

**UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION**

COMMISSIONERS: **Deborah Platt Majoras, Chairman
Orson Swindle
Thomas B. Leary
Pamela Jones Harbour
Jon Leibowitz**

In the Matter of **)**
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RAMBUS INCORPORATED, **)**
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a corporation. **)**

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Docket No. 9302

**STATEMENT OF RAMBUS INC. IN COMPLIANCE WITH THE
COMMISSION'S DECEMBER 6, 2004 ORDER GRANTING THE MOTION OF
NON-PARTY MITSUBISHI ELECTRIC CORP. TO ENFORCE PROTECTIVE
ORDER**

By Order dated December 6, 2004, the Commission has required Rambus Inc. (“Rambus”) to file with the Commission and serve upon counsel for Mitsubishi Electric

After May 21, 2003, Rambus and its counsel made use only of Mitsubishi documents that had been admitted in this proceeding and that were part of the public record, with two exceptions. On February 27, 2004, in connection with the ongoing *Infineon* litigation, Rambus served a subpoena on Mitsubishi Electric & Electronics USA, Inc. (“MEUS”) seeking to authenticate certain documents for use in that litigation. All but two of the documents attached to this subpoena had earlier been admitted in evidence in this proceeding. The two exceptions were one page of the document attached to the subpoena at Tab 34 (MEC 3001714) and the document attached at Tab 39 (MEC 403332-334). These documents were shared with counsel for Infineon and counsel for MEUS as a result of the service of this subpoena. However, on May 26, 2004, Magistrate Judge William J. Hibbler of the United States District Court for the Northern District of Illinois granted Rambus’s motion to compel Jenner & Block, LLC to produce to Rambus for use in the *Infineon* litigation all of Mitsubishi’s Discovery Materials and use of those materials now is permitted under the terms of the *Infineon* Protective Order.

Other than as described above and in the accompanying declaration of Mr. Kramer, Rambus is not aware of any other use or disclosure it or its counsel made of any of Mitsubishi's Discovery Materials other than for purposes of this proceeding, except to the extent that certain exhibits that came from Mitsubishi's Discovery Materials were used for purposes other than the purposes of this proceeding after they were admitted in evidence in this proceeding and made part of the public record.

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CERTIFICATE OF SERVICE

I, Kenneth A. Bamberger, hereby certify that on December 16, 2004, I caused true and correct copies of the *Statement of Rambus Inc. in Compliance with the Commission's December 6,*

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CERTIFICATION

I, Kenneth A. Bamberger, hereby certify that the electronic copies of *Statement of Rambus Inc. in Compliance with the Commission's December 6, 2004 Order Granting the Motion of Non-Party Mitsubishi Electric Corp. to Enforce Protective Order*, and the attached *Declaration of Robert G. Kramer in Compliance with the Commission's December 6, 2004 Order Granting the Motion of Non-Party Mitsubishi Electric Corp. to Enforce Protective Order*, accompanying this certification are true and correct copies of the paper versions that are being filed with the Secretary of the Commission on December 16, 2004 by other means.

Kenneth A. Bamberger
December 16, 2004