



Pursuant to the Notice of Investigation, 73 Fed. Reg. 75131 (2008), this is the Initial Determination of the in the matter of *Certain Semiconductor Chips Having Synchronous Dynamic Random Access Memory Controllers And Products Containing Same*, United States International Trade Commission Investigation No. 337-TA-661. *See* 19 C.F.R. § 210.42(a). It is held that a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain semiconductor chips having synchronous dynamic random access memory controllers and products containing same by reason of infringement of one or more of claims 11-13, 15, and 18 of U.S. Patent No. 6,470,405, claims 11-13 of U.S. Patent No. 6,591,353, and claims 1, 2, 4, 5, 12, 13, 20, 21, and 24 of U.S. Patent No. 7,287,109. It is further held that no violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, has occurred in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain semiconductor chips having synchronous dynamic random access memory controllers and products containing same by reason of infringement of one or more of claims 7, 13, 21, and 22 U.S. Patent No. 7,177,998, claims 7, 13, 21, and 22 of U.S Patent No. 7,210,016.

## **CONCLUSIONS OF LAW**

1. The Commission has personal jurisdiction over the parties, and subject-matter jurisdiction over the accused products.
2. The importation or sale requirement of section 337 is satisfied.
3. The accused products literally infringe the asserted claims of the '353 Patent.
4. The accused products literally infringe the asserted claims of the '405 Patent
5. The accused products literally infringe the asserted claims of the '109 Patent.
6. The accused products infringe claim 11 of the '405 Patent and claims 5 and 13 of the '109 Patent under the doctrine of equivalents
7. The accused products literally infringe the asserted claims of the '998 Patent.
8. The accused products literally infringe the asserted claims of the '016 Patent.
9. Respondents induce infringement of the asserted claims of the asserted patents.
10. Respondents contribute to the infringement of the asserted claims of the asserted patents.
11. The asserted claims of the '353 Patent, the '405 Patent and the '109 Patent are not invalid under 35 U.S.C. § 102 for anticipation.
12. The asserted claims of the '998 Patent and the '016 Patent are invalid under 35 U.S.C. § 102 for anticipation.
13. The asserted claims of the '353 Patent, the '405 Patent and the '109 Patent are not invalid under 35 U.S.C. § 103 for obviousness.
14. The asserted claims of the '998 Patent and the '016 Patent are invalid under 35 U.S.C. § 103 for obviousness.

15. The '353 Patent, the '405 Patent and the '109 Patent are not obvious for double patenting.
16. The '998 Patent and the '016 Patent are not unenforceable due to inequitable conduct.
17. The asserted patents are not unenforceable due to unclean hands.
18. Rambus is not equitably estopped from asserting the asserted patents against Respondents.
19. It has been established that a violation exists of section 337 with respect to the '353 Patent, the '405 Patent and the '109 Patent.
20. It has not been established that a violation exists of section 337 with respect to the '998 Patent and the '016 Patent.