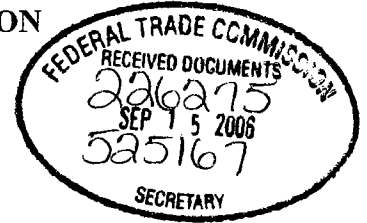


PUBLIC

UNITED STATES FEDERAL TRADE COMMISSION



Docket No. 9302

In the Matter of

RAMBUS INC.,

A CORPORATION

JOINT MOTION OF
BROADCOM CORPORATION AND FREESCALE SEMICONDUCTOR, INC.
FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF UNDER 16 C.F.R. 3.52(j)

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Broadcom Corporation (“Broadcom”) and Freescale Semiconductor, Inc. (“Freescale”) respectfully move under 16 C.F.R. § 3.52(j) for leave to file a brief as *amicus curiae* in this matter. As discussed below, Broadcom and Freescale have significant interests and the Commission’s remedy decision in this matter will have substantial impact on their businesses. The proposed brief would assist the Commission in determining the appropriate remedy and inform the Commission about how the remedy decision will impact makers of complementary products such as Broadcom and Freescale.

Broadcom is one of the world’s largest fabless semiconductor companies with annual revenue of more than \$2.5 billion. Broadcom is a global leader in the development and construction of semiconductors for wired and wireless communications, providing a broad portfolio of hardware and software solutions to manufacturers of computing and networking equipment, digital entertainment and broadband access products, and mobile devices. Freescale is a global leader in the design and manufacture of embedded semiconductors for wireless, networking, automotive, consumer and industrial markets. With 2005 sales of \$5.8 billion, it is the third largest chipmaker in the United States and the ninth largest in the world. The company provides original equipment manufacturers with chips to help them drive advanced cell phones, manage Internet traffic and to help make vehicles safer and more energy efficient. It has more than 10,000 customers including 100 of the top global manufacturers, making Freescale a leader in the world-wide supply of embedded microprocessors.

As members of JEDEC and as manufacturers of products that conform to JEDEC’s SDRAM standards, Broadcom and Freesscale have strong interests in ensuring

that the rules and procedures of SSOs, including JEDEC, are followed and respected, particularly those that relate to the incorporation of proprietary technology into important standards like the JEDEC SDRAM standards. Moreover, Broadcom and Freescale are direct victims of the “hold up” orchestrated by Rambus and found by the Commission to violate Section 5 of the FTC Act. Broadcom and Freescale, along with dozens of other companies, are among the OEMs and manufacturers of complementary components that the Commission expressly recognized to be “locked in” to the markets now monopolized by Rambus in precisely the same way as the direct sellers of DRAMs and SDRAMs. Indeed, Rambus already has asserted the Rambus JEDEC Patents against Broadcom and Freescale and their OEM customers.

The proposed *amicus curiae* brief is intended to assist the Commission in its consideration of the appropriate remedy in this case. It demonstrates how the remedy the Commission adopts in addressing Rambus’s illegal conduct can and must ensure that all direct victims – including those that manufacture complementary products – are not disadvantaged by the wrongful conduct. It further demonstrates that the appropriate remedy is a “no enforcement” order that would prohibit Rambus from enforcing the patents at issue on products that read on the pertinent JEDEC memory standards.

Broadcom and Freescale respectfully request that the Commission grant them leave to file the accompanying *amicus curiae* brief. A proposed order to that effect is attached for the Commission’s convenience.

September 15, 2006

Respectfully submitted,



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In the Matter of

RAMBUS INC.,

A CORPORATION

PROPOSED ORDER

Upon consideration of the Motion of Broadcom Corporation (“Broadcom”) and Freescale Semiconductor, Inc. (“Freescale”) for leave to file an *amicus curiae* brief on the issue of the appropriate remedy for Rambus’s violations of the Federal Trade Commission Act, the Commission finds that the proposed *amicus curiae* brief may assist in the determination of this matter. Accordingly,

IT IS ORDERED that Broadcom Corporation and Freescale Semiconductor, Inc. are granted leave to file their *amicus curiae* brief.

By the Commission.

Issued:

CERTIFICATE OF SERVICE

I, Elizabeth A. Harvey, hereby certify that on September 15, 2006, I caused a true and correct copy of the attached joint motion of *amicus curiae* Broadcom Corporation and Freescale Semiconductor, Inc. to file a brief as *amicus curiae* under 16 C.F.R. 3.52(j) to be served on the following persons:

By hand delivery and electronic mail:

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