



Username / Customer# Password Log In

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USD empty

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- Community Home Support Groups Forums Blogs Applications My Profile

GoDaddy Community Help. Industry-leading products help and education provided directly to you by GoDaddy professionals. Search GoDaddy Marketplace GoDaddy Community Registering Domain Names site

GoDaddy Help > Managing Your DNS

## Managing Your DNS (10)

In the DNS Manager, you can use the Zone File Editor to add, edit, and delete zone file records for your domain names registered with us, registered elsewhere and hosted with us, or registered elsewhere and using our DNS (Off-site DNS).

- Managing DNS for Your Domain Name Setting Nameservers for Your Domain Names What is DNS?

- Working with DNS FAQ for DNS

### Managing Domain Names with Off-Site DNS

Posted: 8-17-2011 in Managing Your DNS, Working with DNS

If you registered your domain name with another registrar, you can still manage its zone file records with us by using Off-site DNS.

### Setting Nameservers for Your Domain Names

Posted: 8-16-2011 in Managing Your DNS, Working with DNS

Learn how to set nameservers for domain names registered with us, or for domain names registered elsewhere that use our hosting, Off-site DNS, CashParking, or Quick Content.

### Managing Your DNS in the Hosting Control Center

Posted: 8-11-2011 in Managing Your DNS, Working with Domains (DNS)

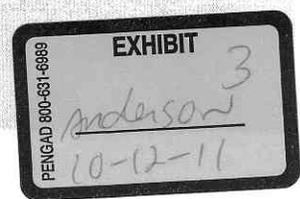
If you host your domain name with us but it's registered somewhere else, you can still manage the domain name's DNS in our Hosting Control Center.

### Managing DNS for Your Domain Names

Posted: 8-9-2011 in Managing Your DNS, Working with DNS

In the DNS Manager, you can use the Zone File Editor to add, edit, and delete zone file records for your domain names registered with us, registered elsewhere and hosted with us, or registered elsewhere and using our DNS (Off-site DNS).

Right sidebar containing 'All Categories Show', 'Managing Your DNS' with sub-links 'FAQ for DNS' and 'Working with DNS', and 'How Do I Get Started?' with a 'Help Me Choose!' button.



### What is the 'www' before my domain name?

Posted: 5-5-2011 in [Managing Your DNS](#), [FAQ for DNS](#)

The www before your domain name is a subdomain, not part of the domain name itself.

### Why should I use your DNS?

Posted: 5-5-2011 in [Managing Your DNS](#), [FAQ for DNS](#)

Our DNS system uses Anycast DNS, which ensures the best possible service to our customers.

### What are zone files and zone records?

Posted: 5-5-2011 in [Managing Your DNS](#), [FAQ for DNS](#)

Zone files organize the zone records for domain names and subdomains in a DNS server. Every domain name and subdomain has a zone file, and each zone file contains zone records.

### What is DNS?

Posted: 5-5-2011 in [Managing Your DNS](#), [FAQ for DNS](#)

The Domain Name System (DNS) provides visitors access to websites using domain names rather than IP addresses.

### Registering Your Own Nameservers/Hosts

Posted: 5-5-2011 in [Managing Your DNS](#), [Working with DNS](#)

You are not required to register hosts, but if you want to set up your own Domain Name Server (DNS) service, you can register your own hosts using these instructions.

### Understanding the DNS Manager

Posted: 5-5-2011 in [Managing Your DNS](#), [Working with DNS](#)

You can use the DNS Manager to manage the DNS for your domain names registered here and using our nameservers, registered elsewhere and using our shared hosting, or registered elsewhere and using our Off-site DNS.

#### Account Manager

- My Account
- My Renewals
- My Upgrades
- Account Settings
- Customer Information
- Order History
- Create Account

#### Shopping

- Domain Search
- Product Catalog
- Product Advisor
- Go Daddy Gear
- Gift Cards
- Go Daddy Mobile
- Today's Offers

#### Resources

- Webmail
- WHOIS search
- ICANN Confirmation
- Affiliates
- Follow & Fan Us
- Legal
- Commercial Contests
- Site Map

#### Help & Support

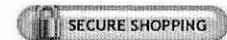
- Telephone Support & Sales
- Go Daddy Community
- Discussion Forums
- Help and Guides
- User Groups
- Submit Support Ticket
- Site Suggestions
- Report Spam
- Go Daddy Scoop

#### About Go Daddy

- About Us
- News Releases
- Careers
- Marketing Opportunities
- Customer Testimonials
- Security Center
- .ME Scholarship
- Round Up for Charity

#### Sign Up For Special Offers

#### Join Our Community Forums



#### Our Partners



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GoDaddy.com is the world's No. 1 ICANN-accredited domain name registrar for COM, .NET, .ORG, .INFO, .BIZ and .US domain extensions. Source: RegistrarSTATS.com

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GoDaddy Community Help banner with search bar and featured links like 'Windows Hosting Domain Alert Pro'.

