

Exhibit F

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9 Attorneys for Defendant/Counter-Plaintiff
10 AMERICAN BLIND AND WALLPAPER
FACTORY, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 GOOGLE INC., a Delaware corporation,

14 Plaintiff,

15 v.

16 AMERICAN BLIND & WALLPAPER
FACTORY, INC., a Delaware corporation
17 d/b/a decoratetoday.com, Inc.; and DOES 1-
18 100, inclusive,

19 Defendants.

20 AMERICAN BLIND & WALLPAPER
FACTORY, INC., a Delaware corporation
21 d/b/a decoratetoday.com, Inc.,

22 Counter-Plaintiff,

23 v.

24 GOOGLE, INC., AMERICA ONLINE, INC.,
NETSCAPE COMMUNICATIONS
25 CORPORATION, COMPUSERVE
INTERACTIVE SERVICES, INC., ASK
26 JEEVES, INC., and EARTHLINK, INC.

27 Counter-Defendants/
Third-Party Defendants
28

Case No. C 03-5340-JF (RS)

**AMERICAN BLIND & WALLPAPER
FACTORY, INC.'S RESPONSE TO
PLAINTIFF GOOGLE INC.'S FIRST SET
OF REQUESTS FOR ADMISSION**

1 PROPOUNDING PARTY: PLAINTIFF GOOGLE INC.

2 RESPONDING PARTY: DEFENDANT/COUNTER-PLAINTIFF AMERICAN BLIND &
3 WALLPAPER FACTORY, INC.

4 SET NUMBER: ONE

5 Defendant/Counter-Plaintiff American Blind & Wallpaper Factory, Inc.

6 (“American Blind”) hereby answers Plaintiff Google Inc.’s (“Google”) First Set Of Requests For
7 Admission To American Blind & Wallpaper Factory, Inc. as follows:

8 **REQUESTS FOR ADMISSION**

9 **REQUEST FOR ADMISSION NO. 1:**

10 Admit that if an ad appears on a Google search results page when a user searched for
11 “American Blind & Wallpaper Factory” only because the advertisers has selected “blind” as a
12 BROAD MATCH KEY WORD, and that if the ad does not include any variant of the ALLEGED
13 AMERICAN BLINDS MARKS in its text, no ALLEGED AMERICAN BLINDS MARKS has
14 [sic] been “used” within the meaning of the Lanham Act.

15
16 **RESPONSE:** Objection. This request for admission (a) improperly seeks conclusions and/or
17 admissions of law that do not relate to the facts of this case, (b) presents a hypothetical question
18 which is not within the purview of Fed. R. Civ. P. 36, (c) improperly seeks to compel American
19 Blind to prove Google’s legal position in this case, and (d) could not be answered even with
20 reasonable inquiry because no information known or readily obtainable by American Blind could
21 allow it to fairly admit or deny the request. Furthermore, this request contains vague and
22 ambiguous wording which fails to comply with Fed. R. Civ. P. 36 in that it does not present
23 simple concise statements of facts which would allow American Blind to fairly admit or deny the
24 statements without explanation or qualification.
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26 **REQUEST FOR ADMISSION NO. 2**

27 Admit that if an ad appears on a Google search results page when a user searches for
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"american blind," the user has no way to determine for certain whether the ad's appearance was triggered by the phrase "american blind" or some other word or phrase.

RESPONSE: Objection. This request for admission (a) presents a hypothetical question which is not within the purview of Fed. R. Civ. P. 36, and (b) could not be answered even with reasonable inquiry because no information known or readily obtainable by American Blind could allow it to fairly admit or deny the request. Furthermore, this request contains vague and ambiguous wording which fails to comply with Fed. R. Civ. P. 36 in that it does not present simple concise statements of facts which would allow American Blind to fairly admit or deny the statements without explanation or qualification.

Dated: February 27, 2006

KELLEY DRYE & WARREN LLP

By: _____



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Plaintiff AMERICAN BLIND
AND WALLPAPER FACTORY,
INC.

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PROOF OF SERVICE

I am a citizen of the United States and a resident of the State of Illinois. I am employed in Cook County, State of Illinois, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years, and not a party to the within action, My business address is 333 W. Wacker Drive, Suite 2600, Chicago, IL 60606. On the date set forth below, I served the document(s) described below in the manner described below:

AMERICAN BLIND AND WALLPAPER FACTORY, INC.'S RESPONSE TO PLAINTIFF GOOGLE INC.'S FIRST SET OF REQUESTS FOR ADMISSION

VIA FACSIMILE and U.S. MAIL

Michael H. Page
Mark A. Lemley
Klaus H. Hamm
Ajay S. Krishnan
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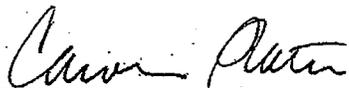
XX(BY FACSIMILE) I am personally and readily familiar with the business practice of Kelley Drye & Warren, LLP for collection and processing of document(s) to be transmitted by facsimile and I caused such document(s) on this date to be transmitted by facsimile to the offices of addressee(s) at the numbers listed below.

(BY FEDERAL EXPRESS) I am personally and readily familiar with the business practice of Kelley Drye & Warren, LLP for collection and processing of correspondence for overnight delivery, and I caused such document(s) described herein to be deposited for delivery to a facility regularly maintained by Federal Express for overnight delivery.

(BY MESSENGER SERVICE) by consigning the document(s) to an authorized courier and/or process server for hand delivery on this date.

XX(BY U.S. MAIL) I am personally and readily familiar with the business practice of Kelley Drye & Warren, LLP for collection and processing of correspondence for mailing with the United States Postal Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Chicago, Illinois.

Executed on February 27, 2006, at Chicago, Illinois.



Caroline C. Plater