

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BESANG INC.,

Plaintiff.

V.

MICRON TECHNOLOGY, INC.,
MICRON SEMICONDUCTOR
PRODUCTS, INC., and MICRON
TECHNOLOGY TEXAS, LLC

Defendants.

CIVIL ACTION NO. 2:23-CV-00028-JRG-RSP

MICRON TECHNOLOGY, INC.,
MICRON SEMICONDUCTOR
PRODUCTS, INC., and MICRON
TECHNOLOGY TEXAS, LLC

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ORDER

Before the Court is the Joint Motion for Final Judgment (the “Motion”) filed by Plaintiff BeSang Inc. (“Plaintiff”) and Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas, LLC (“Defendants”). (Dkt. No. 145).

On August 5, 2025, the Magistrate Judge issued a Claim Construction Order (the “Order”) construing certain terms of United States Patent Number 7,378,702. (Dkt. No. 136.) Plaintiff filed objections to the Order. (Dkt. No. 141.) On August 27, 2025, the district court overruled Plaintiff’s objections and adopted the Magistrate Judge’s Order. (Dkt. No. 143.)

In the Motion, Plaintiff and Defendants represent that they “agree that the Court’s determination regarding the meaning of its construction of the term “stackable add-on layer”—that “a ‘stackable add-on layer’ cannot be a layer formed *in situ* by sequential deposition on the dielectric layer” (Dkt. No. 136 at 9–10)—is case-dispositive in Defendants’ favor on the issue of infringement.” (Dkt. No. 145 at 1.) The Parties have stipulated that, under the Court’s construction, the Accused Products do not infringe any claim of the ’702 patent. (*Id.*) The Court thus finds that an appealable Final Judgment should be entered under Fed. R. Civ. P. 58.

Therefore, it is **ORDERED** that:

1. **JUDGMENT** is hereby entered that the Accused Products do not infringe any claim of the '702 patent in view of the Court's construction of "stackable add-on layer";
2. Micron's counterclaims are hereby **DISMISSED WITHOUT PREJUDICE**; and
3. **IT IS ORDERED** that the time for filing a bill of costs under Local Rule CV-54 and Fed. R. Civ. P. 54(d) and for filing any motion for attorney fees is extended until 30 days after the Federal Circuit's issuance of the mandate regarding BeSang's appeal of this Court's final judgment.

So ORDERED and SIGNED this 17th day of September, 2025.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE