



SUBPOENA DUCES TECUM

Issued Pursuant to Rule 3.34(b), 16 C.F.R. § 3.34(b)(1997)

1. TO

MICRON TECHNOLOGY, INC.
8000 South Federal Way
Boise, Idaho 83707-00006

2. FROM

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION

This subpoena requires you to produce and permit inspection and copying of designated books, documents (as defined in Rule 3.34(b)), or tangible things - or to permit inspection of premises - at the date and time specified in Item 5, at the request of Counsel listed in Item 9, in the proceeding described in Item 6.

3. PLACE OF PRODUCTION OR INSPECTION

Munger, Tolles & Olson LLP
355 S. Grand Avenue
35th Floor
Los Angeles, CA 90071
(213) 683-9100

4. MATERIAL WILL BE PRODUCED TO

Truc-Linh N. Nguyen

5. DATE AND TIME OF PRODUCTION OR INSPECTION

October 16, 2002
9:30 a.m..

6. SUBJECT OF PROCEEDING

In the matter of Rambus, Incorporated, Docket No. 9302

Handed to: JOEL POPPEN
Date: 10/14/02
Time: 10:30 AM
Hand Delivery by:
Name: Brett Garner
Company: Tri-County
Phone #: 344-4132
Accompanied by a check? No
Amount: _____

7. MATERIAL TO BE PRODUCED

All documents described in Attachment "A" hereto.

8. ADMINISTRATIVE LAW JUDGE

Honorable James P. Timony

Federal Trade Commission
Washington, D.C. 20580

9. COUNSEL REQUESTING SUBPOENA

Gregory P. Stone
Truc-Linh N. Nguyen
Munger, Tolles & Olson LLP

DATE ISSUED

AUG 20 2002

SECRETARY'S SIGNATURE

Donald S. Clark

GENERAL INSTRUCTIONS

APPEARANCE

The delivery of this subpoena to you by any method prescribed by the Commission's Rules of Practice is legal service and may subject you to a penalty imposed by law for failure to comply.

MOTION TO LIMIT OR QUASH

The Commission's Rules of Practice require that any motion to limit or quash this subpoena be filed within the earlier of 10 days after service or the time for compliance. The original and ten copies of the petition must be filed with the Secretary of the Federal Trade Commission, accompanied by an affidavit of service of the document upon counsel listed in Item 9, and upon all other parties prescribed by the Rules of Practice.

TRAVEL EXPENSES

The Commission's Rules of Practice require that fees and mileage be paid by the party that requested your appearance. You should present your claim to counsel listed in Item 9 for payment. If you are permanently or temporarily living somewhere other than the address on this subpoena and it would require excessive travel for you to appear, you must get prior approval from counsel listed in Item 9.

This subpoena does not require approval by OMB under the Paperwork Reduction Act of 1980.

ATTACHMENT A

DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions apply to this *Subpoena Duces Tecum*:

1. The term "document" is defined to be synonymous in meaning and equal in scope to the usage of that term in the FTC's Rules of Practice, 16 C.F.R. § 3.34(b). A draft or a non-identical copy is a separate document within the meaning of this term.
2. The term "relating to" or "relate to" is defined as in whole or in part, addressing, analyzing, concerning, constituting, containing, commenting on, discussing, dealing with, describing, identifying, referring to, reflecting, reporting on, stating, or otherwise pertaining to.
3. The term "communication" means any and all forms of communication between two or more persons including, but not limited to, in-person meetings and conversations, telephone calls, voicemail or answering machine messages, letters, notes, memoranda, e-mail, and facsimile transmissions as applicable.
4. As used herein, "person" will refer, in the plural as well as in the singular, to any natural person or business, legal or governmental entity or association.
5. The term "company," "you," or "your" means the person to whom this subpoena is addressed, and its subsidiaries and parent companies and each of their officers, employees, directors, predecessors, successors, and assigns.
6. The term "relevant pricing period" is defined as the period from January 1, 1998 through June 30, 2002. In producing documents in response to requests where this term is not employed, produce all responsive documents generated or received between January 1, 1991 and the present.
7. As used herein, "and" and "or" will be construed both conjunctively and disjunctively, and each will include the other whenever such a dual construction would serve to bring within the scope of a request documents or things that would not otherwise be within its scope.

8. In producing documents responsive to this subpoena, you must produce them in the manner in which they are kept in the ordinary course of business or organize or label them to correspond with the categories described below.

