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Rambus Receives Decision in SK Hynix Case

Rambus entitled to compensation for infringement based on fair and reasonable royalty rates

SUNNYVALE, Calif.--(BUSINESS WIRE)-- Rambus Inc. (Nasdaq:RMBS), one of the world's premier technology licensing companies, today announced that the judge for the Northern District of California (NDCA) has issued his decision in the matter with SK Hynix. The Honorable Ronald M. Whyte has found that the Rambus patents in this case are valid and infringed by SK Hynix and Rambus is entitled to receive royalty payments for past infringement based on reasonable and non-discriminatory (RAND) rates.

"This is a positive result as it is consistent with what we've been seeking all along — reasonable compensation for the use of our patented inventions," said Thomas Lavelle, senior vice president and general counsel at Rambus. "We appreciate the Court's extensive efforts in working through years of complex arguments. While this decision does not provide SK Hynix with a going-forward license, we are hopeful it will lead to putting this matter behind us completely and allow us to reach reasonable agreements."

In his ruling, Judge Whyte found that Rambus executed its document retention practices during a time when it reasonably anticipated litigation, and thus willfully spoliated evidence, but also found that Rambus did not deliberately destroy documents it knew to be damaging. The parties have been ordered to provide briefs on the issue of the damages SK Hynix will need to pay Rambus.

Rambus management will discuss this decision during a special conference call on Monday, September 24, 2012 at 6:00 a.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: (855) 859-2056 (domestic) or (404) 537-3406 (international) with the ID# 34575979.

Background of the Matter

This case was originally filed by SK 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 SK Hynix's allegations that certain Rambus patents should be unenforceable under the doctrine of unclean hands and spoliation.

The second phase addressed Rambus' allegations that SK Hynix memory products infringed its patents. The jury in this phase upheld the validity of Rambus' patents and found that SK Hynix memory products infringe all Rambus patent claims in this case. The jury awarded Rambus damages in the amount of \$397 million.

In the third phase of the case, SK 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 in this case, again, found in favor of Rambus, finding it had acted properly during its participation in JEDEC.

SK Hynix's appeal of these decisions led to a Court of Appeals for the Federal Circuit 2011 ruling vacating the NDCA court's final judgment and remanded the matter for reconsideration. In this decision following reconsideration, Judge Whyte found that SK Hynix may have been prejudiced by the alleged spoliation, and thus imposed a sanction on Rambus, limiting royalties to those which are reasonable and non-discriminatory.

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. Additional information is available at www.rambus.com.

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