

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

RESPONDENT RAMBUS INC.'S SUBMISSION
REGARDING COMPANY ATTENDANCE
AT SYNCLINK AND JEDEC 42.3 MEETINGS

Respondent Rambus Inc. submits the following information regarding overlapping attendance at SyncLink and JC 42.3 meetings.¹

The evidence in the trial record shows that of the thirty-four companies that attended at least one SyncLink/SLDRAM Inc. meeting in 1996 or 1997, thirty-one also attended a JEDEC 42.3 meeting in that same time period. As set out in more detail in exhibits A and B, the following companies attended one or more meetings of the SyncLink Consortium (or its successor, SLDRAM, Inc.) and the JEDEC 42.3 committee in 1996 and/or 1997:

¹ The issue of whether the overlapping attendance at the two types of meetings was sufficient to justify the use of SyncLink-related evidence as demonstrative of the “but-for world” in this case was raised at closing argument. *See* Tr. 11676-69. The parties were unable to reach agreement on the nature of the information to be provided to Your Honor on this issue. *See* fn. 3, *infra*.

1. AMP, Inc.
2. Apple Computer
3. Compaq
4. Fairchild Semiconductor
5. Fujitsu
6. Hewlett-Packard
7. Hitachi
8. Hyundai
9. IBM
10. Intel
11. Matsushita
12. Micron
13. Mitsubishi
14. Molex
15. Mosaid
16. Mosel Vitelic
17. Motorola
18. NEC
19. Nippon Steel Corp.
20. Oki Semiconductor
21. Panasonic
22. S3

23. Samsung
24. Siemens
25. Sun Microsystems
26. Teradyne
27. Texas Instruments
28. Toshiba
29. VIS
30. VLSI Technology
31. Winbond Electronics.²

² This list is based entirely upon admitted trial exhibits, which are summarized in exhibits A and B hereto. Although Complaint Counsel did not point to any inaccuracy in this list, they were unwilling to stipulate to it. Complaint Counsel took the position that the only relevant inquiry was whether individuals who had been present at the August 1995 SyncLink meeting (where Rambus's patents were mentioned) had later attended JEDEC 42.3 meetings. The evidence shows, however, that the possibility that Rambus would have intellectual property covering SyncLink devices was raised at SyncLink and SLDRAM Inc. meetings long after August 1995. For example, the July 1997 SLDRAM Inc. meeting minutes state that "Rambus will sue" SyncLink members for patent infringement. (RX 966 at 3). The overlap between SyncLink/SLDRAM and JEDEC 42.3 meeting attendance throughout 1996 and 1997 is therefore relevant in this matter.

DATED: October __, 2003

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COUNSEL FOR RESPONDENT
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CERTIFICATE OF SERVICE

I, James M. Berry, hereby certify that on October 28, 2003, I caused a true and correct copy of *Respondent Rambus Inc.'s Submission Regarding Company Attendance At SyncLink And JEDEC 42.3 Meetings* to be served on the following persons by hand delivery:

Hon. Stephen J. McGuire Chief Administrative Law Judge Federal Trade Commission, Room H-112 600 Pennsylvania Avenue, N.W. Washington, D.C. 20580	Richard B. Dagen, Esq. Assistant Director, Bureau of Competition Federal Trade Commission 601 New Jersey Avenue, N.W. Washington, D.C. 20001
Donald S. Clark, Secretary Federal Trade Commission, Room H-159 600 Pennsylvania Avenue, N.W. Washington, D.C. 20580	Malcolm L. Catt, Esq. Attorney Federal Trade Commission 601 New Jersey Avenue, N.W. Washington, D.C. 20001

James M. Berry

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CERTIFICATION

I, James M. Berry, hereby certify that the electronic copy of *Respondent Rambus Inc.'s Submission Regarding Company Attendance At SyncLink And JEDEC 42.3 Meetings* accompanying this certification is a true and correct copy of the paper original and that a paper copy with an original signature is being filed with the Secretary of the Commission on October 28, 2003 by other means.

James M. Berry
October 28, 2003