9. As used herein, the term "RAND" is an acronym for the phrase "reasonable and non-discriminatory."

10. For your convenience, a copy of the Confidentiality Order entered by the Administrative Law Judge in this proceeding is enclosed herewith.

11. Sections 3.38(A)(a)-(b) of the FTC Rules of Practice provide as follows:

"(a) Any person withholding material responsive to a subpoena issued pursuant to § 3.34, written interrogatories requested pursuant to § 3.35, a request for production or access pursuant to § 3.37, or any other request for the production of materials under this part, shall assert a claim of privilege or any similar claim not later than the date set for production of the material. Such person shall, if so directed in the subpoena or other request for production, submit, together with such claim, a schedule of the items withheld which states individually as to each such item the type, title, specific subject matter, and date of the item; the names, addresses, positions, and organizations of all authors and recipients of the item; and the specific grounds for claiming that the item is privileged.

(b) A person withholding material for reasons described in § 3.38A(a) shall comply with the requirements of that subsection in lieu of filing a motion to limit or quash compulsory process."

You are directed to provide the log described in section 3.38A(a).

PLEASE TAKE NOTE OF THE REQUIREMENT IN THE RULES OF PRACTICE THAT THIS LOG MUST BE PROVIDED NO LATER THAN THE DATE SET FOR PRODUCTION IN THIS SUBPOENA.

DOCUMENTS AND THINGS TO BE PRODUCED

1. All documents relating to any disclosures made to you by Rambus pursuant to the Non-Disclosure Agreement entered into in 1990 between you and Rambus (hereinafter "the Rambus NDA").

2. All documents relating to the issue of whether any of the technology disclosed to you by Rambus under the Rambus NDA was previously known to you.

3. All documents relating to the issue of whether any of the technology disclosed to you by Rambus under the Rambus NDA was anticipated by, or obvious under, prior art.

4. All documents relating to the issue of whether any of the technology disclosed to you by Rambus under the Rambus NDA was novel, original, or an advance over prior art.

5. Documents sufficient to identify the name(s) of any inside counsel and outside counsel who in 1989, 1990, 1991, 1992, or 1993 reviewed or considered:

- a. any of the disclosures made by Rambus to you under the Rambus NDA;
- b. any of the issues described in request nos. 2-4, above.

6. All documents provided to inside counsel or outside counsel in 1989, 1990, 1991, 1992, or 1993 in connection with any review by counsel of the information, materials and issues described in request nos. 2-5, above.

7. All documents relating to any opinion of counsel sought or obtained by you prior to December 1995 regarding any intellectual property rights owned or claimed by Rambus.

8. All documents relating to the use in any JEDEC-compliant memory device manufactured, sold or used by you of any of the technology disclosed to you by Rambus under the Rambus NDA.

9. All documents that the company has provided to the Federal Trade Commission ("FTC"), or any other person, in connection with the FTC's investigation of Rambus or the FTC's action against Rambus.

10. All documents relating to Rambus, RDRAM, Rambus's technology, or Rambus's intellectual property, including but not limited to any opinions, analyses or evaluations of Rambus, RDRAM, Rambus's technology, or Rambus's intellectual property.

11. All documents relating to the extent to which Rambus technology is patentable.

12. All documents relating to any of the following technologies, features, or possible technologies or features of DRAM, including SDRAM, DDR SDRAM, DDR 2 SDRAM, and RDRAM:

- (1) programmable CAS latency,
- (2) programmable burst length,
- (3) on-chip PLL or on-chip DLL,
- (4) dual-edge clocking,
- (5) multi-bank design,
- (6) externally supplied reference voltage,
- (7) low-voltage swing,
- (8) source-synchronous clocking, and
- (9) auto pre-charge,

13. All documents, including but not limited to, patents, pending or future patent applications, or contemplated patent amendments or filings, listing, describing, covering, evaluating, or relating to alternative technologies or features that might be used to perform the same function(s) as the technology listed in numbers one through nine of paragraph 12 above.

14. All documents relating to the October 1991 meeting in Portland, Oregon referenced on page 4 of the December 1991 JEDEC meeting minutes, attached as exhibit "A" hereto.

15. All documents relating to any of the following subjects:

- a. JEDEC patent policies;
- b. DRAM chip pricing, or the cost of DRAM chips; or
- c. the FTC's investigation of, or action against, Rambus.

16. All documents relating to policies or instructions regarding the conduct or participation of company employees at any JEDEC meeting.

