

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

**MOTION BY RESPONDENT RAMBUS INC. FOR LEAVE TO FILE
A REPLY BRIEF IN SUPPORT OF RESPONDENT'S APPLICATION FOR
REVIEW OF THE FEBRUARY 26, 2003 ORDER GRANTING COMPLAINT
COUNSEL'S MOTION FOR COLLATERAL ESTOPPEL PURSUANT TO RULE
3.23(b) OR, IN THE ALTERNATIVE, REQUEST FOR RECONSIDERATION OF
THAT ORDER**

Pursuant to the Federal Trade Commission Rules of Practice For Adjudicative Proceedings, respondent Rambus Inc. requests leave to file a short reply brief in support of its Application for Review of the February 26, 2003 Order Granting Complaint Counsel's Motion for Collateral Estoppel Pursuant to Rule 3.23(b) or, in the Alternative, Request for Reconsideration of that Order, filed March 5, 2003 ("Rambus's Application"). The proposed reply brief, lodged herewith, will address only those new arguments and authorities raised in the opposition brief filed by Complaint Counsel on March 11, 2003, and not raised in Complaint Counsel's moving and supplemental papers filed in connection with their original motion. *See* Tabs B, C & D to Rambus's Application. Respondent's counsel yesterday requested that Complaint Counsel consent to the filing of this reply; Complaint Counsel have not yet responded to that request.

This brief reply is necessary to address the arguments Complaint Counsel now

make that Rambus could not have anticipated since they previously were not raised by Complaint Counsel. Further, because Complaint Counsel's opposition brief is much longer than Rambus's application – the opposition brief is 34 pages in length, substantially in excess of the 15 pages allowed Rambus in its application by operation of Rule 3.23(b) – Rambus would appreciate the opportunity to respond in a bit more detail to some of the more fulsome arguments advanced by Complaint Counsel.

DATED: March 13, 2003

Respectfully submitted,

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