

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

PUBLIC VERSION

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

THE PARTIES' FIRST SET OF STIPULATIONS

I. Stipulations of Fact

The following is hereby stipulated and agreed on for purposes of this proceeding.

1. Among other things, Rambus develops and licenses memory technologies to companies that manufacture semiconductor memory devices.
2. Rambus does not manufacture memory devices for resale. Rambus obtains its revenue from license fees, development fees such as non-recurring engineering fees, and royalties.
3. Rambus and NEC entered into a Non-Disclosure Agreement in or about April 1990.
4. Rambus and Sony signed a Non-Disclosure Agreement in or about September 1990.
5. Rambus and Toshiba entered into a technology license in or about October 1990.
6. Rambus and Hewlett-Packard signed a Non-Disclosure Agreement in or about January 1991.

7. Rambus and Samsung signed a Non-Disclosure Agreement in or about March 1992.

8. Rambus' International Patent Application number WO 91/16680 became publicly available in or about October 1991.

9. Prior to the adoption of the JEDEC SDRAM standard in 1993, Rambus had no claims in any pending patent application that, if issued, would have necessarily been infringed by the manufacture or use of any device manufactured in accordance with the 1993 JEDEC SDRAM standard.

10. As of January 1996, Rambus held no issued U.S. patents that were essential to the manufacture or use of any device manufactured in compliance with any JEDEC standard.

11. In September 1993, Rambus disclosed its first issued patent to JEDEC during a committee meeting. This patent, U.S. Patent Number 5,243,703 ('703 patent), resulted from a divisional application of an original application, Serial No. 07/510,898 ('898 application), filed in April 1990.

12. After leaving JEDEC, Rambus filed more divisional and continuation applications claiming priority to the '898 application.

13. At least 43 United States Patents have been issued to Rambus from continuation and divisional applications claiming priority to the original '898 application.

14. In August 2000, Rambus sued Infineon, a manufacturer of semiconductor memory devices (including SDRAM and DDR SDRAM devices) and a member of JEDEC, for infringement of certain claims of the following U.S. patents: 5,954,804 ('804 patent); 5,953,263 (the '263 patent), 7,034,918 (the '918 patent), and the 6,032,214 ('214 patent).

15. These four patents (the '804 patent, the '263 patent, the '918 patent, and the '214 patent) each claim priority to the '898 application, and the written description of each is substantially identical to that of the '898 application.

16. In its suit against Infineon, Rambus alleged infringement of 56 claims in these four patents.

17. The JEDEC JC-42.3 Subcommittee attempts to establish standards for random access memory ("RAM"), a common component in computers, printers, and other electronic devices.

18. JEDEC's Manual of Organization and Procedure JEP 21-H was first published in 1988.

19. JEDEC published its standard for SDRAM as part of Release 4 of JEDEC Standard 21-C in November 1993.

20. Since 1993, JEDEC has published several revisions of the JEDEC standard governing SDRAMs, JEDEC Standard 21-C.

21. The following individuals were present both at the August 21, 1995 IEEE 1596.7 task group meeting and the September 11, 1995 JEDEC 42.3 subcommittee meeting:

Solomon Alemayehu (Hitachi employee);

Sam Chen (Mitsubishi employee);

Adrian Cosoroaba (Fujitsu employee);

Farhad Tabrizi (Hyundai employee); and

Danny Yeung (Hitachi employee).

22. The attached patent tree (Exhibit A) includes all patents and applications that claim priority to the April 1990 filing date of the 07/510,898 application.

Respectfully submitted,

M. Sean Royall
Geoffrey D. Oliver
Malcolm Catt
Charlotte Manning
BUREAU OF COMPETITION
FEDERAL TRADE COMMISSION
Washington, D.C. 20580
(202) 326-3663
(202) 326-3496 (facsimile)

COUNSEL SUPPORTING THE COMPLAINT

Gregory P. Stone
Steven M. Perry
Sean P. Gates
Peter A. Detre
MUNGER, TOLLES &
OLSON LLP
355 South Grand Avenue, 35th Floor
Los Angeles, California 90071

A. Douglas Melamed
IJay Palansky
Kenneth A. Bamberger
WILMER, CUTLER &
PICKERING
2445 M Street, N.W.
Washington, D.C. 20037
(202) 663-6000

Sean C. Cunningham
John M. Guaragna
GRAY, CARY, WARE &
FREIDENRICH LLP
401 "B" Street, Suite 2000
San Diego, California 92101
(619) 699-2700
RESPONDENT

DATED: April 23, 2003

COUNSEL SUPPORTING THE
RESPONDENT

APPROVED: April __, 2003

Hon. Stephen McGuire
Chief Administrative Law Judge

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CERTIFICATE OF SERVICE

I, Charlotte Manning, hereby certify that on April 23, 2003, I caused a true and correct copy of the Public Version of *The Parties First Set of Stipulations* to be served upon the following persons by hand delivery:

Hon. Stephen McGuire
Chief Administrative Law Judge
Federal Trade Commission
H-112
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

Donald S. Clark
Secretary
Federal Trade Commission
H-159
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

and by electronic mail and overnight courier:

A. Douglas Melamed, Esq.
Wilmer, Cutler & Pickering
2445 M Street, N.W.
Washington, DC 20037-1402

Steven M. Perry, Esq.
Munger, Tolles & Olson LLP
c/o Wilmer, Cutler & Pickering
2445 M Street, N.W.
Washington, DC 20037-1402

Charlotte Manning