

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN NAND AND DRAM
MEMORY CHIPS**

Investigation No. 337-TA-1492

**NOTICE OF COMMISSION DETERMINATION NOT TO
REVIEW AN INITIAL DETERMINATION SETTING A 17-MONTH
TARGET DATE FOR THE COMPLETION OF THE INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 5) of the presiding Administrative Law Judge (“ALJ”) setting a 17-month target date of August 30, 2027, for the completion of the investigation.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5468. 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 March 30, 2026, based on a complaint filed by MonolithIC 3D Inc. of Allen, Texas. 91 FR 15634-35 (Mar. 30, 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 NAND and DRAM memory chips by reason of infringement of certain claims of U.S. Patent Nos. 12,035,531; 12,125,737; 12,243,765; 11,342,214; 11,476,181; 11,594,473; 11,862,503; and 12,225,737. *Id.* at 15634. 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 KIOXIA Holdings Corporation of Tokyo, Japan; KIOXIA Corporation of Tokyo, Japan; KIOXIA America, Inc. of San Jose, California; KIOXIA Engineering Corporation of

Nagoya, Japan; KIOXIA Iwate Corporation of Iwate, Japan; KIOXIA Systems Co., Ltd. of Yokohama, Japan; KIOXIA Semiconductor Taiwan Corporation of Taipei City, Taiwan; SK hynix Inc. of Icheon, Republic of Korea; SK hynix America Inc. of San Jose, California; and SK hynix Memory Solutions America Inc. of San Jose, California. *Id.* at 15634-35. The Office of Unfair Import Investigations is participating in the investigation. *Id.* at 15635.

On April 24, 2026, pursuant to Commission Rule 210.51(a)(1), 19 CFR 210.51(a)(1), the ALJ issued the subject ID (Order No. 5) setting the target date for the completion of the investigation as August 30, 2027, which is approximately 17 months after the institution of the investigation. The final initial determination will be due no later than April 28, 2027. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID. The target date is August 30, 2027.

The Commission vote for this determination took place on May 12, 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed in a thin black rectangular border.

Lisa R. Barton
Secretary to the Commission

Issued: May 12, 2026