
From: Garten, Thomas E <tgarten@cov.com>
Sent: Tuesday, December 16, 2025 6:04 PM
To: Baxter, Samuel; Jennifer Truelove; Tezyan, Michael; Sheasby, Jason; Zhong, Annita; Silver, Blair; Strabone, Andrew; Henderson, Drew; #Netlist-Samsung-E.D.Tex
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Subject: Netlist v. Samsung, No. 2:25-cv-557-JRG (EDTX) – Withdrawal of Indefiniteness Contentions for '087 Patent

[EXTERNAL EMAIL]

Counsel,

We write regarding the Samsung Defendants' P.R. 3-3 Invalidity Contentions, served on September 24, 2025. We understand that on December 4, 2025, Netlist disclaimed claims 24–28 of U.S. Patent No. 12,308,087 (the “'087 patent”), which Samsung had previously contended were invalid for indefiniteness. By this email, we inform you that the Samsung Defendants hereby withdraw all of their contentions in this action that the limitations in the '087 patent are indefinite under 35 U.S.C. § 112, ¶ 2. See Samsung Defendants' P.R. 3-3 Invalidity Contentions, Section 7.1.3 ('087 patent indefiniteness).

Regards,
Tom

Thomas Garten
Pronouns: He/Him/His

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