

# Netlist Receives Favorable Order in Patent Infringement Case Against Google

May 6, 2022

**IRVINE, CA / ACCESSWIRE / May 6, 2022** / Netlist, Inc. (OTCQB:NLST) today announced that, the United States District Court for the Northern District of California (the Court) issued an order granting Netlist's motion for summary judgement on intervening rights as to claim 16 of Netlist's U.S. 7,619,912 ('912) patent.



As a result, Netlist's enforcement of claim 16 cannot be abridged, and may proceed unencumbered by Google's latest attempt to escape responsibility for their long history of using Netlist's intellectual property without permission. The '912's other claims were subject to intervening rights by the order, and they will continue to be asserted by Netlist under a narrower window of time for quantifying the harm caused by Google's acts.

C.K. Hong, Netlist's Chief Executive Officer, said, "This ruling stands as vindication of Netlist's rights in its decade-plus fight against Google. We now look forward to a complete discovery of Google's make and use of infringing products over this period, and bringing this case before a jury as soon as possible."

Netlist believes that the teachings of the '912 patent can be found in various DDR3 and DDR4 server DIMMs (Dual Inline Memory Module) as well as future products that will be produced under the DDR5 server DIMM standards currently being established by the industry.

The Court set a case management conference for June 23, 2022 at 10 a.m. PT.

## About Netlist

Netlist provides high-performance solid state drives and modular memory solutions to enterprise customers in diverse industries. The Company's NVMe™ SSDs in various capacities and form factors and the line of custom and specialty memory products bring industry-leading performance to server and storage appliance customers and cloud service providers. Netlist licenses its portfolio of intellectual property including patents, in server memory, hybrid memory and storage class memory, to companies that implement Netlist's technology. To learn more, visit [www.netlist.com](http://www.netlist.com).

## Safe Harbor Statement

This news release contains forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995. Forward-looking statements are statements other than historical facts and often address future events or Netlist's future performance. Forward-looking statements contained in this news release include statements about Netlist's ability to execute on its strategic initiatives. All forward-looking statements reflect management's present expectations regarding future events and are subject to known and unknown risks, uncertainties and other factors that could cause actual results to differ materially from those expressed in or implied by any forward-looking statements. These risks, uncertainties and other factors include, among others: risks related to Netlist's plans for its intellectual property, including its strategies for monetizing, licensing, expanding, and defending its patent portfolio; risks associated with patent infringement litigation

initiated by Netlist, or by others against Netlist, as well as the costs and unpredictability of any such litigation; risks associated with Netlist's product sales, including the market and demand for products sold by Netlist and its ability to successfully develop and launch new products that are attractive to the market; the success of product, joint development and licensing partnerships; the competitive landscape of Netlist's industry; and general economic, political and market conditions, including quarantines, factory slowdowns or shutdowns, and travel restrictions resulting from the COVID-19 pandemic. The military conflict between Russia and Ukraine may increase the likelihood of supply interruptions. All forward-looking statements reflect management's present assumptions, expectations and beliefs regarding future events and are subject to known and unknown risks, uncertainties and other factors that could cause actual results to differ materially from those expressed in or implied by any forward-looking statements. These and other risks and uncertainties are described in Netlist's annual report on Form 10-K for its most recently completed fiscal year filed on March 1, 2022, and the other filings it makes with the U.S. Securities and Exchange Commission from time to time, including any subsequently filed quarterly and current reports. In light of these risks, uncertainties and other factors, these forward-looking statements should not be relied on as predictions of future events. These forward-looking statements represent Netlist's assumptions, expectations and beliefs only as of the date they are made, and except as required by law, Netlist undertakes no obligation to revise or update any forward-looking statements for any reason.

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