GoDaddy Help > Managing Your DNS > Setting Nameservers for Your Domain Names

# Setting Nameservers for Your Domain Names

Date submitted: 8-16-2011

When you register a domain name with us, we set it up on our parked nameservers so a temporary page displays when visitors go to your website.

If you registered your domain name with another provider, you can still purchase a hosting account with us, use our Off-site DNS services, or use our CashParking® or Quick Content services.

- Setting Nameservers for a Domain Name Registered with Us
Setting Nameservers for a Domain Name Registered Elsewhere and Hosted with Us
Setting Nameservers for a Domain Name Registered Elsewhere and Using Off-site DNS
Setting Nameservers for a Domain Name Registered Elsewhere and Using CashParking or Quick Content

After updating your nameservers, allow 4 to 8 hours for other networks to access information for .com and .net domain names, and allow 24 to 48 hours for other networks to access information for all other domain extensions.

Feedback and social sharing section including 'Was this helpful?', 'Other Languages: Español', and 'Tweet Like' buttons.

All Categories Show

Managing Your DNS section with links for FAQ for DNS and Working with DNS.

How Do I Get Started? section with an icon of a person and a 'Help Me Choose!' button.

Form for posting a question: 'When posting about a technical issue, please be sure to include as many details as possible...' with fields for Title\* and question text.

Form for reporting a question: 'Have a question about the content of this article?' with fields for Email\* and Reason\*.

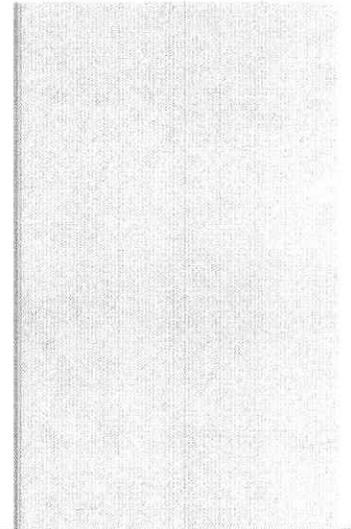
Content\*:

Tags (comma separated):

**Post**

Your Message\*:

**Send**



<b>Account Manager</b>	<b>Shopping</b>	<b>Resources</b>	<b>Help &amp; Support</b>	<b>About Go Daddy</b>	<b>Sign Up For Special Offers</b>
My Account	Domain Search	Webmail	Telephone Support & Sales	About Us	<input type="text" value="YourEmail@YourWebsite.com"/>
My Renewals	Product Catalog	WHOIS search	Go Daddy Community	News Releases	<b>Join Our Community Forums</b>
My Upgrades	Product Advisor	ICANN Confirmation	Discussion Forums	Careers	
Account Settings	Go Daddy Gear	Affiliates	Help and Guides	Marketing Opportunities	  
Customer Information	Gift Cards	Follow & Fan Us	User Groups	Customer Testimonials	<b>SECURE SHOPPING</b>
Order History	Go Daddy Mobile	Legal	Submit Support Ticket	Security Center	
Create Account	Today's Offers	Commercial Contests	Site Suggestions	.ME Scholarship	
		Site Map	Report Spam	Round Up for Charity	
			Go Daddy Scoop		

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GoDaddy.com is the world's No. 1 ICANN-accredited domain name registrar for .COM, .NET, .ORG, .INFO, .BIZ and .US domain extensions. Source: RegistrarSTATS.com

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Int. Cls.: 1, 4 and 11

Prior U.S. Cls.: 1, 5, 6, 10, 13, 15, 21, 23, 26, 31, 34 and 46

United States Patent and Trademark Office

Reg. No. 2,969,707

Registered July 19, 2005

TRADEMARK  
PRINCIPAL REGISTER



EXHIBIT	13
WIT:	GARK
DATE:	9-15-11
LOUISE SOUSOURES, CSR #3575	

PETROLIAM NASIONAL BERHAD (MALAYSIA CORPORATION)  
PETRONAS TWIN TOWERS, TOWER 1  
KUALA LUMPUR CITY CENTRE  
50088 KUALA LUMPUR, MALAYSIA

