

EXHIBIT H

1 Robert N. Phillips (SBN 120970)
Ethan B. Andelman (SBN 209101)
2 HOWREY LLP
525 Market Street, Suite 3600
3 San Francisco, CA 94105
Telephone: (415) 848-4900
4 Facsimile: (415) 848-4999

5 David A. Rammelt (Admitted *Pro Hac Vice*)
Susan J. Greenspon (Admitted *Pro Hac Vice*)
6 KELLEY DRYE & WARREN LLP
333 West Wacker Drive, Suite 2600
7 Chicago, IL 60606
Telephone: (312) 857-7070
8 Facsimile: (312) 857-7095

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

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA

14 GOOGLE INC., a Delaware corporation,
15
16 Plaintiff,

CASE NO. C 03-5340-JF (EAI)

17 v.

AMERICAN BLIND & WALLPAPER
FACTORY, INC.'S AMENDED ANSWER
TO GOOGLE INC.'S SECOND SET OF
INTERROGATORIES

18 AMERICAN BLIND AND WALLPAPER
FACTORY, INC., a Delaware corporation
d/b/a decoratetoday.com, Inc.; and DOES
19 1-100, inclusive,

20 Defendants.

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

23 Counterclaimant,

24 v.

25 GOOGLE INC.,
26 Counterdefendants.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

NOW COMES Defendant/Counter-Plaintiff, AMERICAN BLIND & WALLPAPER FACTORY, INC., by and through its attorneys, KELLEY DRYE & WARREN LLP, and in response to Plaintiff's Interrogatories, states as follows:

INTERROGATORY NO. 1:

For each name that AMERICAN BLIND has used, in communications with customers and/or potential customers, to refer to its retail business, STATE the name that was used, the dates the AMERICAN BLIND began and ceased using the name, and the reasons for adopting and ceasing to use each name.

ANSWER: American Blind objects to this interrogatory because it is over broad, unduly burdensome and not reasonably calculated to lead to the discovery of relevant or admissible evidence. American Blind also objects to this request to the extent that it calls for the production of documents protected by the attorney client privilege or the attorney work product doctrine. Subject to and without waiving these objections, American Blind states that the name changes that American Blind has undergone reflect the changes in the products being sold by American Blind at any given time and changes in the marketplace in general. When American Blind first began its business in 1986, the company operated under the name "American Blind Factory" or "American Blind". When the company expanded the products it sold to include both wall coverings and window treatments, the name was changed from "American Blind" and "American Blind Factory" to "American Blind and Wallpaper Factory" and "American Blind and Wallpaper" in 1988. As a direct result of the assets of American Blind being sold to Color Tile, Inc. in late 1992, the company decided to expand its products further and offer its customers carpeting as well and as a result, the company began using the name, "American Blind, Wallpaper and Carpet Factory, Inc." in 1993. During the second half of the 1990's, the company began using the name "American Blind, Wallpaper & More", which coincided with the company's decision to expand its product offerings to include light fixtures, pictures and throw rugs.¹ On December 9, 1999, the company decided to change its corporate name to

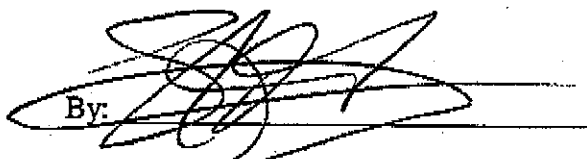
¹ Color Tile took and maintained all corporate books as part of the acquisition. Color Tile filed for bankruptcy protection in 1995, with the assets of American Blind being spun out

1 "decoratetoday.com" to include additional products and services then being offered by American
 2 Blind and to evidence its strong Internet presence. However, at no point in time were the
 3 "American Blind" marks abandoned and the company continuously used both brands on its web-
 4 site and marketing materials to assist its consumers with the cross over to the "decoratetoday"
 5 brand. It was subsequently determined that customers identified with the "American Blind"
 6 names too strongly to fully cross over to the "decoratetoday.com" brand name as the sole brand
 7 name. As a result, on February 28, 2001, the name was changed back to "American Blind &
 8 Wallpaper Factory, Inc.". On or about January 6, 2006, the company again began using
 9 "American Blind, Wallpaper & More" in its advertising to incorporate the "American Blind"
 10 names while signifying that the company sold more than window treatments and wall coverings.
 11 American Blind refers to documents Bates range ABWF 003054-003772 for a complete list of all
 12 the names under which American Blind has done business, including corporate minutes regarding
 13 name changes, corporate name change information and assumed name filings.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: October 9, 2006

KELLEY DRYE & WARREN LLP

By: 

David A. Rammelt
 Susan J. Greenspon
 KELLEY DRYE & WARREN LLP
 333 West Wacker Drive, Suite 2600
 Chicago, IL 60606

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

at the end of 1998. As a result, American Blind does not have access to the majority of the corporate records and any dates contained therein from the time when Color Tile controlled the business.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 AMENDED ANSWER TO PLAINTIFF GOOGLE INC.'S SECOND SET OF INTERROGATORIES
VIA FACSIMILE and U.S. MAIL**

Michael H. Page
Mark A. Lemley
Klaus H. Hamm
Ajay S. Krishnan
Keker & Van Nest, LLP
710 Sansome Street
San Francisco, CA 94111

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.

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 October 9, 2006, at Chicago, Illinois.



Caroline C. Plater