

as possible, thereby conserving both the Commission's and Respondent's resources. Two

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

and materially affected by the Federal Circuit's decision. This Court should follow their lead.

Alternatively, if the Motion to Stay is denied, the Court should grant Respondent a short extension of time within which to file its Answer. Complaint Counsel have authorized us to state

had acquired wrongfully through violation of JEDEC's disclosure rules (*id.* ¶ 2); and (9) DRAM manufacturers became so "locked-in" to Rambus's technology that they were powerless to alter or work around JEDEC's standards (*id.* ¶¶ 105-109).

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

products compliant with the JEDEC standards do not suffice. Board 17-00000-111

that it *later* obtained. (See Compl. ¶¶ 80, 122.) Just as the DRAM manufacturers alleged in the *Infineon*, *Micron*, and *Hynix* cases, the Complaint alleges that, through its allegedly wrongful non-disclosure of its then non-existent patents, Rambus allowed JEDEC to adopt standards that incorporated its technology. Just as the DRAM manufacturers alleged in the *Infineon*, *Micron*, and *Hynix* cases, the Complaint alleges that the incorporation of Rambus's technology into JEDEC's standards effectively locked manufacturers into using Rambus's technology and

[REDACTED]

1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2

There can be no question that the *Infineon* matter is "collateral" to the case at bar and that the decision in the *Infineon* appeal will squarely affect these proceedings. The similarity of the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Also central to both the Complaint and the *Infineon* appeal is the issue of causation: whether JEDEC would have adopted a different standard had Rambus disclosed its patents, patent applications, and plans for future patents; and whether incorporation of Rambus's technology into the JEDEC standard had any actual effect on the DRAM manufacturers. (Compl. ¶ 3, 119; Tr. at 26.)

Other issues that are likely to be addressed in the *Infineon* decision and bear on this case include whether Rambus had any patent applications pending while it was a JEDEC member that would be infringed by products built to a JEDEC standard (Tr. at 3-6, 23, 33); whether Rambus obtained any material information by being a JEDEC member that was not public and that it thus could not have learned had it not joined JEDEC (Tr. at 21-22, 36-38); and whether, even if

Part of the following text is redacted.

Tr. at

explain *each* fact alleged in the Complaint, *see* 16 C.F.R. §3.12(b)(ii)((2)), so as to frame and narrow the issues in dispute instead of simply stating that respondent does not have sufficient knowledge to admit or deny, respondent requires more time than the 20 days allowed under the

Rule. Accordingly, if the requested Stay is not granted, respondent respectfully requests an

[REDACTED]

additional 14 days in which to file its Answer, that is, until July 29, 2002.

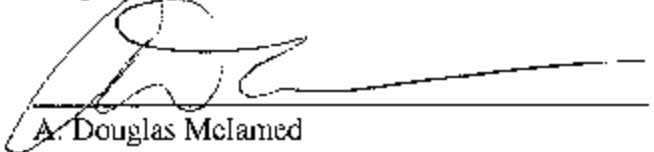
An extension of time is also requested here because respondent has not yet calcu- 14

[REDACTED]

[REDACTED]

July 10, 2002

Respectfully submitted,



A. Douglas McLamed
Robert B. Bell
Wilmer, Cutler & Pickering
2445 M Street N.W.
Washington, DC 20037-1402
202 663-6000

John D. Danforth, Esq.
Bob Kramer, Esq.
Rambus Inc.
4400 El Camino Real
Los Altos, CA 94022
650 947-5000

Counsel for Respondent Rambus Inc.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

In the Matter of)
)
RAMBUS INC.,)
a corporation,)
_____)

Docket No.9302

CERTIFICATE OF SERVICE

I, _____, do hereby certify that I am a resident of the United States of America and am over the age of 18 years.

[REDACTED]