FOR: CHEMICALS AND PETROCHEMICALS FOR USE IN THE MANUFACTURE OF PHARMACEUTICALS, COSMETICS, DETERGENTS, PACKAGING, WIRE AND CABLE INSTALLATION, CASSETTE TAPES, PIPES, TOYS, FILMS, FLOORINGS, SYNTHETIC RUBBER, PAINTS AND COATINGS, ADHESIVES, FUEL ADDITIVES AND LUBRICANTS, TEXTILES, AGRICULTURE, ELECTRICAL AND ELECTRONIC COMPONENTS, AUTOMOTIVE PARTS, AEROSPACE AND AVIATION, BUILDING AND CONSTRUCTION MATERIALS, PLASTICS, FOODS, AND DIAGNOSTIC EQUIPMENT; CHEMICAL AND PETROCHEMICAL IN THE NATURE OF METHANOL, ETHYLENE, METHYL TERTIARY BUTYL ETHER (MTBE), VINYL CHLORIDE MONOMER, POLYVINYL CHLORIDE, POLYETHYLENE, POLYPROPYLENE, PROPYLENE, ETHYL BENZENE, AND STYRENE MONOMER ALL FOR USE IN INDUSTRIAL, FORESTRY, AGRICULTURAL, HORTICULTURAL, AND SCIENTIFIC APPLICATIONS; PHOTOGRAPHIC CHEMICALS; ARTIFICIAL AND SYNTHETIC RESINS FOR USE IN THE MANUFACTURE OF FIBERS, POLYMERS AND COATINGS, AND MOLDING COMPOUNDS; PLASTIC MOLDING COMPOUNDS FOR USE IN PLASTIC EXTRUSION OPERATIONS PLASTIC MOLDING COMPOUNDS FOR USE THE MANUFACTURE OF MOLDED PLASTIC ARTICLES AND PLASTIC SHEETS AND FILMS; COMPOSTS; MANURES; FERTILIZERS FOR

AGRICULTURAL AND DOMESTIC USE; GLUE FOR INDUSTRIAL PURPOSES, ADHESIVES FOR GENERAL INDUSTRIAL USE, CONTACT CEMENTS; GASES FOR HEATING, LIGHTING, STEAM GENERATING, COOKING, REFRIGERATION, DRYING AND VENTILATING FOR INDUSTRIAL USE IN LIQUID AND GASEOUS FORMS; OIL DISPERSANTS; CHEMICALS FOR SEPARATING OILS; HYDRAULIC FLUIDS FOR GENERAL USE; CHEMICAL ADDITIVES FOR USE IN THE MANUFACTURE OF FUELS, LUBRICANTS, GASOLINE AND DRILLING LUBRICANTS; DRILLING MUDS FOR USE IN OIL WELL DRILLING, COOLANTS FOR VEHICLE ENGINES, HEAT TRANSFER FLUIDS FOR INDUSTRIAL USE, HYDRAULIC FLUIDS FOR GENERAL USE, ACIDULATED WATER FOR RECHARGING ACCUMULATORS AND BATTERIES; CHEMICAL ADDITIVES FOR USE WITH INTERNAL COMBUSTION ENGINES; CHEMICAL ADDITIVES FOR FUEL SAVING TREATMENTS, CATALYSTS FOR USE IN THE OIL PROCESSING INDUSTRY, OIL FOR PRESERVATION OF MASONRY, IN CLASS 1 (U.S. CLS. 1, 5, 6, 10, 26 AND 46).

