

EXHIBIT 9

1 IN THE UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION

4
5 PETROLIAM NASIONAL BERHAD,

6
7 Plaintiff,

8
9 -vs-

Case No. 09-CV-5939 PJH

10 GODADDY.COM, INC.,

11
12 Defendants.
13 _____/

14 DEPOSITION OF YEOH SUAT GAIK

15 PAGES 1 to 142

16 THURSDAY, SEPTEMBER 15, 2011

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18 Reported by: LOUISE MARIE SOUSOURES, CSR NO. 3575

19 Certified LiveNote Reporter
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1 Apart from them, corporate affairs does some
2 checking for use of trademarks and sensitive
3 information regarding the company.

4 Q. Is there somebody at Petronas who is charged
5 with the task of scanning the Internet looking for
6 unauthorized uses of Petronas' trademarks?

7 A. Yes, iPerintis.

8 Q. That is that subsidiary you mentioned?

9 A. Yes.

10 Q. Does Petronas use a trademark watch service?

11 A. I know we subscribe to a service called
12 TAMS, but we have some difficulty with it, I'm not
13 sure if we have -- whether we changed that service or
14 we've discontinued it, I'm sorry.

15 Q. Does Petronas use a domain watch service?

16 A. I believe the TAMS service is a domain watch
17 service as well.

18 Q. When did Petronas first learn there was an
19 issue regarding the domain name petronastower.net?

20 A. Around about 26 November 2009.

21 Q. When did it learn there was an issue
22 regarding the domain name petronastowers.net?

23 A. Around about June 2010.

24 Q. Okay. I'm going to refer to those as the
25 disputed domains.

1 Is that okay?

2 A. That's fine.

3 Q. So let's go back to petronastower.net.

4 How did Petronas first hear about that
5 domain?

6 A. iPerintis picked that up.

7 Q. And again, iPerintis is the service that
8 Petronas uses to look for that type of thing,
9 correct?

10 A. That's correct.

11 Q. Do you remember who at iPerintis found that?

12 A. A gentleman called Low Kengmun.

13 Q. Can you spell that?

14 A. L-O-W, K-E-N-G-M-U-N.

15 Q. Do you know how he discovered that?

16 A. No.

17 Q. Who did he contact?

18 A. He contacted our department.

19 Q. Do you know who in your department?

20 A. Could have been me and my colleague Priya.

21 Q. How did he contact you or Priya?

22 A. By e-mail.

23 Q. What did he say in the e-mail?

24 MR. CLARK: I'm going to object, question
25 calls for attorney-client privileged communications.

1 one of the top 20 oil and gas companies in the world.

2 It cannot afford to allow unauthorized use
3 of its domain name and especially when the
4 unauthorized use is for a porn web site.

5 Q. Does Petronas have any evidence that people
6 actually saw the porn web sites?

7 A. I don't know.

8 Q. Has Petronas received any complaints from
9 potential customers or anybody -- actually, anybody
10 regarding the content of the web site that was linked
11 to the disputed domains?

12 A. I'm not sure.

13 Q. Okay. Has Petronas lost any business as a
14 result of the linking between the disputed domain and
15 the web site?

16 A. I can't tell for sure.

17 Q. The disputed domains have now been
18 transferred to Petronas, correct?

19 A. That's correct.

20 Q. Does Petronas have any analytics as to how
21 many people have logged in -- have gone to those
22 disputed domains since the transfer?

23 A. I don't know.

24 Q. Has Petronas' business been impacted by the
25 transfer of those domains to Petronas?

1 The original videotapes will be retained by
2 Cyrus Productions.

3 We are going off the record, the time is
4 3:47 p.m.

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7 (Whereupon, at 3:47 p.m. the THURSDAY,
8 SEPTEMBER 15, 2011 deposition of YEOH SUAT GAIK was
9 adjourned.)

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14 YEOH SUAT GAIK

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1 I, LOUISE MARIE SOUSOURES, duly authorized to
2 administer oaths pursuant to Section 2093(b) of the
3 California Code of Civil Procedure, do hereby
4 certify: That the witness in the foregoing deposition
5 was by me duly sworn to testify the truth in the
6 within-entitled cause; that said deposition was taken
7 at the time and place therein cited; that the
8 testimony of the said witness was reported by me and
9 was hereafter transcribed under my direction into
10 typewriting; that the foregoing is a complete and
11 accurate record of said testimony; and that the
12 witness was given an opportunity to read and correct
13 said deposition and to subscribe the same.

14 Should the signature of the witness not be
15 affixed to the deposition, the witness shall not have
16 availed himself or herself of the opportunity to sign
17 or the signature has been waived.

18 I further certify that I am not of counsel,
19 nor attorney for any of the parties in the foregoing
20 deposition and caption named, nor in any way
21 interested in the outcome of the cause named in said
22 caption.

23 DATE: 9-26-2011

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LOUISE MARIE SOUSOURES, CSR 3575