

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 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-
100, inclusive,

18 Defendants.

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

**DECLARATION OF SUSAN GREENSPON
IN SUPPORT OF DEFENDANT
AMERICAN BLIND AND WALLPAPER
FACTORY, INC.'S OPPOSITION TO
GOOGLE INC.'S MOTION FOR
SUMMARY JUDGMENT**

Date: February 16, 2007

Time: 9:00 a.m.

Courtroom: 3

Hon. Jeremy Fogel

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

23 Counter-Plaintiff,

24 v.

25 GOOGLE, INC.

26 Counter-Defendants.

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I, Susan Greenspon declare as follows:

1. I am a partner at Kelley Drye & Warren LLP, counsel of record for Defendant/Counter-Plaintiff American Blind & Wallpaper Factory, Inc. (“American Blinds”) in the above-captioned action. I am a member in good standing of the State Bar of Illinois. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. I have acted as corporate counsel for American Blinds for the last 17 years. In this capacity, I have become familiar with American Blind’s efforts to protect its registered and common law trademarks and service marks.

3. American Blinds has registered with the USPTO the following marks:

<u>Mark</u>	<u>Reg. Number</u>	<u>Reg. Date</u>
AMERICAN BLIND AND WALLPAPER FACTORY	2,299,126	9/6/05
AMERICAN BLINDS WALLPAPER & MORE	2,923,867	2/1/05
DECORATETODAY	2,470,542	7/17/01
AMERICAN BLIND & WALLPAPER FACTORY	2,022,925	12/17/96
AMERICAN BLIND FACTORY	1,463,548	11/3/87
AMERICAN BLINDS	3,149,175	9/26/06

Together with American Blinds’ marks AMERICAN BLIND and AMERICAN BLIND & WALLPAPER, these marks are collectively referred to herein as the “American Blinds Marks.”

4. American Blinds has been vigilant about protecting the American Blinds Marks. Based upon information and belief, I am aware that American Blinds has issued approximately 165 cease and desist letters upon discovery of infringing activity on any of the American Blinds Marks, through the assistance of the law firms Kelley Drye & Warren LLP, Freeborn & Peters, Kovitz Shifrin & Waitzman, and Dawda, Mann, Mulcahy & Sadler, PLC. In my estimation, approximately 99% of the cease and desists have resulted in the entry of a written

