UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of **CERTAIN DYNAMIC RANDOM ACCESS MEMORY (DRAM) DEVICES, PRODUCTS CONTAINING THE SAME, AND COMPONENTS THEREOF**	**Investigation No. 337-TA-1472**

NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION BASED ON SETTLEMENT; TERMINATION OF THE INVESTIGATION

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("the Commission") has determined not to review an initial determination ("ID") (Order No. 31) issued by the presiding administrative law judge ("ALJ") granting an unopposed motion to terminate the investigation based on settlement. The investigation is terminated.

FOR FURTHER INFORMATION CONTACT: Houda Morad, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-4716. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov*. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at *https://www.usitc.gov*. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on January 2, 2026, based on a complaint filed by Netlist, Inc. ("Netlist" or "Complainant") of Irvine, California. 91 FR 155-56 (Jan. 2, 2026). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain dynamic random access memory

(DRAM) devices, products containing the same, and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 12,373,366 ("the '366 patent"); 10,025,731 ("the '731 patent"); 10,268,608 ("the '608 patent"); 10,217,523 ("the '523 patent"); the '035 patent; and 12,308,087 ("the '087 patent"). *Id.* The complaint further alleges that a domestic industry exists or is in the process of being established. *Id.* The Commission's notice of investigation named as respondents: (1) Samsung Electronics Co., Ltd. of Suwon, Republic of Korea; Samsung Electronics America, Inc. of Plano, Texas; and Samsung Semiconductor, Inc. of Plano, Texas (collectively, "Samsung"); (2) Google LLC ("Google") of Mountain View, California; and (3) Super Micro Computer, Inc. ("SMC") of San Jose, California (collectively, "Respondents"). *Id*. The Office of Unfair Import Investigations ("OUII") is also participating in the investigation. *Id.*

On August 24, 2026, the Commission partially terminated the investigation as to all asserted claims of the '035 patent, claims 2 and 3 of the '608 patent, claims 11 and 15 of the '366 patent, claims 7-9 and 12-16 of the '731 patent, claims 17 and 18 of the '523 patent, and claims 5, 7, 17, 20, 22, and 23 of the '087 patent based on withdrawal of the complaint allegations as to those claims. *See* Order No. 29 (July 23, 2026), *unreviewed by* Comm'n Notice (Aug. 24, 2026).

On August 18, 2026, Netlist and Samsung (collectively, "the Settling Parties") filed a joint motion ("Mot.") to terminate the investigation as to all Respondents based on settlement. The motion notes that agreements between the Settling parties ("Agreements") "completely resolve the dispute between the Settling Parties in this Investigation, as well as between Netlist and any remaining Respondents who receive their accused products from the Samsung Respondents." Mot. at 2. The motion also indicates that Google and SMC do not oppose the motion. *Id.* at 5. On August 27, 2026, OUII filed a response in support of the motion.

On September 4, 2026, the ALJ issued the subject ID (Order No. 31) granting the motion to terminate pursuant to Commission Rule 210.21(b)(1) (19 CFR 210.21(b)(1)). The ID notes that the motion includes confidential and public versions of the Agreements as well as a statement that "there are no other agreements, written or oral, express or implied, between the Settling Parties concerning the subject matter of this Investigation." ID at 2-3. The ID also notes that "the public interest favors settlement to avoid unnecessary litigation and to conserve public and private resources." *Id.* at 3. The ID concludes that the motion complies with Commission Rule 210.21(b)(1). *Id.* at 4. The ALJ also granted the Settling Parties' request to limit service of the Agreements. *Id.*

No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID (Order No. 31). The investigation is terminated.

The Commission's vote for this determination took place on October 6, 2026.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: October 6, 2026