## UNITED STATES OF AMERICA BEFORE FEDERAL TRADE COMMISSION

COMMISSIONERS:	Deborah Platt Majoras Mozelle W. Thompson	, Chairman
	Orson Swindle	
	Thomas B. Leary	
	Pamela Jones Harbour	
	)	
In the Matter of	)	
	)	
RAMBUS, INCORPORATED	,	Docket No. 9302
a corporation.	)	
	)	

## ORDER DIVIDING ORAL ARGUMENT INTO TWO SESSIONS AND SCHEDULING THE SECOND SESSION

On April 30, 2004, the Commission scheduled the oral argument on the appeal and the cross-appeal from the Initial Decision in this matter for Tuesday, September 21, 2004, at 10:00 a.m. The Commission has now determined to add a second oral argument session, and to schedule it for Thursday, December 9, 2004, at 10:00 a.m.

The Commission has further determined that the oral argument session now scheduled for September 21, 2004, will be devoted entirely to technology presentations by Counsel Supporting the Complaint and Counsel for the Respondent. The Commission has determined that these presentations will be of assistance, by permitting the Respondent and Counsel Supporting the Complaint to describe, explain, and clarify the technical evidence in the record relating to overall computer design, memory architectures, and memory technologies that are relevant to this proceeding. See generally Commission Rules 3.52 and 3.54, 16 C.F.R. §§ 3.52, 3.54 (2004). The presentations shall be made by counsel of record in this proceeding, rather than by individuals who are not counsel of record, such as witnesses or outside experts. Moreover, the presentations should be as objective and nonargumentative as possible. Thus, for example -with respect to the technologies relevant to this proceeding -- counsel for the parties should describe, in as objective a fashion as possible, the purpose that each technology serves, how each technology works, and each technology's interoperability requirements. Any audio or visual materials used during the presentations (such as PowerPoint slides) either shall already be part of the record in this proceeding, or shall refer only to material already part of the record in this proceeding. The oral argument session shall be both transcribed and videotaped, and both the

transcript and the videotape shall be placed in the public record of this proceeding. The Commissioners may pose follow-up questions to both parties following the completion of both presentations.

Accordingly, for the foregoing reasons,

IT IS ORDERED THAT the first oral argument session in this matter, scheduled for Tuesday, September 21, 2004, shall be devoted in its entirety to the technology presentations described in this Order. Each side shall be allotted one hour to make its presentation and shall be permitted to reserve up to ten minutes of that time for rebuttal, limited to the correction of perceived technical errors in the presentation of opposing counsel. Counsel Supporting the Complaint shall proceed first. On Tuesday, September 14, 2004, counsel for the parties shall file with the Commission -- and serve on each other, by personal delivery, email, or FAX -- a list of all exhibits that will be visually displayed or otherwise referred to during the presentations; and

IT IS FURTHER ORDERED THAT a second oral argument session in this matter be, and it hereby is, scheduled for 10:00 a.m. on Thursday, December 9, 2004. Each side shall be allotted one hour to present its argument, and Counsel Supporting the Complaint shall have the opportunity to open and close the argument.

By the Commission.

Donald S. Clark Secretary

ISSUED: August 20, 2004