17. All documents relating to policies or instructions regarding the conduct or participation of company employees with respect to the company's intellectual property,

including but not limited to employment agreements regarding disclosure or discussion of pending or future patent applications.

18. All documents relating to patents, pending or future patent applications, or contemplated patent amendments or filings that any employee of the company considered disclosing to JEDEC, whether or not disclosure actually occurred.

19. Documents sufficient to identify patents, pending or future patent applications, or contemplated patent filings or amendments that any one from your company believed, or were in fact, related to or were involved in the work of JEDEC .

20. All documents relating to any effort to search, or any decision not to search, for patents, pending or future patent applications, or contemplated patent filings or amendments for the purpose of making a disclosure to JEDEC in compliance with JEDEC rules.

21. All documents relating to the decision to disclose, or not disclose, to JEDEC and/or any representative, member, alternate or attendee of JEDEC, the following patents:

1) United States Patent No. 4,967,262; 2) patents relating to 3-port VRAM.

22. All documents relating to your understanding of the policies, procedures, and practices regarding the disclosure and licensing of intellectual property that were followed within, or required by, JEDEC rules

23. All documents relating to the scope of any obligation respecting the terms on which JEDEC members were or are required to license technology, including but not limited to documents relating to RAND requirements or to the interpretation of the terms “reasonable” and “non-discriminatory.”

24. All documents relating to instances in which you or other patent holders licensed, agreed to license, or refused to license technology where the technology was related to or involved in the work of JEDEC, including but not limited to documents sufficient to show the licensing terms, whether proposed, actual, or rejected.

25. All documents relating to the licensing, proposed licensing, or refusal to license rights in your patents relating to SDRAM that were raised or discussed at the JEDEC JC 42.3 meetings in February and/or May 1992.
26. All documents relating to terms under which you have licensed proprietary technology in advance of the issuance of a patent.
27. All documents relating to disputes as to whether actual or proposed licensing terms are (or were) RAND.
28. All documents relating to cross-licensing or pooling of any patents that were or are involved in or related to the work of JEDEC or related to DRAMs.
29. All documents relating to any policies regarding any sanctions (whether imposed by the standard-setting organization or other entities) for failure to comply with a standard-setting organization's disclosure policies concerning the disclosure of intellectual property, patents, or patent applications.
30. All documents relating to your decision whether to participate in JEDEC or other standard-setting organizations, and the factors involved in that decision.
31. All documents comparing any actual or proposed DRAM product or technology to any other actual or proposed product or technology.
32. All documents comparing the cost of manufacture or use of any actual or proposed DRAM product or technology to the cost of manufacture or use of any product or technology developed, designed, or produced using technology developed by Rambus.
33. All documents relating to the choice of whether to manufacture, include, or use any actual or proposed DRAM product or technology.
34. All documents relating to switching, or contemplating switching, or the costs of switching, from the manufacture or use of any actual or proposed DRAM product or technology to the manufacture or use of any other product or technology.
35. All documents relating to the pricing of any actual or proposed DRAM product or technology.

36. All documents relating to the factors affecting the price of any actual or proposed DRAM product or technology.

37. All documents relating to the importance, or lack of importance, of JEDEC DRAM standards.

38. All documents relating to the standardization, or lack of standardization, of or between SDRAMs.

39. All documents comparing the cost of manufacture or use of any actual or proposed DRAM product or technology to the cost of manufacture or use of any other product or technology considered as a possible alternative.

40. All documents relating to the impact of Intel, its decisions, or its practices on the manufacture or use of any actual or proposed DRAM product or technology.

41. All documents relating to standards or requirements for DRAM use or manufacture supported by, adopted by, promulgated by, or originating with, Intel.

42. All documents relating to meetings you have participated in, or communications you have had, with any representative of Rambus.

43. All documents relating to designing an alternative to or designing around any Rambus's patents or Rambus's technology, including comparing or contrasting Rambus's technology or RDRAM with Ramlink, Synlink, SLD RAM, SDRAM, SDRAM Lite, DDR SDRAM, DDR II SDRAM, or any other DRAM product or design.

44. All documents relating to the formation or purpose of Advanced DRAM Technologies ("ADT"), SLD RAM Inc., Ramlink, Synlink, Advanced Memory International, Inc. ("AMI2"), or Team DDR.

