IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. 2:22-CV-00203-JRG
	§	
MICRON TECHNOLOGY, INC., MICRON SEMICONDUCTOR PRODUCTS INC, MICRON TECHNOLOGY TEXAS LLC,	§	
	§	
	§	
Defendants.	§	

ORDER

The Court issues this Order *sua sponte*. Micron Semiconductor Products Inc., Micron Technology Texas LLC, and Micron Technology, Inc. (collectively, "Micron") previously filed a Motion to Stay Pending Resolution of Inter Partes Review of the Asserted Patents (Dkt. No. 80.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 416), recommending denial of Micron's Motion to Stay. The Court previously adopted the Report and Recommendation. (Dkt. No. 477.)

After further consideration, the Court finds that under these particular facts a limited stay is warranted in this case. This case began with six asserted patents.[1] All of these patents have been instituted for review by the Patent Trial and Appeal Board (PTAB). Four of these six patents have been invalidated by the PTAB. These decisions are being appealed. The remaining two patents (U.S. Patent Nos. 8,787,060 and 9,318,160) have been instituted for review by the PTAB but no decision has been issued to date.[2] However, it is expected that the decisions from the PTAB will issue by or before April 12, 2024. To put this particular case to trial before a jury in this Court

[1] U.S. Patent Nos. 10,860,506; 10,949,339; 11,016,918; 11,232,054; 8,787,060; and 9,318,160.
[2] These patents are before the PTAB pursuant to IPR 2022-01427 and IPR2022-01428.

before the PTAB issues its decision on the two remaining patents risks an inefficient consumption of limited judicial resources that makes imposing a targeted stay, until that ruling is received, advisable.

Accordingly, it is **ORDERED** that the Order adopting the Report and Recommendation (Dkt. No. 477) is hereby **VACATED**. It is further **ORDERED** that the above-captioned case is **STAYED** pending the PTAB's written decisions in IPR2022-01427 and IPR2022-01428, or until further order from this Court.

So Ordered this

Feb 10, 2024

RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE