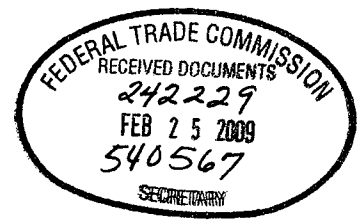


ORIGINAL



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

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

In the Matter of

RAMBUS INCORPORATED,

a corporation.

Docket No. 9302

PUBLIC

**COMPLAINT COUNSEL'S MOTION TO WITHDRAW
THIS MATTER FROM ADJUDICATION**

On April 22, 2008, the United States Court of Appeals for the District of Columbia Circuit issued an opinion that set aside the Commission's final orders in the above-captioned matter and remanded for further proceedings consistent with the Court of Appeals' opinion.¹ On February 23, 2009, the United States Supreme Court issued an Order² denying the Commission's Petition for Writ of Certiorari seeking review of the decision of the Court of Appeals.

In order to allow for discussion of the proper resolution of this matter, Complaint Counsel move that the Commission issue an order withdrawing this matter from adjudication under Part III of the Commission's Rules of Practice, 16 C.F.R. Part III, and suspending application of Rule

¹Rambus, Inc. v. FTC, 522 F.3d 456, 469 (D.C. Cir. 2008).

²555 U.S. ____ (February 23, 2009).

4.7 of the Commission's Rules of Practice, 16 C.F.R. § 4.7.³ A draft of a proposed order granting the requested motion is attached.

Respondent Rambus, Inc., concurs in this motion.

Respectfully submitted,



Patrick J. Roach
Bureau of Competition
Federal Trade Commission
Washington, D.C. 20008
(202) 326-2275
Counsel for the Complaint

February 25, 2009

³The Commission in the past, in light of events relevant to issues in a pending adjudicatory matter, has authorized filing of a “motion to withdraw this matter from adjudication for purposes of discussing resolution of this matter, in which event the Secretary shall issue an order withdrawing this matter from adjudication and the application of Commission Rule of Practice 4.7, 16 C.F.R. § 4.7, shall thereby be suspended.” In the Matter of New Balance Athletic Shoe, Inc., 120 F.T.C. 4, 1995 FTC LEXIS 194, *9 (July 10, 1995).

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PROPOSED ORDER

Having considered Complaint Counsel's Motion to Withdraw This Matter from Adjudication, Complaint Counsel's Motion is hereby granted. Accordingly,

IT IS ORDERED THAT this matter is hereby withdrawn from adjudication under Part III of the FTC Rules of Practice, 16 C.F.R. Part III, for the purpose of considering the proper resolution of this matter in light of the mandate of the United States Court of Appeals of the District of Columbia Circuit, and that the application of FTC Rule of Practice 4.7, 16 C.F.R. § 4.7, is hereby suspended.

By the Commission.

Donald S. Clark
Secretary

ISSUED:

CERTIFICATE OF SERVICE

I, Beverly Dodson, hereby certify that on February 25, 2009, I caused a copy of the attached, *Complaint Counsel's Motion To Withdraw This Matter From Adjudication*, to be served upon the following persons:

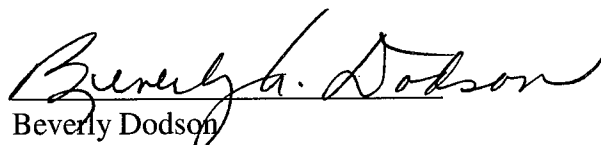
by hand delivery to:

The Commissioners
U.S. Federal Trade Commission
Office of the Secretary, Room H-172
Federal Trade Commission
600 Pennsylvania Ave., N.W.
Washington, D.C. 20580

by electronic transmission and hand delivery to:

A. Douglas Melamed, Esq.
Wilmer Cutler Pickering Hale and Dorr LLP
1875 Pennsylvania Ave., N.W.
Washington, DC 20006

Counsel for Rambus Incorporated


Beverly Dodson