----- Forwarded message ------

From: Manishin, Glenn <gmanishin@kelleydrye.com>

Date: Wed Nov 12 11:38:08 PST 2003

Subject: FW: American Blind and Wallpaper Factory, Inc.

To: kulpreet@google.com, amac@google.com

## Kulpreet, Alex:

This is the situation referenced in my voicemails to Kulpreet. The failure to take down the search ad listings sold to third-parties for American Blind's registered trademarks seems to directly contradict Google's posted Trademark Complaint Procedures (http://www.google.com/tm\_complaint.html). Our client is quite upset about the matter, which has been at issue for more than a year without progress, and has asked us to prepare a Vuitton-type lawsuit if the matter cannot be resolved. I of course would like to avoid

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that; we value Google as a client and very much hope we can continue to represent you on other matters in the future.

Please call me to discuss.

Thanks much.

Glenn

----Original Message----

Manishin, Glenn From:

Friday, January 10, 2003 12:52 PM Sent: Kulpreet Rana (kulpreet@google.com)

FW: American Blind and Wallpaper Factory, Inc. Subject:

FYI. I sent this to Miriam as she told me it's her bailiwick at Google.

Best regards,

Glenn

----Original Message----

Manishin, Glenn From:

Sent: Friday, January 10, 2003 12:51 PM Miriam Rivera (miriam@google.com) To:

Greenspon, Susan Cc:

American Blind and Wallpaper Factory, Inc. Subject:

Miriam:

You may recall our conversation last Summer about Google's sale of paid-links in connection with a client of Kelley Drye's Chicago office, American Blind and Wallpaper Factory, Inc. d/b/a decoratetoday.com, Inc. ("ABWF"). Since it was in both our interests to avoid a conflict, you explained that Google routinely deals with situations in which a third-party claims a trademark right to a certain mark by ceasing sales of links using that mark to others.

That was the understanding of my Chicago Partner, Susan Greenspon, who traded voicemails with Kulpreet in connection with correspondence from ABWF to Google dated 7/23/02.

This message is to ask that you look into this situation again. Susan is informed by ABWF that Google is still selling sponsored links to eBay and USAWallpaper.com using the keywords "American Blind and Wallpaper Factory," which are registered trademarks of ABWF. As my I explained on the phone, we hope this can be resolved, per what I understand is Google's customary practice, without the need for any formal cease-and-desist demands or other unpleasantness.

I've copied Susan Greenspon on this e-mail; she can be reached at (312) 857-7080 if you need further information or would like to discuss the matter directly.

Thanks in advance for your cooperation and assistance.

Glenn

Glenn B. Manishin Kelley Drye & Warren LLP gmanishin@kelleydrye.com

AIM -- GMan55

AccuCard -- https://www.cardscan.net/v/?id=983B3S/j4nLaAn8nkwv1Pvv17g=