

UNITED STATES OF AMERICA  
BEFORE FEDERAL TRADE COMMISSION

COMMISSIONERS: Deborah Platt Majoras, Chairman  
Orson Swindle  
Thomas B. Leary  
Pamela Jones Harbour  
Jon Leibowitz

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In the Matter of )  
 )  
RAMBUS INCORPORATED, )  
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a corporation. ) Docket No. 9302  
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**MOTION OF RESPONDENT RAMBUS INC. FOR LEAVE TO FILE A RESPONSE TO COMPLAINT COUNSEL’S BRIEF REGARDING MOTION OF NON-PARTY MITSUBISHI ELECTRIC CORP. TO ENFORCE PROTECTIVE ORDER**

By Order dated October 4, 2004, the Commission invited Complaint Counsel to file a brief expressing their views on the motion of non-party Mitsubishi Electric Corp. to enforce protective order. Complaint Counsel filed their brief on October 18, 2004.

Complaint Counsel’s brief raises new arguments. Because these arguments have not previously been raised, Rambus has not had the opportunity to respond to them. For instance, Complaint Counsel contend that the documents voluntarily provided to Rambus by Mitsubishi Electric Corp. (Mitsubishi Japan) should have been treated as “Confidential Discovery Material” under the terms of the Protective Order in this proceeding. Further, because many of the facts

addressed by Complaint Counsel in their brief are not within Complaint Counsel's personal knowledge, Complaint Counsel have not in all respects accurately portrayed those facts.

Rambus requests leave to file a response to Complaint Counsel's brief in order to respond to the new arguments advanced by Complaint Counsel in their brief and not previously addressed by Rambus, and to correct certain factual omissions or errors in Complaint Counsel's description of events.

A copy of Rambus's proposed response and supporting Appendix of exhibits are filed concurrently herewith.

DATED: October 26, 2004

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Gregory P. Stone  
Steven M. Perry  
Peter A. Detre  
MUNGER, TOLLES & OLSON LLP  
355 South Grand Avenue, 35th Floor  
Los Angeles, California 90071-1560  
(213) 683-9100

A. Douglas Melamed  
Kenneth A. Bamberger  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
2445 M Street, N.W.  
Washington, D.C. 20037  
(202) 663-6000

John M. Guaragna  
GRAY, CARY, WARE & FREIDENRICH LLP  
1221 S. MoPac Expressway, Suite 400  
Austin, Texas 78746  
(512) 457-7000

Attorneys for Respondent, Appellee and Cross-Appellant  
Rambus Inc.

