256MB, 512MB, 1GB (x72, ECC, SR) 240-Pin DDR2 SDRAM RDIMM Features (2003) [Netlist's EX2057 in IPR2022-00615]
1110	[intentionally omitted]
1111	[intentionally omitted]
1112	[intentionally omitted]
1113	U.S. Patent No. 7,002,378 to Srikanth et al.

Exhibit #	Description
1114 [NEW]	Final Written Decision, *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, IPR2022-00615, Paper 96 (PTAB Apr. 17, 2024) (U.S. Patent No. 7,619,912)

Dated: April 19, 2024

/Eliot D. Williams/

Eliot D. Williams, Reg. #50,822
BAKER BOTTS L.L.P.
700 K Street, N.W.
Washington, D.C. 20001
T: (202) 639-1334
F: (202) 639-1167

Theodore W. Chandler
Reg. No. 50,319
BAKER BOTTS L.L.P.
1801 Century Park East
Suite 2400
Los Angeles, CA 90067
T: (213) 202-5702
F: (213) 202-5732

Ferenc Pazmandi
Reg. No. 66,216
BAKER BOTTS L.L.P.
101 California Street
Suite 3200
San Francisco, CA 94111
T: (415) 291-6255
F: (415) 291-6355

John Gaustad
Reg. No. 69,522
BAKER BOTTS L.L.P.
1001 Page Mill Road
Building One, Suite 200
Palo Alto, CA 94304

T: (650) 739-7517
F: (650) 739-7617

Brianna L. Potter
Reg. No. 76,748
BAKER BOTTS L.L.P.
1001 Page Mill Road
Building One, Suite 200
Palo Alto, CA 94304
T: (650) 739-7556
F: (650) 739-7656

Counsel for Petitioner
Samsung Electronics Co., Ltd.

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 19th day of April, 2024, **Petitioner's Updated Exhibit List** was served by email on the following counsel for Patent Owner and Micron:

Hong Annita Zhong (Reg. No. 66,530) IRELL & MANELLA LLP 1800 Avenue of the Stars, Suite 900 Los Angeles, California 90067 Phone: (310) 277-1010 Fax: (310) 203-7199 Email: hzhong@irell.com NetlistIPR@irell.com	Jonathan M. Lindsay (Reg. No. 45,810) IRELL & MANELLA LLP 840 Newport Center Dr., Suite 400 Newport Beach, California 92660 Phone: (949) 760-0991 Fax: (949) 760-5200 Email: jlindsay@irell.com
Philip Warrick (Reg. No. 54,707) IRELL & MANELLA LLP 750 17th Street NW, Suite 850 Washington, DC 20006 Phone: (202) 777-6500 Email: pwarrick@irell.com	Jason Sheasby (not admitted) IRELL & MANELLA LLP 1800 Avenue of the Stars, Suite 900 Los Angeles, California 90067 Phone: (310) 277-1010 Fax: (310) 203-7199 Email: jsheasby@irell.com
Michael Heim (Reg. No. 32,702) HEIM, PAYNE & CHORUSH LLP 609 Main St., Suite 3200 Houston, Texas 77002 Phone: (713) 221-2001 Email: mheim@hpcllp.com	Chris Limbacher (Reg. No. 76,551) HEIM, PAYNE & CHORUSH LLP 609 Main St., Suite 3200 Houston, Texas 77002 Phone: (713) 221-2013 Email: climbacher@hpcllp.com
Juan C. Yaquian (Reg. No. 70,755) WINSTON & STRAWN LLP 800 Capital Street, Suite 2400 Houston, Texas 77002 Phone: (713) 651-2600 Fax: (713) 651-2700 Email: Winston-IPR-Netlist@winston.com	Michael Rueckheim (not admitted) WINSTON & STRAWN LLP 255 Shoreline Drive, Suite 520 Redwood City, California 94065 Phone: (650) 858-6500 Fax: (713) 651-2700 Email: Winston-IPR-Netlist@winston.com

	James C. Lin (not admitted) WINSTON & STRAWN LLP 255 Shoreline Drive, Suite 520 Redwood City, California 94065 Phone: (650) 858-6500 Fax: (713) 651-2700 Email: Winston-IPR-Netlist@winston.com

Dated: April 19, 2024

/Eliot D. Williams/
Eliot D. Williams, Reg. #50,822
BAKER BOTTS L.L.P.
700 K Street, N.W.
Washington, D.C. 20001
T: (202) 639-1334
F: (202) 639-1167

Counsel for Petitioner Samsung Electronics Co., Ltd.