

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 MANDATORY NOTICES

[†] 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.

Pursuant to 37 C.F.R. § 42.8(a)(3), Petitioner hereby provides the following updates to its mandatory notices in Paper Nos. 1 and 8:

Related Matters (37 C.F.R. § 42.8(b)(2))

The following judicial or administrative matters would affect, or be affected by, a decision in this proceeding concerning U.S. Patent No. 9,858,215.

The following proceedings are currently pending:

- *Netlist, Inc. v. Samsung Electronics Co., Ltd. et al.*, No. 2:22-cv-00293 (E.D. Tex. amended complaint filed Aug. 15, 2022)
- *Netlist, Inc. v. Micron Technology, Inc. et al.*, No. 2:22-cv-00294 (E.D. Tex. amended complaint filed Aug. 15, 2022)
- *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, IPR2023-00455 (U.S. Patent No. 9,858,215)
- U.S. Application No. 17/403,832

The following proceedings have concluded:

- *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, IPR2022-00615 (U.S. Patent No. 7,619,912)
 - o [NEW] On April 17, 2024, the Board issued a Final Written Decision, see Exhibit 1114, that (i) on pages 13–24 construed “rank” to include only one memory device, (ii) on pages 24–34 held that Netlist had failed to satisfy its burden of production

with respect to showing that Ellsberry is not prior art, (iii) on pages 34–35 held that Ellsberry is a prior-art “printed publication” under 35 U.S.C. § 311(b) as of its pre-AIA § 102(e)(1) filing date of June 1, 2005, and (iv) on pages 35–52 found that Ellsberry teaches all of the limitations of claim 16 of the 912 Patent.

- *Micron Technology, Inc. et al. v. Netlist, Inc.*, IPR2023-00203 (U.S. Patent No. 7,619,912)
 - o [NEW] See above.
- *Samsung Electronics Co., Ltd. v. Netlist, Inc.*, IPR2022-00639 (U.S. Patent No. 10,949,339)
- *Micron Technology, Inc. et al. v. Netlist, Inc.*, IPR2022-00744 (U.S. Patent No. 10,489,314)
- *Micron Technology, Inc. et al. v. Netlist, Inc.*, IPR2022-00745 (U.S. Patent No. 10,489,314)
- *Inter partes* Reexamination Nos. 95/000,578; 95/000,579; and 95/001,339 of U.S. Patent No. 7,619,912
- *Inter partes* Reexamination Nos. 95/000,546 and 95/000,577 of U.S. Patent No. 7,289,386

- *Inter partes* Reexamination No. 95/001,758 of U.S. Patent No. 7,864,627
- *Inter partes* Reexamination No. 95/001,337 of U.S. Patent No. 7,636,274
- *SK hynix Inc. et al. v. Netlist, Inc.*, IPR2017-00549 (U.S. Patent No. 8,756,364)
- *SK hynix Inc. et al. v. Netlist, Inc.*, IPR2017-00667 (U.S. Patent No. 7,532,537)
- *SK hynix Inc. et al. v. Netlist, Inc.*, IPR2017-00668 (U.S. Patent No. 7,532,537)
- *Diablo Technologies, Inc. v. Netlist, Inc.*, IPR2014-00882 (U.S. Patent No. 7,881,150)
- *Diablo Technologies, Inc. v. Netlist, Inc.*, IPR2014-01011 (U.S. Patent No. 7,881,150)
- *SanDisk Corp. v. Netlist, Inc.*, IPR2015-01020 (U.S. Patent No. 7,881,150)
- *Diablo Technologies, Inc. v. Netlist, Inc.*, IPR2014-00883 (U.S. Patent No. 8,081,536)
- *SanDisk Corp. v. Netlist, Inc.*, IPR2015-01021 (U.S. Patent No. 8,081,536)

- *SK hynix Inc. et al. v. Netlist, Inc.*, IPR2018-00362 (U.S. Patent No. 9,606,907)
- *SK hynix Inc. et al. v. Netlist, Inc.*, IPR2018-00363 (U.S. Patent No. 9,606,907)

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 Mandatory Notices 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.*