UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

COMMISSIONERS: **Deborah Platt Majoras, Chairman**
Pamela Jones Harbour
Jon Leibowitz
William E. Kovacic
J. Thomas Rosch

In the Matter of	)	
	)	
RAMBUS INCORPORATED,	)	**Docket No. 9302**
a corporation.	)	
	)	**[Formerly In Camera; Placed On Public Record By Notice Issued On February 7, 2007]**

ORDER GRANTING IN PART COMPLAINT COUNSEL'S MOTION TO REOPEN

● f Ma 13, 2005.[1] Ra b . ● . ● . e ● . e g● he g● d ha E hb CX-5100 - 5116 a e c a ea d ee a a d ha C● a C● e ha ● ffe ed ● e a a● ● f ca● ● ffe g CX-5117 ● e de ce.[2]

R● e g he e● d● ad e e a e de ce a h age● f he ● ceed g b d● be . . . ● e a ced he e (1) he a ● ffe g he e de ce ha ac ed h d e d ge ce; (2) he e e a e de ce ee a ● ba e a d ● -c a e; a d (3) he e e a e de ce ca be ad ed b d e e d ce● he● he a .[3] We f d b ec e a a fed h e ec ● 17● f he 18 ● c e ha C● a C● e ha ● gh ● add● he e● d.

F , he C● ● f d ha C● a C● e ha ac ed h d e d ge ce ● ffe g h e de ce. I a e 2002, Ra b ' -b e● e a each g● ● c e h ca e a d d ● e ed a ● e b ● f a e a , c d g a e , ac bce. W b e g he a e , he dee ed he a e a ● - e ● e● C● a C● e ' d ● e e e .[4] I Ma ch 2005, Ra b e ed ha dec ● e a a● ● a hea g he *Hynix* ca e a d ade f he ea che ● ● he a e .[5] Th , ● g a fe he c● e● f d ● e h a e , Ra b ● d add ● a e de ce● a ● a e 1,400 bac - a e a d● he e ● ab e e ec● c ed a. Ra b ● e ed ● d c● ● H , a d● C● a C● e a e Se e be 2005.[6] S ce Ra b ● ece ● d ced he e● c e a d C● a C● e ● b● gh he ●● a e ● , e f d ha C● a C● e ac ed h d e d ge ce.

Se● d, e f d ha 17● f he 18 ● ffe ed ● c e a e e e a a d ● ba e● f e h ca e. Ra b a ea ● ● cede he ● ba e a e● f CX-5107 a e a ef ec g e g ee B Ga e ' de a d g● f JEDEC' d c● e ● c b a g ha he ● c e ef ec a ● a ● f a● ● Ra b ha d c● e a JEDEC ee g

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[1] O de Ga g I Pa C● a C● e ' M● ● ● C● e P● d c● ● f, a d ● R● e he Re● d● Ad , D● c e Re a g● Ra b I c.' S● a● ● f E de ce; a d Ga g Ra b ' U● ● ed M● ● ● Re ea e● f Te ● (Ma 13, 2005) a 2 (R● e O de I).

[2] Me ● a d b Ra b I c. O ● ● ● C● a C● e ' M● ● ● R● e he Re● d● Ad D● c e f● Ra b ' Bac -U Ta e (Oc . 11, 2005) (Ra b Me ● O ● ●).

[3] R● e O de I a 2 (c a● ● ed).

[4] A ach e A● C● a C● e ' M● ● ● R● e , a 3.

[5] A ach e A● C● a C● e ' M● ● ● R● e , a 4.

[6] C● a C● e ' M● ● ● R● e a 6-7.

Ra b , a ed , , ege c a , a ● he ea e h, a e.[9] ● ● e ● d CX-5117 ● e ● , a ● , e' ● , ● ega d g , ege a e. The ● , ● ha ● bee a ed ● ● , a d e, , e, e ● ● ● ega d g, h, , ege a e , , e. M e ● a , he ● , ● ha ● bee ad , ed ha ● ba e a e ● d be g e ● h, , ege ● g ● ● ha , e.[10] Th , , h he e ce ● ● f he , ege ● g, CX-5117, he ● , ● f d E h b , CX-5100 - 5116 a d RX-2554 ● be ● ba ● f he , , e ha eed ● be e ● ed h, ● ceed g.

I add ● , e f d he e ● ba e e h b , ● be ● -c a e.[11] Ra b , a g e ha CX-5100, CX-5101, a d CX-5105 a e c a ● f e ● d e de ce , ch a CX-837.[12] We d, ag ee. CX-837 , a e a f ● C , , ef ec g, a ● g ● he h g , h, e ● e da ● ha Ra b , e he ● d ha , a e , ha e , , ed . . . ● be c ea ● h, . CX-837 a 2. CX-5105, b ● a , , a e a ha ef ec, C , , ' , e ● a ● ha Ra b , ● d ● , f e a e e ed ● d, c ● , e ● de ● e a e be, ● d, a d g. Wh e ● ● ffe ● e e de ce a ● ha C , , ● gh a ● he ● ● f he JEDEC ● c e, he ● b e a ● he ● a a e d, c. The a g e ha CX-837 a d CX-5100-01 a e c a e, ea e. CX-837 ● a , C , , ' e ● he ad , ab ● f ● g, c ea ; CX-5100 a d CX-5101 ● a he e ● f Ra b , ' CEO, G ● ff Ta e, a ● ca ed ● C , , a d ● he , , ega d g he eed ● a , a eg ega d g , a e d, c ● , e h JEDEC.

Ra b , f he a g e ha CX-5113 , , a de ca ● a e a b M. C , , ha , a ead he e ● d, CX-711.[13] We aga d, ag ee. CX-5113 g e M. C , , ' e ● f he ● ● f he JEDEC ● c : , he a ● ea ● ● he ● c [JEDEC ha] , ace , ha f he e e ● , a da d , e ● e h g ha ha a , a e ● a d he , a e , ece a ● b d he de ce a d he , a e ● de dec de ● ● ce , e ce a ● , a e , he he ● e a ha e

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[9] G , a G , e' M ● ● R ● , e a 5-6.

[10] *See* Ra b , Me ● O , ● , ● a 8-9.

[11] F he , , ● ● f h, ● ● , he , e ad , b e e de ce , c a e, a d h , e, c dab e, he , *unnecessarily* d ca e ● f ● he e de ce a ead he e ● d. *See*, R e 3.43(b), 16 C.F.R. 3.43(b); FED. R. EVIDENCE 403; a d , e h W. G che , FEDERAL COURTROOM EVIDENCE 403.5 (G. R cha d ● eh e ed., 5th ed. 2004).

[12] Ra b , Me ● O , ● , ● a 5-6.

[13] Ra b , Me ● O , ● , ● a 7-8.

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[14] Ra b ' M R e he Re d Ad Ne Ob a ed E de ce Reb g C a C e ' P ed F d g a d U de g C a C e ' P ed Re ed (Ra b ' M R e) a 4-5.

[15] Ra b ' M R e a 9-15.

[16] Ra b ' M R e a 7.

[17] S e e a B ef S f M b Ra b R e Re d Ad

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[19] G a G e' O Ra b ' M R e he Re d a 3.

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