45. All documents relating to communications (oral, written or electronic) about Rambus, RDRAM, Rambus's technology, Rambus's intellectual property, alternatives to Rambus's technology or RDRAM, or litigation involving Rambus, with any of the following individuals or entities, or any entities under common ownership with any of these entities: JEDEC, Infineon Technologies AG, Hyundai Electronic Industries Co. Ltd., Hitachi Ltd., AMD,

Micron Technology, Inc., IBM, Nvidia Corporation, Texas Instruments ("TI"), Fujitsu, Toshiba, ADT, SDRAM Inc., Mosaid, Synclink, Ramlink, AMI2, InQuest Market Research, Semico Research Corp., Electronics Buyers News, Electronic News, EE Times, any other electronic trade magazine or publication, Desi Rhoden, Mark Kellogg, Howard Sussman, Willibald Meyer, Hans Wiggers, Gil Russell, Reese Brown, Ken McGhee, John Kelly, Jim Townsend, Earnest Powell, Farhad Tabrizi, Fred Jones, Graham Allen, Adrain Cosorobas, Gordon Kelly, Betty Prince, Bob Fusco, Dick Foss, Paul Demone, Dave Bonaravnt, Jim Sogas, Bert McComas, Sherry Garber, Steven Fyffe or Jack Robertson.

46. All documents relating to communications (oral, written or electronic) with anyone affiliated with Infineon Technologies AG, Micron Technology, Inc., Hyundai Electronic Industries Co. Ltd., Hitachi Ltd., or any of their affiliates, subsidiaries or attorneys about any of the following subjects: (a) Rambus, RDRAM, Rambus's technology, Rambus's intellectual property, or alternatives to Rambus's technology or RDRAM;; (b) EIA; (c) JEDEC; or (d) any litigation involving Rambus.

47. All documents relating to communications (oral, written or electronic) with anyone affiliated with any past or present member, representative, alternate, or attendee of JEDEC about any of the following subjects: (a) Rambus, RDRAM, Rambus's technology, Rambus's intellectual property, or alternatives to Rambus's technology or RDRAM; (b) EIA; (c) JEDEC; or (d) any litigation involving Rambus.

48. All documents relating to JEDEC patent policies.

49. All documents relating to Rambus's involvement in JEDEC.

50. All documents relating to any proposals you made to JEDEC, or to any other entity, organization or association involved in setting or issuing standards (including, but not limited to, EIA, IEEE, Sync-Link, SDRAM, Inc. or the SDRAM Consortium) between 1990 and 1994 relating to synchronous DRAM or any feature thereof.

51. All documents relating to JEDEC meetings, interim meetings, or quasi-meetings, including but not limited to JEDEC meeting notes, trip reports, presentations, messages, or

memoranda generated by or received from any person who attended a JEDEC meeting on behalf of the company, whether formal, informal, or otherwise.

52. All documents, including but not limited to emails, notes, and memoranda, authored, prepared, adopted by, or distributed to Gene Cloud, Joe Daltoso, Bob Fusco, Jerry Johnson, Terry Lee, Jeff Mailloux, Kur Ohri, Tom Pawloski, Kevin Ryan, Steve Trick, Terry Walther, Gary Welch, and/or Brett Williams in connection with your activities, work, or involvement in JEDEC.

53. All documents sufficient to identify, or relating to, searches of prior art concerning any of Rambus's patents.

54. All documents relating to the setting of DRAM chip prices at any level (e.g., end-user, distributor) during the relevant pricing period, including, but not limited to, discussions of price changes, pricing goals or strategies, and competitor responses or reactions to price changes.

55. All documents sufficient to show the following information for each sale made by the company during the relevant pricing period:

- a. the date of the sale;
- b. the date of delivery;
- c. the volume;
- d. the purchaser;
- e. the price per chip; and
- f. the terms of the sale agreement.

56. All documents relating to the quantity of DRAM chips the company manufactured during the relevant pricing period, including, but not limited to, discussions of changes in number of chips manufactured, chip manufacturing goals or strategies, competitor responses or reactions.

57. All documents sufficient to show, during the relevant pricing period:

- a. the quantity of DRAM chips manufactured by the company each day;
- b. the company's daily capacity for manufacturing DRAM chips;

- c. the company's daily inventory of DRAM chips; and
- d. the daily quantity of DRAM chips sold.

58. All documents that support or relate to the proposition that royalties paid by the company to Rambus during the relevant pricing period had an impact on the sale price of the company's DRAM chips during the relevant pricing period.

59. All documents relating to any estimate of the company's market share in the DRAM chip market during the relevant pricing period.

60. All documents relating to any communication between the company and any other manufacturer of DRAM chips concerning the price or manufacture of DRAM chips.

61. All documents relating to the quantity of DRAM chips manufactured by any other DRAM manufacturer.

62. All documents relating to the price of DRAM chips manufactured by any other DRAM manufacturer.

63. All documents that the company has provided to the Department of Justice ("DOJ"), any grand jury, or any other person in connection with the DOJ's investigation of alleged price-fixing by certain DRAM chip manufacturers.

64. Documents sufficient to identify the individuals responsible for or involved in establishing the company's DRAM chip prices during the relevant pricing period.

65. All documents relating to the fixed costs associated with the company's manufacture or sale of DRAM chips during the relevant pricing period.

66. All documents that you previously produced to Rambus in response to the subpoena attached as exhibit "B" hereto.¹

¹ You need not produce these documents again if you instead stipulate that the documents previously produced by you may be used by Rambus in connection with this action, and pursuant to the Protective Order entered in this action. A copy of the Order, and a copy of a draft Stipulation, are enclosed.

67. All documents responsive to the subpoena attached as exhibit "B" hereto that were not previously produced by you to Rambus, including but not limited to those documents that have been generated or received by you since January 1, 2001.

859820.2

EXHIBIT A

December 4, 1991

MINUTES OF MEETING NO. 60
XC-113 COMMITTEE ON R&D MEMBERS

MEMBERS PRESENT

Met: 111

- Gordon Kelly, Chairman Present
- Mikael Fennou
- Charles Hochstetler
- Alan Grossmiller
- Jeff Uicker
- Y.C. Oka
- Sue Sharp
- James Kaye
- Francine Le Moutel
- Fabrizio Tabilli
- Rashid Singh
- Robert Sindler
- Brent Williams
- Sam Oka
- Dick Fox
- Mary Wu
- Howard Szymura
- Tom Goodman
- Mark Nishizaki
- Mike Bull
- Rock Salter
- David Wyland
- Fred Jones
- Oli Runkel
- John Lee
- Johna Hutter
- Cherise Fog
- Estel Powell
- Jim Tomkowiak
- Vraj Choudhry
- Richard Rodgen
- Mitch Richman

- Ken McGee, Secretary
- Don Rhodes
- Seung Joo Ahn
- Janet E. Jhaag
- Paul Lane
- Mark Kellogg
- Howard Kilmer
- Oleg Fyler
- Shigeo Atiyama
- Mikhailo Yemada

19036

- IBM
- Apple Computer
- AT&T
- Cray Research
- Cyprus Kamboukos
- Ericsson
- Fujitsu
- Fujitsu Microelectronics
- Hewlett Packard
- Hitachi
- Hyundai
- IBM
- Intel
- Motorola
- National Semiconduct
- NEC
- NH&A
- OKI
- PerkinElmer
- Phillips
- Qualcomm
- Rantron
- Samsung
- Sharp
- Siemens
- Sun Microsystems
- Texas Instruments
- Tooshiba
- Ulaby
- Xerox
- Xilinx

- ELIADDEC
- Hebrew Fedex
- Spindal Electronics
- Spindal
- IBM
- IBM
- IBM
- Intel
- Marubishi (Franko)
- Mitsubishi

- 202/69 6791
- 406/974 0235
- 215/344 4461
- 715/726 4291
- 406/943 2113
- 646 33 971667
- 406/756 1232
- 406/912 9340
- 415/837 8144
- 415/744 7235
- 406/713 9270
- 406/934 2087
- 206/264 3930
- 406/730 3900
- 612/616 5134
- 406/713 3150
- 506/243 0173
- 816/716 3333
- 81 418 43 4671
- 406/934 0301
- 31 40 342167
- 406 930 8050
- 115/294 4234
- 406/316 7243
- 206/934 8792
- 402/764 6314
- 415/234 4443
- 115/716 3999
- 716/435 2234
- 415/792 4434
- 715/233 7714
- 406/679 3394

MINUTES OF MEETING NO. 60
XC-113 COMMITTEE ON R&D MEMBERS

OTHERS PRESENT (CONTRIBUTOR)

- Barry Vassallo
- Travis Bissell
- Daryl Garrett
- Duane Dale
- Vin Lee Choi
- Paul A. Kemp
- Bill Sturges
- Yoshitaki Higashimura
- Betsy Trilone
- Shoji Sakai
- Peter Nelson
- Fred K. Wolfe
- Ken Omalick
- Bill Oensley

- Motorola
- NEC
- Rantron
- Samsung
- Samsung
- Samsung
- SOS Technology
- Sony
- Texas Instruments
- Tooshiba
- Ulaby
- Ulaby
- Xerox
- Xerox

MEMBERS ABSENT

- Steve Grossman
- David Wong
- Tom Hanks
- Tom Hwang
- Chaf Lindsey
- Archie Kamai
- Dave Bowen
- Al Tipland
- Shelba Tullipstein
- Joan Stewart

- AMD
- Cadiphi
- Crisis
- Dell Computer
- Electric Die Design, Inc.
- Dotrite Electronics
- Silicat
- Trendyne
- Vulcic
- Western Digital

- 512/978 4301
- 61 417 72 3232
- 415/801 8694
- 11 823 360 7711
- 11 823 360 7781
- 11 823 324 0375
- 31 6464 4730
- 81 443 30 3912
- 71 6413 3111
- 61 283 3841
- 61 8411 3001
- 415/234 1190
- 415/234 1194

MINUTES OF MEETING NO. 60
K-C-13 COMMITTEE ON RADM MEMORIES

1. INTRODUCTION

The meeting opened at 11 noon. Chairman Ford was not present due to illness. Gordon Kelley led the meeting in his absence.

2. TASK GROUPS

Mr. Kelley indicated that separate Task Group meetings will not be held during the meeting.

3. VIDEO TASK GROUP

Mr. Rhodes led the task group. Mr. Kelley indicated that he could not continue to lead both the DRAM and MPDRAM task groups. Mr. Rhodes was mandated to lead the MPDRAM task group and was accepted unanimously with discussion into place next year.

3.1 Survey Ballot Results K-C-13 91-13 Item 34FC

The results of the survey were reviewed. A proposal for ballot was shown that will be issued for ballot at next meeting (See Attachment A).

3.2 Science TV Field Budget Item 404

A first showing of the proposal was made (See Attachment B). It is identified as a triple post. DEC has a print on triple post DRAM, but it may not reflect the specific implementation of the print. Various features of the print were shown, but a standard is being requested just on the plan 1.

4. DRAM TASK GROUP

Gordon Kelley led the task group.

4.1 Status Log

Mr. Kelley distributed copies of DRAM items and their status (See Attachment C). Another item that was circulated covering just the end of DRAM in various organizations (See Attachment D).

4.2 TT 31120M DRAM in 70 pin SOL/TOP Item 360

This was a second showing (See Attachment E).

4.3 TT 31120M DRAM in 70 pin SOL/TOP with Test Port Item 360A1

TT gave a first showing on a similar print at Item 360 with plan 33.34 for TTAGD 11491 testing (See Attachment F).

MINUTES OF MEETING NO. 60
K-C-13 COMMITTEE ON RADM MEMORIES

4.4 Toshiba 311K DRAM 68 pin DRAM Item 361

Toshiba gave a second showing (See Attachment G). Mr. Townsend noted that TTAGD was not destined to be part of their proposal. EIAJ does have a package standard on the 68 pin part. Steve noted on 70 pin in 68 pin for the part 14 notes for 70 pin and 7 notes for 68 pin. Four wire enables was never noted; 4 data and 13 data's were it. It was noted that it would be a 33 note part.

4.5 TTAGD

A general discussion on the need to support TTAGD took place. A vote was taken on whether committee wanted TTAGD on Item 361. 7 yes, 0 no. The Committee discussed whether TTAGD on board/entry card was the preferred test method. Phillip noted that the Chairman of TTAGD is from Phillip and he can be asked to make a presentation at next meeting.

4.6 TVToshiba 3120M DRAM Comparison on Item 360A1

Apple moved to ballot a compromise that had the TT Item 360 modified to eliminate the four wires, include some notes on plan 33.34 as RFU plan, and 3X refresh on 311K device. The vote was: 9 yes, 3 no (11F, 011), Motion carried.

4.7 NEC 16444M Spec DRAM Item 374

NEC hosted a non-JEDDEC meeting in Fort Lauderdale on October 21. Mr. Sumaris presented. A proposal (See Attachment H).

Device operation was explained. Proposed W/CAR configuration and pinouts were included. It was noted that a spec sheet of a DRAM part by Motorola and possibly another by Apple may affect the proposal.

(NOTE: EIAJ policy on special task group meetings is:

1) a meeting notice must be issued to all Committee members before special task group meetings.

2) Minutes of the results are shown at the next Committee meeting.

