

From: [Director Discretionary Decision](#)
To: [Williams, Eliot D.](#); [Jennifer Chagnon](#); [Director Discretionary Decision](#)
Cc: [DL Samsung Netlist IPRs](#); [Richard M. Bemben](#); [Richard Kim](#); [Raymond Chan](#); [Francisco Rubio](#); [PTAB Account](#)
Subject: RE: PGR2026-00001, IPR2026-00018 // Request for Additional Briefing to Address Stipulation
Date: Monday, March 9, 2026 3:56:46 PM
Attachments: [image001.png](#)

Patent Owner may submit a Reply to Samsung's Discretionary Denial Opposition Brief, limited to addressing the impact of the stipulation on the discretionary denial arguments. Patent Owner's Reply is limited to two pages, and is due on Wednesday, March 11, 2026. Petitioner may file a sur-reply limited to addressing the same issue. Petitioner should also explain why it did not provide a stipulation until March 4, 2026. Petitioner's sur-reply is limited to two pages, and is due on Friday, March 13, 2026.

From: Williams, Eliot D. <Eliot.Williams@BakerBotts.com>
Sent: Monday, March 9, 2026 6:27 AM
To: Jennifer Chagnon <JChagnon@sternekessler.com>; Director_Discretionary_Decision <Director_Discretionary_Decision@uspto.gov>
Cc: DL Samsung Netlist IPRs <dlsamsungnetlistiprs@BakerBotts.com>; Richard M. Bemben <RBEMBEN@sternekessler.com>; Richard Kim <rkim@netlist.com>; Raymond Chan <rchan@netlist.com>; Francisco Rubio <frubio@netlist.com>; PTAB Account <PTAB@sternekessler.com>
Subject: RE: PGR2026-00001, IPR2026-00018 // Request for Additional Briefing to Address Stipulation

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Dear Honorable Director,

Netlist's request fails to provide Samsung's position on this request, which was conveyed to Netlist during the meet and confer process. In particular, Samsung's position is that there is not good cause for a 3 page brief on this issue, but Samsung did not object to submission of a 1 page supplemental brief by Netlist and a 1 page response from Samsung.

Respectfully submitted,

Eliot D. Williams
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From: Jennifer Chagnon <JChagnon@sternekessler.com>
Sent: Friday, March 6, 2026 4:21 PM
To: Director_Discretionary_Decision@USPTO.gov

Cc: DL Samsung Netlist IPRs <dlsamsungnetlistiprs@BakerBotts.com>; Richard M. Bemben <RBEMBEN@sternekessler.com>; Jennifer Chagnon <JChagnon@sternekessler.com>; Richard Kim <rkim@netlist.com>; Raymond Chan <rchan@netlist.com>; Francisco Rubio <frubio@netlist.com>; PTAB Account <PTAB@sternekessler.com>

Subject: PGR2026-00001, IPR2026-00018 // Request for Additional Briefing to Address Stipulation

[EXTERNAL EMAIL]

IPR2026-00018 // U.S. Patent No. 12,373,366

PGR2026-00001 // U.S. Patent No. 12,373,366

Honorable Director,

On Wednesday, March 4, nearly 2 weeks after all pre-institution briefing was complete, Petitioner Samsung filed a stipulation in these proceedings. The stipulation purports to limit the invalidity defenses Samsung can pursue in the co-pending ITC proceeding, should these proceedings be instituted.

Patent Owner Netlist requests authorization to file a short three-page Reply to Samsung's Discretionary Denial Opposition Brief to address the impact of this stipulation on the discretionary denial arguments. Good cause exists for this additional briefing because Samsung did not follow the Board's guidance to file any stipulation "as soon as practicable, so that the patent owner may address the impact of the stipulation in its discretionary denial brief." Interim Process, § I.D.

Netlist has conferred with Samsung, and Samsung opposes Netlist's request for a 3-page brief on this issue.

The parties can provide available times for a conference call upon request.

Best,
Jennifer Chagnon
Counsel for Patent Owner

Jennifer Meyer Chagnon

Director

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