FOR: TRANSMISSION FLUIDS, CUTTING OIL FOR INDUSTRIAL METALWORKING, CRUDE OIL, NATURAL GASOLINE, FUEL OIL AND GENERAL PURPOSE GREASES, ALL PURPOSE LUBRICANTS; GASOLINE; FUEL GAS; FUEL OILS; FUEL ALCOHOL; DIESEL FUEL; GAS; GASOLINE AS LUBRICANT; KEROSENE, UNLEADED FUEL; OIL GAS; PARAFFIN; PETROLEUM; PETROLEUM ETHER, FUELS IN LIQUID, GASEOUS AND SOLID FORM, DUST LYING AND ABSORBING COMPOSI-

PET GD000621

TIONS FOR USE ON UNPAVED ROADS; NON-CHEMICAL ADDITIVES FOR OILS AND FUELS; PETROLEUM JELLY FOR INDUSTRIAL PURPOSES, TALLOW, AUTOMATIC TRANSMISSION FLUIDS; METHANOL PETROCHEMICALS FOR USE IN FUEL, PETROLEUM BASED DUST SUPPRESSING COMPOSITIONS FOR USE IN MANUFACTURE, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FOR: AIR CONDITIONERS, WATER DISTILLATION UNITS, FLARES, GAS AND PETROL BURNERS FOR INDUSTRIAL PURPOSES; GAS REGULATORS, HEAT EXCHANGERS, HEAT PUMPS, PASTEURIZERS FOR USE IN FOOD AND BEVERAGE INDUSTRY; ELECTRIC RADIATORS NOT FOR MOTORS OR ENGINES, SOLAR COLLECTORS FOR HEATING SOLAR FURNACES, WATER FILTERS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

OWNER OF MALAYSIA REG. NO. 93007564, DATED 9-25-1993, RENEWED AS REG. NO. 93007564, DATED 8-30-2000, EXPIRES 9-25-2010.

OWNER OF MALAYSIA REG. NO. 93007565, DATED 9-25-1993, RENEWED AS REG. NO. 93007565, DATED 2-6-2001, EXPIRES 9-25-2010.

OWNER OF MALAYSIA REG. NO. 93007563, DATED 9-25-1993, RENEWED AS REG. NO. 93007563, DATED 8-30-2000, EXPIRES 9-25-2010.

THE MARK CONSISTS OF THE DESIGN PORTION OF THE MARK TO THE RIGHT OF THE WORD "PETRONAS" IS THE FANCIFUL REPRESENTATION OF A DROP OF OIL IN THE COLOR GREEN AND GREEN IS CLAIMED AS A PART OF THE MARK.

SER. NO. 78-100,185, FILED 12-28-2001.

SUSAN HAYASH, EXAMINING ATTORNEY

Case4:09-cv-05939-PJH Document14 Filed12/22/09 Page1 of 2

1 JOHN L. SLAFSKY, State Bar No. 195513  
 2 DAVID H. KRAMER, State Bar No. 168452  
 3 HOLLIS BETH HIRE, State Bar No. 203651  
 4 WILSON SONSINI GOODRICH & ROSATI  
 5 Professional Corporation  
 6 650 Page Mill Road  
 7 Palo Alto, CA 94304-1050  
 8 Telephone: (650) 493-9300  
 9 Facsimile: (650) 493-6811  
 10 jslafsky@wsgr.com  
 11 dkramer@wsgr.com  
 12 hhire@wsgr.com

13 Attorneys for Defendant  
 14 GoDaddy.com, Inc.

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA

17 Petroliam Nasional Berhad,  
 18 Plaintiff,  
 19 vs.  
 20 GoDaddy.com, Inc.  
 21 Defendant.

CASE NO.: 09-CV-5939 PJH

**DECLARATION OF  
JOHN L. SLAFSKY**

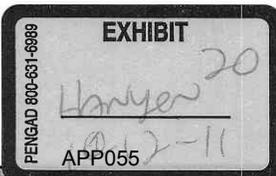
DATE: December 23, 2009  
 TIME: 9:00 a.m.  
 JUDGE: Hon. Phyllis J. Hamilton

22 I, John L. Slafsky, declare as follows:

- 23 1. I am an attorney licensed to practice law in the State of California and am admitted  
 24 to practice before this Court. I am a partner with the law firm of Wilson Sonsini Goodrich &  
 25 Rosati, counsel for Defendant GoDaddy.Com, Inc. ("Defendant") in the above-captioned matter.
- 26 2. The Whois database is a central, searchable database that tracks all domain name  
 27 and contact information for the registrant of each registered domain name, among other  
 28 information. Attached hereto as Exhibit A is a true and correct copy of the public Whois record  
 with registration information for the Internet domain name <petronastower.net> (the subject of  
 this lawsuit), as printed on December 21, 2009. According to this record, the registrant for this  
 domain name is Heiko Schoenekess of London, United Kingdom.