3) Any Committee member who does not agree with the results are object during the Committee meeting.

4) All participants have to sign at any meeting whether it is called a JEDDEC or non-JEDDEC meeting.

5) If companies wish to have non-JEDDEC meetings of interested attendees they can do so, but not about JEDDEC business.

6) EIAJ discourages non-JEDDEC meetings of interested attendees. Any meeting of two or more JEDDEC members to discuss JEDDEC business is a JEDDEC meeting and therefore, subject to JEDDEC rules and procedures (i.e., meeting notice, minutes, minutes, etc).

4.8 TT Spec DRAM Item 377.1

TT showed a revised presentation (See Attachment I).

4.9 Toshiba Spec DRAM Item 378

Toshiba made a presentation (See Attachment J). It was a second showing. What interest was for describing the IC.

EXHIBIT B

file

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

RAMBUS INC.

Plaintiff,

v.

INFINEON TECHNOLOGIES AG, et al.,

Defendants.

Civil Action No. 3:00CV524

**NOTICE OF DEPOSITION OF MICRON TECHNOLOGY, INC.
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 30(b)(6), Defendants Infineon Technologies AG, Infineon Technologies North America Corp. and Infineon Technologies Holding North America Inc. (collectively "Infineon"), by its counsel, will take the deposition upon oral examination of Micron Technology, Inc., regarding the subject matter set forth in the attached Schedule A, which shall be interpreted in accordance with the instructions and definitions set forth in Schedule B.

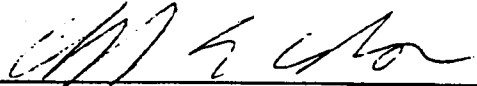
The deposition will begin at 9:00 a.m. on January 22, 2001, at 8000 S. Federal Way, Boise, Idaho, or at such other time and place as may be agreed upon by counsel. The examination will be taken before a Notary Public or other person authorized to administer oaths pursuant to Rule 28 of the Federal Rules of Civil Procedure, and will continue from day to day until completed. The testimony at the deposition will be recorded by videographic and stenographic means.

until completed. The testimony at the deposition will be recorded by videographic and stenographic means.

In accordance with Federal Rule of Civil Procedure 30(b)(6), Micron shall designate one or more officers, directors, managing agents or other persons who consent to testify on its behalf as to each of the topics set forth in the attached Schedule A. Micron is requested to provide counsel for Infineon with the identity of the individual(s) who will testify regarding each topic at least one week in advance of the deposition.

You are invited to attend.

Dated: January 12, 2001



Brian C. Riopelle, VSB #36454
Robert M. Tyler, VSB #37861
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(804) 775-1000

C. Torrence Armstrong, VSB #13739
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McGUIRE WOODS LLP
1750 Tysons Boulevard, Suite 1800
McLean, Virginia 22102-3892
(703) 712-5000

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ATTORNEYS FOR DEFENDANTS
INFINEON TECHNOLOGIES AG and
INFINEON TECHNOLOGIES NORTH AMERICA CORP.

SCHEDULE A

Topics

1. The facts and circumstances surrounding Micron's decision to join, membership in and participation in the activities of JEDEC, including participation in JEDEC meetings or standards-setting activities relating to adoption of SDRAM and DDR SDRAM standards, from the time that Micron joined JEDEC to the present time.
2. The facts, circumstances and actions taken by or on behalf of Micron to implement the JEDEC SDRAM and DDR SDRAM standards, including all actions relating to the manufacturing, commercialization and marketing of SDRAM and DDR SDRAM products in accordance with JEDEC standards.
3. The importance and significance of JEDEC standards relating to SDRAM, DDR SDRAM, and other technologies to Micron.
4. The identity, terms and effective date of any license or other agreement between Micron and Rambus that grants Micron a license or any other rights to make, use, sell, offer for sale or import into the United States RDRAM products.
5. The quantity and dates of any sale in or importation into the United States by Micron of any RDRAM products before August 8, 2000.
6. The facts, circumstances and actions taken by or on behalf of Micron to mark its RDRAM products or product literature with one or more of the Rambus patents-in-suit at anytime before August 8, 2000.

