

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOOGLE INC., a Delaware corporation,
Plaintiff,

SUMMONS IN A CIVIL CASE

CASE NUMBER: C 03-5340 JF

V.

AMERICAN BLIND & WALLPAPER
FACTORY, INC., et al.

SEE ATTACHED CAPTION PAGE
TO:

America Online
22000 AOL Way
Dulles, VA 20166

YOU ARE HEREBY SUMMONED and required to serve upon ^{COUNTER-}PLAINTIFF'S ATTORNEY

David A. Rammelt
Susan J. Greenspon
Dawn M. Beery
KELLEY DRYE & WARREN LLP
333 West Wacker Drive, Suite 2600
Chicago, IL 60606
Telephone: (312) 857-7070; Facsimile: (312) 857-7095

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

RICHARD W. WIEKING

MAY 04 2004

CLERK

DATE

Diana Miyake
(BY) DEPUTY CLERK

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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
14 GOOGLE INC., a Delaware
15 corporation,

16 Plaintiff,

17 v.

18 AMERICAN BLIND &
WALLPAPER FACTORY, INC., a
19 Delaware corporation d/b/a
decoratetoday.com, Inc., and DOES
20 1-100, INCLUSIVE,

21 Defendant.

CASE NO. C 03-5340 JF

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

25 Counter-Plaintiff,

26 v.

27 GOOGLE, INC., AMERICA
ONLINE, INC., NETSCAPE
28 COMMUNICATIONS

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CORPORATION, COMPUSERVE
INTERACTIVE SERVICES, INC.,
ASK JEEVES, INC., and
EARTHLINK, INC.

Counter-Defendants/
Third-Party Defendants.



Demovsky Lawyer Service

Premier Nationwide Document Retrieval and Process Service Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

-----X

GOOGLE INC. a Delaware corporation,

Plaintiff,

-against-

AFFIDAVIT OF SERVICE
C 03-5340 JF

AMERICAN BLIND & WALLPAPER
FACTORY, INC., et al.,

Defendant(s).

-----X

STATE OF NEW YORK)

S.S.:

COUNTY OF ALBANY)

DEBORAH WINN, being duly sworn, deposes and says that she is over the age of eighteen years, is an employee of the attorney service, D.L.S., Inc., and is not a party to this action.

That on the 14TH day of May, 2004, at approximately the time of 11:55A.M., deponent served a true copy of the SUMMONS IN A CIVIL CASE AND DEFENDANT'S ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIMS upon AMERICA ONLINE, c/o Registered Agent, Corporation Service Company, 80 State Street, Sixth Floor, Albany, New York, by personally delivering and leaving the same with NIKKI CHAPPLE who informed deponent that she holds the position of SERVICE OF PROCESS REPRESENTATIVE with that company and is authorized by appointment to receive service at that address.

NIKKI CHAPPLE is a black female, approximately 35 years of age, stands approximately 5 feet 7 inches tall, weighs approximately 175 pounds with black hair and wears glasses.

DEBORAH WINN

Sworn to before me this
17TH day of May, 2004

NOTARY PUBLIC

Frank J. Panucci
Notary Public-State of NY
Qualified in Albany Co.
No. 4721156
Comm. Expires July 31, 2006