

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Agence France Presse,)
1015 15th St NW,)
Washington, DC 20005)

Plaintiff,)

v.)

Google Inc.,)
a California Corporation,)
1600 Amphitheatre Pkwy,)
Mountain View, CA 94043)

Defendant.)

CIVIL ACTION NO.: 1:05CV00546 (GK)

**AGENCE FRANCE PRESSE’S ANSWER
TO GOOGLE’S COUNTERCLAIMS**

ANSWER TO COUNTERCLAIMS

Plaintiff Agence France Presse (“AFP”) answers the counterclaims of Defendant Google Inc. (“Google”) as follows.

107. AFP admits the allegations of Paragraph 107.

108. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 108, and on that basis denies them.

109. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 108, and on that basis denies them.

110. AFP avers that Google offers tools to search the Internet. AFP lacks knowledge or information sufficient to form a belief as to the remaining allegations contained in Paragraph 110, including Google’s allegation that Google News is an information location tool, and on that basis denies them.

111. AFP avers that one function of Google News is to assist users in locating news on the Internet. AFP otherwise denies the allegations of Paragraph 111.

112. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 112, and on that basis denies them.

113. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 113, and on that basis denies them.

114. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 114, and on that basis denies them.

115. AFP admits the allegations of Paragraph 115.

116. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 116, and on that basis denies them.

117. AFP denies Paragraph 117.

118. AFP denies Paragraph 118.

119. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 119, and on that basis denies them.

120. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 120, and on that basis denies them.

121. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 119, and on that basis denies them.

122. AFP denies the allegations contained in Paragraph 122.

123. AFP denies that any AFP subscribers, licensees or even AFP itself allowed Google News to create links to such sites. AFP lacks knowledge or information sufficient to form a belief as to the remaining allegations contained in Paragraph 123, and on that basis denies them.

124. AFP admits the allegations contained in Paragraph 124.

125. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 125, and on that basis denies them.

126. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 126, and on that basis denies them.

127. AFP admits the allegations contained in Paragraph 127.

128. AFP specifically denies that Google News has not provided users with AFP photographs in their entirety. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 128, and on that basis denies them.

129. AFP denies the allegations contained in Paragraph 129.

130. AFP denies the allegations contained in Paragraph 130.

131. AFP denies the allegations contained in Paragraph 131.

132. AFP denies the allegations contained in Paragraph 132.

133. AFP denies the allegations contained in Paragraph 133.

134. AFP denies the allegations contained in Paragraph 134.

135. AFP denies the allegations contained in Paragraph 135.

136. AFP admits that a primary purpose of news stories is to educate the reader about current events or other subjects of political, social, scientific, or other importance. AFP denies the remaining allegations contained in Paragraph 136.

137. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 137, and on that basis denies them.

138. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 138, and on that basis denies them.

139. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 139, and on that basis denies them.

140. AFP avers that its original and creative stories contain factual information, and denies the remaining allegations contained in Paragraph 140.

141. AFP avers that *one* purpose of AFP news stories is to convey facts, i.e., news or information, to readers. AFP avers that another purpose of AFP news stories is to entertain the reader. AFP otherwise denies the allegations contained in Paragraph 141.

142. AFP avers that its original and creative stories contain factual information, and denies the remaining allegations contained in Paragraph 140.

143. AFP avers that some, but by no means all, of its headlines contain fewer than ten words.

144. AFP admits the allegations contained in Paragraph 144.

145. AFP denies the allegations contained in Paragraph 145.

146. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 146, and on that basis denies them.

147. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 147, and on that basis denies them.

148. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 148, and on that basis denies them.

149. AFP denies the allegations contained in Paragraph 149.

150. AFP admits the allegations contained in Paragraph 150.

151. AFP denies the allegations contained in Paragraph 151.

152. AFP avers that there is no rule for how many words its headlines contains, and otherwise denies the allegations in Paragraph 152.

153. AFP avers that there is no rule for how many words its stories contains, and otherwise denies the allegations in Paragraph 153.

154. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 154, and on that basis denies them.

155. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 155, and on that basis denies them.

156. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 156, and on that basis denies them.

157. AFP denies the allegations contained in Paragraph 157.

158. AFP denies the allegations contained in Paragraph 158.

159. AFP admits that Google News linked users to web sites operated by AFP subscribers. AFP avers that these subscribers typically provide read only access to AFP news stories and photographs. AFP otherwise denies the allegations contained in Paragraph 159.

160. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 160, and on that basis denies them.

161. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 161, and on that basis denies them.

162. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 162, and on that basis denies them.

163. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 163, and on that basis denies them.

164. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 164, and on that basis denies them.

165. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 165, and on that basis denies them.

166. AFP denies the allegations contained in Paragraph 166.

167. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 167, and on that basis denies them.

168. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 168, and on that basis denies them.

169. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 169, and on that basis denies them.

170. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 170, and on that basis denies them.

171. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 171, and on that basis denies them.

172. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 172, and on that basis denies them.

173. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 173, and on that basis denies them.

174. AFP lacks knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 174, and on that basis denies them.

FIRST COUNTERCLAIM

175. AFP realleges and incorporates the prior paragraphs as if fully set forth herein.

176. AFP denies Paragraph 176. This counterclaim is the subject of AFP's Motion to Dismiss.

177. AFP denies Paragraph 177. This counterclaim is the subject of AFP's Motion to Dismiss.

178. AFP denies Paragraph 178. This counterclaim is the subject of AFP's Motion to Dismiss.

SECOND COUNTERCLAIM

179. AFP realleges and incorporates the prior paragraphs as if fully set forth herein.

180. AFP denies Paragraph 180.

181. AFP denies Paragraph 181.

182. AFP denies Paragraph 182.

183. AFP denies Paragraph 183.

184. AFP denies Paragraph 184.

185. AFP denies Paragraph 185.

186. AFP denies Paragraph 186.

THIRD COUNTERCLAIM

187. AFP realleges and incorporates the prior paragraphs as if fully set forth herein.

188. AFP denies Paragraph 188. This counterclaim is the subject of AFP's Motion to Dismiss.

189. AFP denies Paragraph 189. This counterclaim is the subject of AFP's Motion to Dismiss.

190. AFP denies Paragraph 190. This counterclaim is the subject of AFP's Motion to Dismiss.

191. AFP denies Paragraph 191. This counterclaim is the subject of AFP's Motion to Dismiss.

192. AFP denies Paragraph 192. This counterclaim is the subject of AFP's Motion to Dismiss.

Respectfully submitted,

Dated: June 8, 2005

By:

/s/

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