

# Netlist Expands Its Patent Infringement Suit Against Inphi

February 12, 2010

## Netlist Asserts Additional Patents Against Inphi

IRVINE, CA (February 11, 2010) - Netlist, Inc. (NASDAQ:NLST) today announced that it has amended its September 2009 patent infringement suit against Inphi Corporation to include recently issued U.S. Patent Nos. 7,636,274 and 7,619,912 in addition to Netlist's U.S. Patent No. 7,532,537, which was asserted in Netlist's original complaint.

In September 2009, Netlist sued Inphi for patent infringement. In its amended complaint against Inphi, Netlist is seeking monetary damages and has requested an injunction barring Inphi from infringing and inducing others to infringe any of the claims of the '537, '274 and '912 patents.

"The '537, '274 and '912 patents embody fundamental technology that maximizes server utilization by removing memory capacity and bandwidth bottlenecks," said Netlist Vice President of Marketing Jonathan Siann. "This amendment reinforces our initial actions and our commitment to protect our intellectual property."

Inphi's suit and press release in November 2009 were both subsequent to Netlist's original complaint in September 2009. In addition, in Netlist's opinion, the Inphi patent claims are narrow in scope, and pose no impediment to the Netlist HyperCloud™ or any Netlist product under development.

## About Netlist, Inc.

Netlist designs and manufactures high-performance memory subsystems for the server and high-performance computing and communications markets. The Company's memory subsystems are developed for applications in which high-speed, high-capacity memory, functionality, small form factor, and heat dissipation are key requirements. These applications include tower-servers, rack-mounted servers, blade servers, high-performance computing clusters, engineering workstations, and telecommunication equipment. Netlist maintains its headquarters in Irvine, California with manufacturing facilities in Suzhou, China.

## Safe Harbor Statement

This news release contains forward-looking statements regarding future events and the future performance of Netlist, including future opportunities and growth for the company's business. These forward-looking statements involve risks and uncertainties that could cause actual results to differ materially from those expected or projected. These risks and uncertainties include, but are not limited to, ongoing litigation, the Company's ability to protect its intellectual property, the Company's ability to complete development of and volume production of HyperCloud™, the rapidly-changing nature of technology; volatility in the pricing of DRAM ICs and NAND; changes in and uncertainty of customer demand, including delays in product qualifications; delays in the Company's and its customers' product releases and development; introductions of new products by competitors; changes in end-user demand for technology solutions; the Company's ability to attract and retain skilled personnel; the Company's reliance on suppliers of critical components; fluctuations in the market price of evolving industry standards; and the political and regulatory environment in the People's Republic of China. Other risks and uncertainties are described in the Company's annual report on Form 10-K, dated March 30, 2009, and subsequent filings with the U.S. Securities and Exchange Commission made by the Company from time to time. Netlist undertakes no obligation to publicly update or revise any forward-looking statements, whether as a result of new information, future events or otherwise.

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Feb 11, 2010