SCHEDULE B

Definitions

1. The term "Micron" means Micron Technology, Inc., and all of Micron's corporate parents, corporate predecessors and past or present subsidiaries, affiliates, divisions, departments, officers, directors, principals, agents and employees.
2. The term "JEDEC" means the JEDEC Solid State Technology Association, its predecessors, successors, parents or affiliates; including its Board of Directors, Executive Committee, officers, committees, ad-hoc committees, task forces, working groups, agents or employees.
3. The term "SDRAM" means Single Data Rate Dynamic Random Access Memory.
4. The term "DDR SDRAM" means Double Data Rate Dynamic Random Access Memory.
5. The term "RDRAM" means Rambus Dynamic Random Access Memory.
6. The term patents-in-suit means United States Patent Nos. 5,953,263, 5,954,804, 6,032,214 and 6,034,918 and any other patent(s) that Rambus asserts in this action, including any corrections.

CERTIFICATE OF SERVICE

I certify that on this 12th day of January, 2001, a copy of the foregoing Notice of Deposition of Micron Technology, Inc. Pursuant to Fed. R. Civ. P. 30(b)(6) was sent to Micron Technology, Inc., Counsel for Micron Technology, Inc. and Rambus Inc. as listed below:

VIA FEDERAL EXPRESS

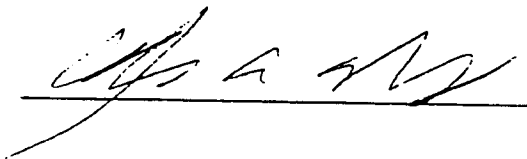
Michael Lynch, Esq.
Chief Patent Counsel
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Boise, ID 83707-0006

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VIA FEDERAL EXPRESS AND FACSIMILE

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(619) 236-1048



**Issued by the
UNITED STATES DISTRICT COURT**

DISTRICT OF

IDAHO

RAMBUS, INC.,

V.

INFINEON TECHNOLOGIES AG, INFINEON
TECHNOLOGIES NORTH AMERICA CORP. and
INFINEON TECHNOLOGIES HOLDING NORTH
AMERICA INC.

SUBPOENA IN A CIVIL CASE

CASE NUMBER: ¹ 3:00CV524

Pending in E.D. Va. (Payne, J.)

TO: Micron Technology, Inc.
c/o Michael Lynch, Esq.
Chief Patent Counsel
Mail Stop 525
8000 S. Federal Way
P.O. Box 6
Boise, ID 83707-0006

YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION 8000 S. Federal Way Boise, ID 83707	DATE AND TIME 01/22/01, 9:00 AM
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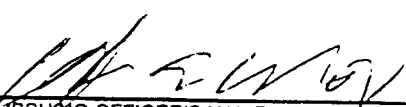
YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

PLACE	DATE AND TIME
-------	---------------

YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure. 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)  (Attorney for Infineon Technologies AG, Infineon Technologies North America Corp. and Infineon Technologies Holding North America Inc.)	DATE 1/12/01
---	---------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Clifford E. Wilkins, Kirkland & Ellis, 153 E. 53 rd Street, New York, New York 10022 (212) 446-4800	
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(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

¹ If action is pending in district other than district of issuance, state district under case number.

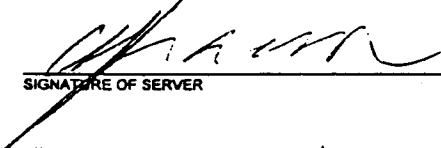
PROOF OF SERVICE

	DATE	PLACE
SERVED	January 12, 2001	
SERVED ON (PRINT NAME)		MANNER OF SERVICE
Micron Technology, Inc.		Federal Express
SERVED BY (PRINT NAME)		TITLE
Clifford E. Wilkins, Jr., Esq.		(Attorney for Infineon Technologies AG, Infineon Technologies North America Corp. and Infineon Technologies Holding North America Inc.)

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 1/12/01 DATE

 SIGNATURE OF SERVER

Kirkland & Ellis, 153 East 53rd Street
New York, New York 10022
ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

- (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3)(B) (iii) of this rule,

such a person may in order to attend trial be commanded to travel from any such place within the state in which trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
- (iv) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

**STIPULATION RE USE IN *FTC v. RAMBUS*
OF PREVIOUSLY PRODUCED DOCUMENTS**

Micron Technology, Inc. hereby stipulates and agrees that the documents it previously produced to Rambus or other parties in the case entitled *Rambus Inc. v. Infineon Technologies AG, et al.*, case no. 3:00CV524 (E.D. Va.) may be used by the parties to the *FTC v. Rambus* matter as if they had been produced in that matter.

DATED: _____

MICRON TECHNOLOGY, INC.

By _____

Its _____