3856124.2

DECLARATION OF J. L. SLAFSKY  
 Case No: 09-CV-5939 PJH



GD-001593



# EXHIBIT A

GD-001595

The data contained in GoDaddy.com, Inc.'s WHOIS database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranty regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden without the prior written permission of GoDaddy.com, Inc. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In particular, you agree not to use this data to allow, enable, or otherwise make possible, dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including using this data for your own personal or commercial purposes.

Please note: the registrant of the domain name is specified in the "registrant" field. In most cases, GoDaddy.com, Inc. is not the registrant of domain names listed in this database.

**Registrant:**  
 Helke Schoenskess  
 BPM 195228  
 372 Old Street  
 London, London EC1V 9AU  
 United Kingdom

Registered through: GoDaddy.com, Inc. (http://www.godaddy.com)  
 Domain Name: PETRONASTOWER.NET  
 Created on: 08-May-03  
 Expires on: 08-May-10  
 Last Updated on: 02-May-09

**Administrative Contact:**  
 Schoenskess, Helke dod\_privat@hotmail.com  
 BPM 195228  
 372 Old Street  
 London, London EC1V 9AU  
 United Kingdom  
 +44.2079636606

**Technical Contact:**  
 Schoenskess, Helke dod\_privat@hotmail.com  
 BPM 195228  
 372 Old Street  
 London, London EC1V 9AU  
 United Kingdom  
 +44.2079636606

**Domain servers in listed order:**  
 NS99.DOMAINCONTROL.COM  
 NS40.DOMAINCONTROL.COM

Registry Status: clientDeleteProhibited  
 Registry Status: clientRenewProhibited  
 Registry Status: clientTransferProhibited  
 Registry Status: clientUpdateProhibited

See Underlying Registry Data  
 Report Invalia Whatis

Sign up for special offers: Enter your email address

Account Manager  
 My Accounts  
 My Renewals  
 My Upgrades  
 Account Settings  
 Customer Information  
 Order History  
 Create Account

Shopping  
 \* Offer Disclaimers  
 Domain Search  
 Product Catalog  
 Product Advisor  
 Get Cards  
 Go Daddy Mobile  
 Tony's Office

Resources  
 Webinars  
 WHOIS Search  
 DOMAIN Certification  
 Affiliates  
 Connected with Us  
 Gadgets/Widgets  
 Site Map

Help and Support  
 Telephone Support & Sales  
 Billing Support  
 Email Our Support Team  
 Frequently Asked Questions  
 User's Guides  
 Report Spam  
 Test Our Products

About Go Daddy  
 Careers  
 Security Center  
 Company Info  
 News Center  
 Customer Testimonials  
 What's New  
 Legal  
 Marketing Proposals

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# EXHIBIT B

GD-001597



Enter Web Address:    [Adv. Search](#) [Compare Archive Pages](#)

Searched for <http://www.petronastower.net> **10 Results**

\* denotes when site was updated.  
Material typically becomes available here 6 months after collection. See FAQ.

**Search Results for Jan 01, 1996 - Jun 24, 2009**

1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
0	0	0	0	0	0	0	4 pages	1 pages	1 pages	4 pages	0	0	0
pages					pages	pages	pages						
							<a href="#">Jul 13, 2003</a> *	<a href="#">Jun 07, 2004</a>	<a href="#">Feb 04, 2005</a> *	<a href="#">Feb 17, 2006</a> *			
							<a href="#">Aug 07, 2003</a> *			<a href="#">Feb 19, 2006</a>			
							<a href="#">Oct 29, 2003</a> *			<a href="#">Feb 25, 2006</a> *			
							<a href="#">Dec 25, 2003</a>			<a href="#">May 09, 2008</a> *			

[Home](#) | [Help](#)

[Internet Archive](#) | [Terms of Use](#) | [Privacy Policy](#)

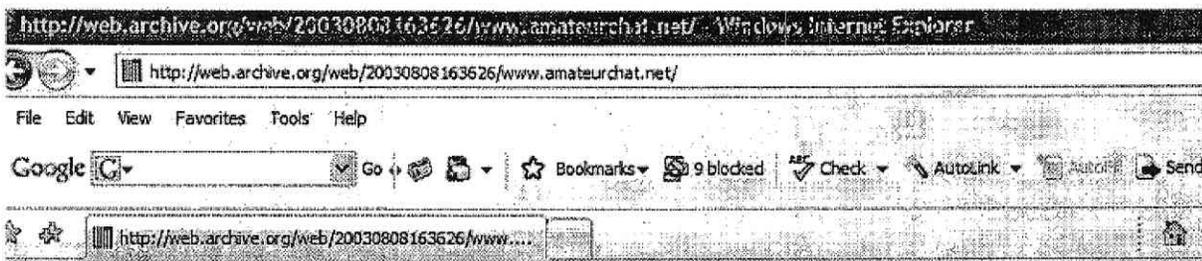
[http://web.archive.org/web/\\*/http://www.petronastower.net](http://web.archive.org/web/*/http://www.petronastower.net)

