



## Rambus Receives Decisions from Court of Appeals for the Federal Circuit

*Hynix case final judgment vacated and case remanded;*

*In Micron case, Court affirmed Rambus spoliated documents, dismissal sanction vacated and case remanded*

SUNNYVALE, Calif.--(BUSINESS WIRE)-- Rambus Inc. (Nasdaq:RMBS), one of the world's premier technology licensing companies, today announced that the Court of Appeals for the Federal Circuit (CAFC) has issued its decisions in cases with Hynix Semiconductor (000660.KS) and Micron Technology Inc. (Nasdaq:MU). In the ruling in the Micron case, the CAFC affirmed the district court's determination that Rambus spoliated documents, but vacated the court's dismissal sanction and remanded the case for further consideration by the U.S. District of Delaware Court. In its ruling in the Hynix case, the CAFC vacated the district court's spoliation findings where it had found that Rambus had not spoliated documents. The CAFC further vacated the court's final judgment, and remanded the case to the U.S. District Court for the Northern District of California (NDCA) for reconsideration.

"We are very disappointed with the decisions in these cases," said Thomas Lavelle, senior vice president and general counsel at Rambus. "We are hopeful when the district courts reconsider these decisions, they will find, as we believe, there was no bad faith and no prejudice."

At issue in both of these cases is when Rambus reasonably foresaw litigation. Both district court judges in these matters identified different dates, with the NDCA determining Rambus did not engage in bad faith, while the Delaware Court determined that Rambus executed its document retention policy during a time when it reasonably foresaw litigation.

"Rambus has a rich history of developing breakthrough innovations that have enabled a broad spectrum of great electronic products," said Harold Hughes, president and chief executive officer at Rambus. "While today's decisions are disappointing, our commitment to innovation is unwavering. Rambus is a resilient company, and we will continue to move our business forward. This is true for our semiconductor business as well as the lighting and display business and the newly-announced acquisition of Cryptography Research."

### **The Hynix Matter (CAFC 2099-1299, -1347)**

This case was originally filed by Hynix against Rambus in August 2000. The case was split into three separate phases with Rambus prevailing in all three phases. The first phase considered Hynix's allegations that certain Rambus patents should be unenforceable under the doctrine of unclean hands and spoliation.

The second phase dealt with Rambus' allegations that Hynix memory products infringed its patents. A jury found in favor of Rambus by agreeing that Hynix memory products infringe all ten Rambus patent claims and awarded Rambus damages.

In the third and final phase of the case, Hynix (together with Micron and Nanya) alleged Rambus engaged in antitrust and fraud during its participation in a standard-setting organization called JEDEC in the early 1990s. A jury, again, found in favor of Rambus finding it had acted properly during its participation in JEDEC. Hynix appealed these decisions.

### **The Micron Matter (CAFC 2009-1263)**

This case was originally filed by Micron against Rambus in August 2000. The case was split into three separate phases with the first phase concerning allegations of unclean hands and spoliation. The district court found in favor of Micron and held that the Rambus patents at issue in this case were unenforceable against Micron. Rambus appealed the decision.

Rambus management will discuss this decision during a special conference call today at 2:00 p.m. PT. The call will be webcast and can be accessed through the Rambus website. A replay will be available following the call on Rambus' Investor Relations website or for one week at the following numbers: (800) 642-1687 (domestic) or (706) 645-9291 (international) with ID# 68227784. Today's rulings can be found at: <http://www.cafc.uscourts.gov/dailylog.html>.

### **About Rambus Inc.**

Founded in 1990, Rambus is one of the world's premier technology licensing companies. As a company of inventors, Rambus

focuses on the development of technologies that enrich the end-user experience of electronic systems. Its breakthrough innovations and solutions help industry-leading companies bring superior products to market. Rambus licenses both its world-class patent portfolio, as well as its family of leadership and industry-standard solutions. Headquartered in Sunnyvale, California, Rambus has regional offices in North Carolina, Ohio, India, Germany, Japan, Korea, and Taiwan. Additional information is available at [www.rambus.com](http://www.rambus.com).

### **Forward-Looking Statements**

This release contains forward-looking statements under the Private Securities Litigation Reform Act of 1995, including statements regarding our intention to continue our innovations, filing of patents and efforts to be fairly compensated for our patented inventions. Such forward-looking statements are based on current expectations, estimates and projections about our industry, management's beliefs, and certain assumptions made by our management. Actual results may differ materially. Our business generally is subject to a number of risks which are described more fully in our SEC filings including our 10-K and 10-Qs.

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