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 4 San Francisco, California 94111  
 Telephone: (415) 788-8200  
 Facsimile: (415) 788-8208

5 Attorneys for Third-Party Defendants  
 AMERICA ONLINE, INC.,  
 6 NETSCAPE COMMUNICATIONS  
 CORPORATION, and COMPUSERVE  
 7 INTERACTIVE SERVICES, INC.

8  
 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

12 GOOGLE INC., a Delaware corporation,

13 Plaintiff,

14 v.

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

18 Defendants.

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

21 Counter-Claimant,

22 v.

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

26 Counter-Defendants/  
 27 Third-Party Defendants.

Case No. C 03-5340 JF (EAI)

**PROOF OF SERVICE REGARDING  
 REPLY MEMORANDUM OF POINTS  
 AND AUTHORITIES IN SUPPORT OF  
 MOTION BY THIRD-PARTY  
 DEFENDANTS AMERICA ONLINE, INC.,  
 NETSCAPE COMMUNICATIONS  
 CORPORATION, AND COMPUSERVE  
 INTERACTIVE SERVICES, INC. TO  
 DISMISS THIRD-PARTY CLAIMS**

Date: September 17, 2004  
 Time: 9:00 a.m.  
 Place: Courtroom 3, 5th Floor

Honorable Jeremy Fogel

28 PROOF OF SERVICE REGARDING REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF  
 MOTION BY THIRD-PARTY DEFENDANTS AMERICA ONLINE, INC., NETSCAPE COMMUNICATIONS  
 CORPORATION, AND COMPUSERVE INTERACTIVE SERVICES, INC. TO DISMISS THIRD-PARTY CLAIMS:  
 CASE NO. C 03-5340 JF (EAI)

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**PROOF OF SERVICE**

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is Taylor & Company Law Offices, Inc., One Ferry Building, Suite 355, San Francisco, California 94111.

On September 3, 2004, I served a true and correct copy of the document(s) described as:

**REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION BY THIRD-PARTY DEFENDANTS AMERICA ONLINE, INC., NETSCAPE COMMUNICATIONS CORPORATION, AND COMPUSERVE INTERACTIVE SERVICES, INC. TO DISMISS THIRD-PARTY CLAIMS** on the following interested parties in this action:

Mr. David A. Rammelt  
Ms. Susan J. Greenspon  
Ms. Dawn M. Beery  
Kelley Drye & Warren LLP  
333 West Wacker Drive, Suite 2600  
Chicago, IL 60606  
*Telephone: 312-857-7070*  
*Facsimile: 312-857-7095*  
**Counsel for American Blind & Wallpaper Factory, Inc.**

[ X ] [BY US MAIL, CCP § 1013a(3)] I caused the foregoing document(s) to be enclosed in a sealed envelope, with first class postage fully paid, for delivery on the individuals identified above as indicated herein. I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing and know that, in the ordinary course of Taylor & Company Law Offices, Inc.’s business practice, the document(s) described above would be deposited with the United States Postal Service on that same day at San Francisco, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed to be invalid if the postal cancellation date, or postage meter date, is more than one day after the date of deposit for mailing set forth in this declaration.

1 [ X ] [BY FACSIMILE, CCP § 1013(e)] I caused the foregoing document(s) to be  
2 transmitted by facsimile to the offices of the addressees indicated above at the facsimile numbers listed  
3 for each addressee served. Upon completion of said facsimile transmission, the transmitting machine  
4 issued a transmission report showing that the transmission was complete and without error.

5 [ ] [BY OVERNIGHT DELIVERY, CCP § 1013(d)] I caused delivery of the  
6 document(s) listed above to be effected by overnight mail, by placing true and correct copies in  
7 separate envelopes for each addressee shown above, with the name and address of the person served  
8 shown on the envelope, and by sealing the envelope and placing it for collection. Delivery fees were  
9 paid or provided for in accordance with the ordinary business practices of Taylor & Company Law  
10 Offices, Inc.

11 [ ] [BY PERSONAL SERVICE, CCP § 1011(a)] I caused the foregoing document(s) to  
12 be served by hand on the following individual(s) as indicated on the "Declaration of Personal Service"  
13 attached hereto as Exhibit A. The person who delivered a true and correct copy of such document(s) to  
14 the person(s) identified below is identified in Exhibit A attached hereto.

15 I declare under penalty of perjury, under the laws of the United States of America, that the  
16 foregoing is true and correct. Executed this 7th day of September 2004, at San Francisco, California.

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19 Elizabeth U. Lee

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**PROOF OF SERVICE**

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action. My business address is Taylor & Company Law Offices, Inc., One Ferry Building, Suite 355, San Francisco, California 94111.

On September 7, 2004, I served a true and correct copy of the document(s) described as:

**PROOF OF SERVICE REGARDING REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION BY THIRD-PARTY DEFENDANTS AMERICA ONLINE, INC., NETSCAPE COMMUNICATIONS CORPORATION, AND COMPUSERVE INTERACTIVE SERVICES, INC. TO DISMISS THIRD-PARTY CLAIMS** on the following

interested parties in this action:

Mr. David A. Rammelt  
Ms. Susan J. Greenspon  
Ms. Dawn M. Beery  
Kelley Drye & Warren LLP  
333 West Wacker Drive, Suite 2600  
Chicago, IL 60606  
*Telephone: 312-857-7070*  
*Facsimile: 312-857-7095*

**Counsel for American Blind & Wallpaper Factory, Inc.**

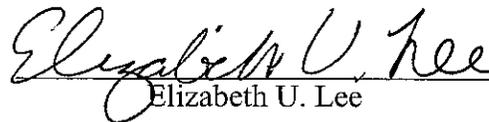
[BY US MAIL, CCP § 1013a(3)] I caused the foregoing document(s) to be enclosed in a sealed envelope, with first class postage fully paid, for delivery on the individuals identified above as indicated herein. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing and know that, in the ordinary course of Taylor & Company Law Offices, Inc.'s business practice, the document(s) described above would be deposited with the United States Postal Service on that same day at San Francisco, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed to be invalid if the postal cancellation date, or postage meter date, is more than one day after the date of deposit for mailing set forth in this declaration.

1 [ ] **[BY FACSIMILE, CCP § 1013(e)]** I caused the foregoing document(s) to be  
2 transmitted by facsimile to the offices of the addressees indicated above at the facsimile numbers listed  
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4 issued a transmission report showing that the transmission was complete and without error.

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10 Offices, Inc.

11 [ ] **[BY PERSONAL SERVICE, CCP § 1011(a)]** I caused the foregoing document(s) to  
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13 attached hereto as Exhibit A. The person who delivered a true and correct copy of such document(s) to  
14 the person(s) identified below is identified in Exhibit A attached hereto.

15 I declare under penalty of perjury, under the laws of the United States of America, that the  
16 foregoing is true and correct. Executed this 7th day of September 2004, at San Francisco, California.

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19 Elizabeth U. Lee