

**UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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SK HYNIX INC., SK HYNIX AMERICA INC., and SK HYNIX MEMORY  
SOLUTIONS INC.,

Petitioners,

v.

NETLIST, INC.

Patent Owner

Patent No. 8,301,833

Issued: October 30, 2012

Filed: September 29, 2008

Inventors: Chi-She Chen, Jeffrey C. Solomon, Scott Milton, Jayesh Bhakta

Title: Non-Volatile Memory Module

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*Inter Partes* Review No. IPR2017-00649

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**PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 8,301,833  
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.1-.80 & 42.100-.123**

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**Attachment A. Proof of Service of the Petition**

**Attachment B. List of Evidence and Exhibits Relied Upon in Petition**

**I. COMPLIANCE WITH REQUIREMENTS FOR A PETITION FOR INTER PARTES REVIEW**

**A. Certification the 833 Patent May Be Contested by Petitioners**

Petitioners certify they are not barred or estopped from requesting *inter partes* review of U.S. Patent No. 8,301,833 (“the 833 Patent”) (Ex. 1001). No Petitioner, nor any party in privity with a Petitioner, has filed a civil action challenging the validity of any claim of the 833 Patent. The 833 Patent has not been the subject of a prior *inter partes* review by any Petitioner or a privy of a Petitioner.

Petitioners also certify this petition for *inter partes* review is filed within one year of the date of service of a complaint alleging infringement of a patent – no complaint alleging infringement of the 833 Patent has been served on any Petitioner. Petitioners therefore certify this patent is available for *inter partes* review.

**B. Fee for Inter Partes Review (§ 42.15(a))**

The Director is authorized to charge the fee specified by 37 CFR § 42.15(a) to Deposit Account No. 50-1597.

**C. Mandatory Notices (37 CFR § 42.8(b))**

The real parties of interest of this petition are the Petitioners: SK hynix Inc., SK hynix America Inc. and SK hynix memory solutions Inc.

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