

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN NAND AND DRAM
MEMORY CHIPS**

Inv. No. 337-TA-1492

NOTICE OF INSTITUTION OF INVESTIGATION

Institution of investigation pursuant to 19 U.S.C. 1337

AGENCY: U.S. International Trade Commission

ACTION: Notice

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on February 17, 2026, under section 337 of the Tariff Act of 1930, as amended, on behalf of MonolithIC 3D Inc. of Allen, Texas. Supplements to the complaint were filed on February 25, 2026, and March 16, 2026. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain NAND and DRAM memory chips by reason of the infringement of certain claims of U.S. Patent No. 12,035,531 (“the ’531 patent”); U.S. Patent No. 12,125,737 (“the ’1-737 patent”); U.S. Patent No.12,243,765 (“the ’765 patent”); U.S. Patent No. 11,342,214 (“the ’214 patent”); U.S. Patent No. 11,476,181 (“the ’181 patent”); U.S. Patent No. 11,594,473 (“the ’473 patent”); U.S. Patent No. 11,862,503 (“the ’503 patent”); and U.S. Patent No. 12,225,737 (“the ’2-737 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute.

The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2025).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on March 25, 2026, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 8-10, 13-15, and 20 of the ’531 patent; claims 1-2, 4-5, 7, 15-18, and 20 of the ’1-737 patent; claims 1-2, 4-5, 7, 15-18, and 20 of the ’765 patent; claims 1-5, 7, 15-18, and 20 of the ’214 patent; claims 1-2, 4-9, and 11-15 of the ’181 patent; claims 1-3, 5-7, 9, 11-13, and 15-16 of the ’473 patent; claims 1-6 and 15-19 of the ’503 patent; and claims 1-3, 6-7, and 15-20 of the ’2-737 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “3D NAND memory chips and high bandwidth memory (‘HBM’) DRAM chips”;

(3) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties or other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), (g)(1);

(4) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Monolithic 3D Inc.
825 Watter’s Creek Blvd.
Building M
Suite 250
Allen, TX 75013

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

KIOXIA Holdings Corporation
3-1-21, Shibaura, Minato-ku,
Tokyo 108-0023, Japan

KIOXIA Corporation
3-1-21, Shibaura, Minato-ku,
Tokyo 108-0023, Japan

KIOXIA America, Inc.
2610 Orchard Pkwy.
San Jose, CA 95134

KIOXIA Engineering Corporation
Nagoya Fushimi K Square Building,
6th Floor, 14-19 Nishiki 2-chome,
Naka-ku, Nagoya 460-0003, Japan

KIOXIA Iwate Corporation
5-29 Kita Kogyo-Danchi,
Kitakami-shi, Iwate, Japan

KIOXIA Systems Co., Ltd.
STE Building, 2-5-1 Kasama,
Sakae-ku, Yokohama,
Kanagawa Prefecture, 247-8585, Japan

KIOXIA Semiconductor Taiwan
Corporation
3 F-5, No. 168, Sec. 3,
Nanjing Rd., Zhongshan District,
Taipei City 104105, Taiwan

SK hynix Inc.
2091 Gyeongchung-daero, Bubal-eup,
Icheon, Gyeonggi-do, Republic of Korea

SK hynix America Inc.
3103 N. 1st St.
San Jose, CA 95134

SK hynix Memory Solutions America Inc.
3103 North First St.
San Jose, CA 95134

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(5) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR. 201.16(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: March 26, 2026