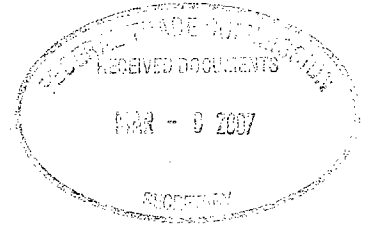


**PUBLIC**

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

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



**In the Matter of**

**RAMBUS INC.,**

**a corporation.**

**Docket No. 9302**

**OPPOSITION OF RESPONDENT RAMBUS INC. TO MOTION OF  
MICRON TECHNOLOGY, INC., SAMSUNG ELECTRONICS  
CORPORATION, LTD., AND HYNIX SEMICONDUCTOR, INC. FOR  
LEAVE TO FILE BRIEF AS *AMICI CURIAE***

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Respondent Rambus Inc. (“Rambus”) respectfully submits this Opposition to the Motion by Micron Technology, Inc., Samsung Electronics Corporation, Ltd., and Hynix Semiconductor, Inc. for Leave to File Brief as Amici Curiae. The Commission should reject the amicus brief that these companies (collectively, “Amici”) seek to file because it is untimely and because it fails to meet the Commission’s criteria for amicus briefs. Should the Commission accept the proposed amicus brief, Rambus moves for leave to file a supplemental response to that brief. That proposed supplemental response, along with an accompanying motion, is filed herewith.

**I. AMICI’S BRIEF SHOULD BE REJECTED AS UNTIMELY.**

Amici purport to submit their brief pursuant to Rule 3.52(j) of the Commission’s Rules of Practice, 16 C.F.R. § 3.52(j). It is far from clear that Rule 3.52(j) even allows amicus briefs in opposition to a petition for reconsideration.<sup>1</sup> Even if Rule 3.52(j) does allow such amicus briefs, however, the proposed amicus brief should be rejected because it is untimely. Rule 3.52(j) states:

Except as otherwise permitted by the Commission, an amicus curiae shall file its brief within the time allowed the parties whose position as to affirmance or reversal the amicus brief will support. The Commission shall grant leave for a later filing only for cause shown . . . .

Rambus filed its petition for reconsideration and served it upon all parties on February 16, 2007.

Rule 3.55 provides that “[a]ny party desiring to oppose such a petition shall file an answer thereto within ten (10) days after service upon him of the petition.” In accordance with Rule

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<sup>1</sup> Rule 3.52(j) provides that an amicus curiae may seek leave to file a brief concerning a party’s appeal of an *initial decision* to the Commission; it does not state that an amicus may file a brief opposing a party’s petition for reconsideration under Rule 3.55. Rule 3.55, in turn, addresses only the procedures by which a “party” may oppose a petition for reconsideration; it says nothing about amicus filings at all.

