

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN NAND AND DRAM
MEMORY CHIPS AND PRODUCTS
CONTAINING THE SAME**

Investigation No. 337-TA-1506

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION SETTING A 20-MONTH TARGET DATE FOR
COMPLETION OF THE INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 5) of the presiding administrative law judge (“ALJ”) setting a 20-month target date for completion of the investigation of February 15, 2028.

FOR FURTHER INFORMATION CONTACT: Jonathan Link, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3103. 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 June 15, 2026 based on a complaint filed by MonolithIC 3D Inc., of Allen, Texas. 91 FR 35999 (June 15, 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 and products containing the same by reason of the infringement of: claims 1, 2, 4, 13, and 14 of U.S. Patent No. 12,250,830; claims 1, 2, 4-9, and 12-14 of U.S. Patent No. 12,362,330; claims 1-20 of U.S. Patent No. 12,400,961; claims 1-3, 6, 7, and 15-20 of U.S. Patent No. 12,464,734; and claims 1, 2, 4, 5, and 7 of U.S. Patent No. 12,564,006. *Id.* The complaint further alleges that a domestic industry exists. *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, Korea; SK hynix America Inc. of San Jose, California; and SK hynix Memory Solutions America Inc. of San Jose, California. *Id.* The Office of Unfair Import Investigations is participating in the investigation. *Id.*

On July 24, 2026, the ALJ issued the ID (Order No. 5) setting a 20-month target date of February 15, 2028, with any final initial determination to be due no later than October 15, 2027. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. Accordingly, the target date for completion of the investigation is February 15, 2028, and the final initial determination is due on October 15, 2027.¹

The Commission vote for this determination took place on August 25, 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: August 26, 2026

¹ The Commission recognizes that this target date is necessitated by the current heavy case load. Such extended deadlines are regrettable and reflect the underlying need for additional Commission resources, including resources dedicated to section 337 investigations, both during ALJ proceedings and Commission review. The Commission is currently exploring how to address this need.