

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

NETLIST, INC.,
Patent Owner.

IPR2025-00001 (Patent 11,386,024 B2)
IPR2025-00002 (Patent 11,880,319 B2)¹

Before NORMAN H. BEAMER, SHEILA F. McSHANE, and
KARA L. SZPONDOWSKI, *Administrative Patent Judges*.

BEAMER, *Administrative Patent Judge*.

JUDGMENT

Granting Requests For Adverse Judgment After Institution Of Trial
37 C.F.R. § 42.73(b)

¹ This Order applies to each of the above-identified proceedings. We issue one Order to be entered in each proceeding. The parties are not authorized to use this style caption unless later permitted.

IPR2025-00001 (Patent 11,386,024 B2)

IPR2025-00002 (Patent 11,880,319 B2)

On August 7, 2025, Netlist, Inc. (“Patent Owner”) filed a Request for Adverse Judgment Pursuant to 37 C.F.R. § 42.73(b)(2) in both of the above-identified cases. Paper 26 (“Request”).² No opposition has been filed.

BACKGROUND

On May 15, 2025, the Board instituted an *inter partes* reviews of the patentability of claims 1–20 of U.S. Patent No. 11,386,024 B2 (“the ’024 patent”) in IPR2025-00001 and of claims 1–20 of U.S. Patent No. 11,880,319 B2 (“the ’319 patent”) in IPR2025-00002. Paper 17. Oral argument was scheduled for February 17, 2026. Paper 18. On August 6, 2025, Patent Owner filed statutory disclaimers (Ex. 2010, “Disclaimer”) with the United States Patent and Trademark Office pursuant to 37 C.F.R. § 1.321(a), disclaiming claims 1–20 of both challenged patents. Request 1.

DISCUSSION

A party may request judgment against itself at any time during a proceeding. 37 C.F.R. § 42.73(b). Actions construed as a request for entry of adverse judgment include “[c]ancellation or disclaimer of a claim such that the party has no remaining claim in the trial.” *Id.* Patent Owner has disclaimed, under 37 C.F.R. § 1.321, claims 1–20 of the ’024 patent and claims 1–20 of the ’319 patent, and explicitly requests that the Board enter adverse judgment against it with respect to those claims, the only claims at issue in these trials. Paper 26, 1.

² For convenience, we cite to the papers in IPR2025-00001, but commensurate citations apply to both of the above-identified cases.

IPR2025-00001 (Patent 11,386,024 B2)

IPR2025-00002 (Patent 11,880,319 B2)

Having reviewed the Disclaimer and Request, we determine that entry of judgments against Patent Owner with respect to claims 1–20 of the '024 patent and claims 1–20 of the '319 patent are appropriate.

ORDER

Accordingly, it is

ORDERED that Patent Owner's Requests for Adverse Judgment pursuant to 37 C.F.R. § 42.73(b) is *granted*; and

ORDERED that adverse judgment is entered under 37 C.F.R. § 42.73(b) against Patent Owner with respect to claims 1–20 of the '024 patent and claims 1–20 of the '319 patent; and

FURTHER ORDERED that these proceedings are *terminated* and all scheduled Due Dates (*see* Paper 18) are vacated and the oral hearings scheduled for February 17, 2026 are cancelled; and

FURTHER ORDERED that this Order constitutes final written decisions under 35 U.S.C. § 318(a).

IPR2025-00001 (Patent 11,386,024 B2)

IPR2025-00002 (Patent 11,880,319 B2)

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