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SUBCOMMITTEE ON
INVESTOR PROTECTION, ENTREPRENEURSHIP, AND
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November 25, 2019

The Honorable Lisa A. Barton
Secretary to the Commission
U.S. International Trade Commission
500 E Street, SW
Washington, DC 20436

Re: Inv. 337-TA-1089, *Certain Memory Modules and Components Thereof*

Dear Secretary Barton,

I write regarding the initial determination issued by the Chief Administrative Law Judge in International Trade Commission Inv. 337-TA-1089, *Certain Memory Modules and Components Thereof*, in favor of Netlist, Inc. Netlist is a small publicly traded company based in my district in Irvine, California. Netlist has invested millions of dollars in the Irvine economy through its innovative research and development efforts, including by employing hundreds of Californians throughout its 20-year history in Irvine.

There is a strong public interest in protecting the intellectual property of a small American innovator with a domestic industry. Section 337 of the Tariff Act was meant to protect innovative American companies like Netlist and the ITC process should be allowed to proceed.

In response to concerns regarding public interest factors that may exist, the parties have already agreed to a delay of six to twelve months in imposing the recommended exclusion order, if one were to be issued. This should help alleviate concerns regarding public interest factors.

Strong protection for intellectual property through section 337 investigations fosters innovation and protects American investment. I therefore respectfully urge your agency to bear this in mind as it considers this case.

Sincerely,



Katie Porter
Member of Congress