Case 5:03-cv-05340-JF

Document 237-10

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EXHIBIT I

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KELLEY DRYE & WARREN LLP

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April 9, 2004

BRUSSELS, BELGIUM

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VIA EXPRESS MAIL

Box NEW APP FEE
Assistant Commissioner
for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re:

Federal Intent-to-Use Service Mark Application

Applicant:

American Blind and Wallpaper Factory, Inc.

Trademark:

AMERICAN BLINDS

Class:

35

Dear Sir or Madam:

Enclosed for filing are the application papers of American Blind and Wallpaper Factory, Inc. for registration of the subject service mark on the Principal Register, including the following:

- A signed Application with Declaration and Power of Attorney;
- 2. A stamped, self-addressed envelope to acknowledge receipt; and
- 3. A check in the amount of \$335.00 for the filing fee.

Best regards,

Stephanie E. Carter

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SEC:sec Enclosure

CH01/CARTS/148252.3

ABWF008773

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE APPLICATION FOR SERVICE MARK REGISTRATION UNDER 1(b)

MARK:

AMERICAN BLINDS

APPLICANT:

American Blind and Wallpaper Factory, Inc.

INTERNATIONAL CLASS:

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

American Blind & Wallpaper Factory, Inc., a Delaware corporation, located and doing business at 909 North Sheldon Road, Plymouth, Michigan, 48170.

Applicant requests registration of the above-identified trademark shown in the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. § 1051 et seq., as amended), for the following services: mail order catalog services and online ordering services featuring blinds, draperies, wall and window coverings, and home furnishings.

Applicant has a bona fide intention to use the mark in commerce in connection with the above-identified services (15 U.S.C. § 1051 (b), as amended).

Applicant intends to use the mark on or in connection with the services by applying it to brochures, to mail order catalogs, to a web site which will advertise the services, and in other ways customary to the trade.

Please note that Applicant is the owner of the following Registrations:

<u>Mark</u>	Reg. Number	Reg. Date
AMERICAN BLIND & WALLPAPER FACTORY	2,022,925	12/17/96
AMERICAN BLIND FACTORY	1,463,548	11/3/87

Applicant hereby appoints Susan J. Greenspon, Stephanie E. Carter, Timothy R. Lavender, Andrew Pillsbury and Thomas H. Ferguson (members of the Bar of the State of Illinois) of the firm of Kelley Drye & Warren LLP, 333 West Wacker Drive, Suite 2600, Chicago, Illinois 60606, its attorneys to prosecute this application to register, with full powers of substitution and revocation, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive the Certificate of Registration. All correspondence relating to this application to register should be directed to the attention of Stephanie E. Carter at Kelley Drye & Warren LLP at the above-stated address.

Kelley Drye & Warren LLP, whose postal address is 333 West Wacker Drive, Suite 2600, Chicago, Illinois 60606, is hereby designated Applicant's representative upon whom notice of process in proceedings affecting the mark may be served.

DECLARATION

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that: he/she is properly authorized to execute this instrument on behalf of applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered or, if the application is being filed under 15 U.S.C. 1051(b), he/she believes the applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the above identified mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

American Blind and Wallpaper Factory, Inc.

April 8, 2004 Date:

ame: Steven Katzman

Title: President

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DRAWING

Applicant:

American Blind and Wallpaper Factory, Inc.

Address:

909 North Sheldon Road, Plymouth, Michigan, 41870

Services:

Mail order catalog services and online ordering services featuring blinds, draperies, wall and window coverings, and home furnishings in

International Class 35.

AMERICAN BLINDS

KELLEY DRYE & WARREN LLP 333 West Wacker Drive, Suite 2600 Chicago, Illinois 60606 (312) 857-7070

CERTIFICATE OF MAILING

EXPRESS MAIL LABEL NO.: ER022503821US

Date of Deposit:

Lpul 9 2004

The undersigned hereby certifies that this paper and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514.

Barbara Warner