

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

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

In the Matter of

RAMBUS INCORPORATED,

a corporation.

Docket No. 9302

PUBLIC

**PETITION TO SUPPLEMENT THE RECORD
IN RESPONSE TO REQUEST BY THE COMMISSION**

In response to a request by the Secretary of the Commission, Complaint Counsel hereby submit Infineon's proposed findings of fact from the Unclean Hands Hearing in the Eastern District of Virginia as Complaint Counsel's proposed Demonstrative Exhibit DX0508. Complaint Counsel request that this exhibit be included in the record of this case, in addition to those proposed exhibits previously submitted by Complaint Counsel pursuant to the Commission's Order of May 13, 2005. Rambus does not object to the admission of this additional proposed demonstrative exhibit, but Rambus does not concede that it is probative with respect to the issues tried to Judge McGuire. An amended Exhibit List reflecting this additional proposed exhibit, as well as the exhibit itself, are attached to this Petition.

The proposed findings of fact by Rambus from the Unclean Hands Hearing in the Eastern District of Virginia have previously been submitted by Rambus here as proposed exhibit RX-

2553. The bench ruling by Judge Payne in that case is located at pages 1138-1139 of Complaint Counsel's previously submitted proposed Demonstrative Exhibit DX0507.

Respectfully submitted,

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Bureau of Competition
FEDERAL TRADE COMMISSION
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Counsel for the Complaint

July 15, 2005

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PROPOSED ORDER

Having considered Complaint Counsel's Petition to Supplement the Record with Infineon's Findings of Fact in the Federal District Court Case, Complaint Counsel's Petition is hereby granted. Accordingly,

IT IS ORDERED THAT the record be reopened for the purpose of admitting as DX0508 Infineon's proposed findings of fact from the Unclean Hands Hearing in the case between Rambus and Infineon in the Eastern District of Virginia.

By the Commission.

Donald S. Clark
Secretary

ISSUED: