



## From the Standards Blog:

□ □ □ May 17, 2004

**# 16 RMBS and (Another) Dark Side of the Internet** Not long ago, I looked in on a few of the many right-wing conspiracy sites on the Web - the kind maintained by folks that are convinced that the government is hiding under the bed and lurking behind every street corner. My visit was occasioned by the announcement at some of these sites that the government had supposedly contaminated the money supply with RFID tags, the better to track us by.

Today I invite you to journey with me into another dark corner of the Web - the Yahoo!/Finance message board where certain committed Rambus stockholders meet. Rambus, as regular visitors to this site are aware, is the company that has been accused of "gaming" the JEDEC standard setting process in order to extract billions of dollars of royalties from the semiconductor industry.

One would expect that those that gather at the Yahoo! Rambus message board would visit to offer information and opinions on where Rambus stock prices may head next. The following recent post provides a sample of the type of erudite financial analysis exchanged at this venue:

### *DID JERRY THE FRUITCAKE FIGURE OUT WHO BONED HIM WITH THE FBI YET?*

Indeed. Regrettably, we do not learn who it was that boned Jerry the Fruitcake, but presumably the deed must have had a significant impact on the quarterly earnings of Rambus to warrant mention.

At this point, you will be wondering why I am writing about Rambus message boards (or, more precisely, RMBS boards - RMBS being the company's trading symbol). The reason is that those who hang out on the RMBS boards regularly send me their thoughts on an unsolicited basis. Given their generosity in this regard, I thought that I should return the favor by sharing their wisdom with a wider audience.

I first learned that I was acquiring a loyal following at the Yahoo! (and other) Rambus boards after I had the temerity to file our first pro bono brief in the case of Rambus v. Infineon, the case among several involving Rambus that is the farthest advanced in the courts. "Pro bono," of course, means that we filed the brief without charge to anyone, and paid all of the filing and printing costs as well. Our brief urged that the Federal Circuit Court, to which Rambus had appealed its case after losing in a trial court, should reconsider its decision not to sanction Rambus for its bad behavior in the JEDEC standard setting process.

In the trial court proceeding, it had been established that Rambus had destroyed evidence, and discovery also showed that Rambus had sought to covertly violate the JEDEC disclosure rules. A judge and jury agreed and severely sanctioned Rambus, but two out of three judges on a Federal Circuit Court panel later disregarded many of the jury's findings of fact, and imposed a patent analysis that many believe is wholly inappropriate to standard setting. The third judge on the panel roundly condemned Rambus for its conduct, and stated that the patent analysis used by the court was flawed and impractical as applied to the standard setting process.

One would assume that filing a brief protesting the failure of the Federal Circuit to punish deliberate bad behavior in standard setting would be a pretty wholesome, "motherhood, America and apple pie" type of activity. However, in the eyes of certain individuals who spend their lives banging the message boards, one would assume wrong. Immediately upon filing the brief, I began receiving email with messages such as this:

*Please quit writing LIES! IF you stick to the FACTS RMBS is the one who got screwed here, not the other way around. JEDEC DID NOT INVENT ANYTHING! THEY STOLE RMBS IP AND CALLED IT SDRAM. END OF STORY!!! THE 703 disclosed most of the working elements of SDRAM and DDR. Please name ONE thing that JEDEC ever invented?*

Indeed, it is true. JEDEC has never invented anything, nor was it formed to do so. It sets standards, based upon the contributions of its members. But if one uses enough capital letters, things surely must become correct (even if they still make no sense).

A recurring theme of my faithful correspondents is their conviction that no one ever does anything, except for personal gain. For example, this especially articulate RMBS stockholder knows, as almost all of my friends at the RMBS boards do, that I am obviously lying when I state that our three briefs (Federal Circuit, Supreme Court and FTC) were filed on a pro bono basis:

*You on the take like Judge Payne I take it .Probably got a lot of "free" money for working out this article. Nobody works for free. ALJ Maguire seen through it, the circuit court seen through it and now we all see through it...I will pass on your name to be investigated for receiving funds from the 8,600 companies for fraudulently misrepresenting this article being written for no fee!*

Others, of course, are more brief and to the point, offering only a single sentence email in order to launch a mature debate on the issues:

*Lying asshole, put down the crack pipe my son.*

I'm told that there is much hilarity at the boards over the fact that Rambus has been doing rather well in the courts of late. Recently, I received a T shirt from my friends at the RMBS boards, inscribed "Can you even Read ?" The question is curious, given that if its underlying premise is true, then there is no point in asking. The label on the envelope in which the T shirt arrived includes the slogan "All Roads lead to Rambus!," which is also curious, given that this opinion is shared by the Complaint Counsel at the FTC, as well as the judge and the jury in the District Court, which heard the most exhaustive testimony in the case, and handed RMBS its figurative head.

My pen pals also delight in posting their emails to me at the RMBS boards, to show each other how very witty they are.

At the same time, the RMBS crew can't stay away from the ConsortiumInfo.org site. Why? Because they live for information about the stock, and know that sometimes they can learn things first at ConsortiumInfo.org. A very sad quandary for a poor day trader to find herself in, having to visit the devil to get her fix. But hey, thanks for the site traffic!

So where does all this lead? To the observation that while there are many investors who use message boards for completely legitimate purposes, there are others who gather there to yammer and trade profanity over, essentially, nothing. The same thing occurs in countless boards, on countless subjects -- political, social, and so on -- all over the Internet. It's sad that a technology that can share so much knowledge is also so often used to help pools of dysfunctional people clump together to ignore any information that doesn't match their financial self-interest, to abuse anyone who may disagree with their views, to assume that no one acts except for personal gain, and to stoke each other's prejudices.

Clearly, there is a need on the Internet for more types of standards (the old-fashioned types, like decency and respect) than just technical ones. But, after all, there is a recognized need today for adult daycare, and it may well be safer to have the crazies tied to their computers than loose on the streets.

But enough of this - *I've got mail!*

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Useful Links and Information:

Visit the Yahoo! RMBS boards and see for yourself (not for the squeamish; you may wish to consider activating the profanity filter): [Yahoo! RMBS](#)

For the history of the Rambus v. Infineon case to date, see:

***Description of cases and links to opinions: see section 5.7.1- 3 at: [Laws, Cases, & Regulations](#)***

***Rambus - Hard Cases make Bad Law: [Consortium Standards Bulletin February 2003](#)***

***Rambus Update: It may not be Over Yet: [Consortium Standards Bulletin March 2003](#)***

***States, SDOs, Consortia all Unite to Support Infineon: [Consortium Standards Bulletin AUGUST 2003](#)***

***Supreme Court says "No Dice" to Infineon: [Consortium Standards Bulletin September 2003](#)***

For the history of the Federal Trade Commission action against Rambus to date, see:

***Update: The Stage Shifts to the FTC: [Consortium Standards Bulletin April 2003](#)***

***FTC Loses First Round to Rambus: [Consortium Standards Bulletin March 2004](#)***

***FTC Appeals Rambus (with a Little Help from its Friends): [Consortium Standards Bulletin April 2004](#)***

To visit another "dark side" of the Internet, see item #14 below:

***Dan Mullen, Andrew Jackson and the Dark Side of the Internet: [Consortium Standards Bulletin March 2004](#)***

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<http://www.consortiuminfo.org/blog/>