

ORAL ARGUMENT NOT YET SCHEDULED

Nos. 07-1086, 07-1124

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

RAMBUS INCORPORATED,

Petitioner,

v.

FEDERAL TRADE COMMISSION,

Respondent.

ON PETITIONS FOR REVIEW OF FINAL ORDERS OF THE
FEDERAL TRADE COMMISSION

BRIEF FOR PETITIONER

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CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Pursuant to Rule 28(a)(1) of the Circuit Rules of the United States Court of Appeals for the District of Columbia Circuit, petitioner Rambus Inc. (“Rambus”) submits the following information:

(a) **Parties and Amici**: Rambus is the petitioner before this Court in both No. 07-1086 and No. 07-1124, represented by Wilmer Cutler Pickering Hale and Dorr LLP and Munger Tolles & Olson LLP. The respondent in both cases is the Federal Trade Commission. This Court has granted leave for JEDEC Solid State Technology Association, Samsung Electronics Co., Ltd., and S.M. Oliva to file amicus briefs. In addition, the following parties filed amicus briefs before the Commission: American Antitrust Institute, Inc.; Broadcom Corp.; Citizens for Voluntary Trade; Economics Professors and Scholars (including Joseph Farrell, Jay Pil Choi, Aaron S. Edlin, Shane Greenstein, Bronwyn H. Hall, and Garth Saloner); Freescale Semiconductor, Inc.; Gesmer Updegrove LLP; Hynix Semiconductor, Inc.; JEDEC Solid State Technology Association; Micron Technology, Inc.; nVidia Corporation; and Samsung Electronics Co., Ltd.

(b) **Rulings under Review**: Rambus seeks review of the following rulings:

(1) “Order Granting in Part and Denying in Part Respondent’s Petition for Reconsideration of the Final Order and Granting Complaint Counsel’s Petition for Reconsideration of Paragraph III.C of the Final Order” and accompanying

“Opinion of the Commission on Respondent’s and Complaint Counsel’s Petitions for Reconsideration of the Final Order,” together issued on April 27, 2007; (2) “Order Granting in Part and Denying in Part Respondent’s Motion for Stay of Final Order Pending Appeal” and accompanying “Opinion of the Commission on Respondent’s Motion for Stay of Final Order Pending Appeal,” together issued on March 16, 2007; (3) “Final Order of Respondent Federal Trade Commission in In re Rambus Incorporated, No. 9302” and accompanying “Opinion of the Commission on Remedy,” together issued on February 2, 2007; and (4) “Order Reversing and Vacating Initial Decision and Accompanying Order, Scheduling Supplemental Briefing on Issues of Remedy, and Denying Complaint Counsel’s Motion for Sanctions” and accompanying “Opinion of the Commission,” together issued on July 31, 2006.

(c) **Related Cases:** Rambus is not aware of any related cases. This case was not previously before this Court or any other court.

CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Rule 26.1 of the Circuit Rules of the United States Court of Appeals for the District of Columbia Circuit, petitioner Rambus Inc. (“Rambus”) submits the following disclosure statement: Rambus is a Delaware corporation engaged in the business of developing and licensing computer technology. Rambus has no parent corporation, and no publicly held corporation owns 10% or more of its stock.

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