**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
**Cc:** Samsung-Netlist-COV; EXT Smith, Melissa (T-Mobile); azaad.zimmermann@kirkland.com; cameron.lindsay@kirkland.com; chris.mizzo@kirkland.com; greg.polins@kirkland.com; garovas@kirkland.com; james.marina@kirkland.com; luke.norrell@kirkland.com; EXT Smith, Melissa (T-Mobile); Pearson, Michael A.; todd.friedman@kirkland.com
**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

Covington & Burling LLP
Salesforce Tower, 415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
T +1 415 591 7052 | tgarten@cov.com
www.cov.com

COVINGTON

This message is from a law firm and may contain information that is confidential or legally privileged. If you are not the intended recipient, please immediately advise the sender by reply e-mail that this message has been inadvertently transmitted to you and delete this e-mail from your system. Thank you for your cooperation.