12/21/2009

GD-001598

# EXHIBIT C

GD-001599



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# EXHIBIT D

GD-001601

Whois info of visit-x.net

Page 1 of 2

Case4:09-cv-05939-PJH Document14-4 Filed12/22/09 Page2 of 3

# V<sup>3</sup>whois

Whois Behind ?

[Whois service](#)   [Multi lookup](#)   [Buy our script!](#)   [Contact](#)

results mode : simple

 
*Example: google.com*[switch to advanced results mode](#)**Domain :** visit-x.net @ TAKEN & LOCKED

IP : 194.116.150.238

TLD : NET (Top Level Domain)

Registrar : KEY-SYSTEMS GMBH ([visit](#))

**Nameservers :** NS1.VISIT-X.NET (194.116.150.20)  
 NS2.VISIT-X.NET (83.142.135.60)  
 NS3.VISIT-X.NET (62.129.133.28)

Created : 25-Nov-1999

Updated : 26-Nov-2009

Expires : 25-Nov-2010



GoDaddy.com

Ads by Google

**RAW Whois :** ; This data is provided by domaindiscount24.com  
 ; for information purposes, and to assist persons obtaining information  
 ; about or related to domain name registration records.  
 ; domaindiscount24.com does not guarantee its accuracy.  
 ; By submitting a WHOIS query, you agree that you will use this data  
 ; only for lawful purposes and that, under no circumstances, you will  
 ; use this data to  
 ; 1) allow, enable, or otherwise support the transmission of mass  
 ; unsolicited, commercial advertising or solicitations via E-mail  
 ; (spam); or  
 ; 2) enable high volume, automated, electronic processes that apply  
 ; to this WHOIS server.  
 ; These terms may be changed without prior notice.  
 ; By submitting this query, you agree to abide by this policy.  
 Domain Name: VISIT-X.NET

<http://www.v3whois.com/w/visit-x.net>

12/21/2009

GD-001602

Whois info of visit-x.net

Page 2 of 2

Case4:09-cv-05939-PJH Document14-4 Filed12/22/09 Page3 of 3

RSP: domaindiscount24.com  
 Registrar URL: http://www.dd24.net  
 owner-contact: P-BGZ71  
 owner-organization: camPoint AG  
 owner-fname: Bruno  
 owner-lname: Zehnder  
 owner-street: Lavaterstr. 40  
 owner-city: ZÃ¼rich  
 owner-zip: 8002  
 owner-country: CH  
 owner-phone: +41 (44) 285 75 45  
 owner-fax: +41 (44) 285 75 70  
 owner-email: b.zehnder@campoint.ch  
 admin-contact: P-BGZ71  
 admin-organization: camPoint AG  
 admin-fname: Bruno  
 admin-lname: Zehnder  
 admin-street: Lavaterstr. 40  
 admin-city: ZÃ¼rich  
 admin-zip: 8002  
 admin-country: CH  
 admin-phone: +41 (44) 285 75 45  
 admin-fax: +41 (44) 285 75 70  
 admin-email: b.zehnder@campoint.ch  
 tech-contact: P-BGZ71  
 tech-organization: camPoint AG  
 tech-fname: Bruno  
 tech-lname: Zehnder  
 tech-street: Lavaterstr. 40  
 tech-city: ZÃ¼rich  
 tech-zip: 8002  
 tech-country: CH  
 tech-phone: +41 (44) 285 75 45  
 tech-fax: +41 (44) 285 75 70  
 tech-email: b.zehnder@campoint.ch  
 billing-contact: P-BGZ71  
 billing-organization: camPoint AG  
 billing-fname: Bruno  
 billing-lname: Zehnder  
 billing-street: Lavaterstr. 40  
 billing-city: ZÃ¼rich  
 billing-zip: 8002  
 billing-country: CH  
 billing-phone: +41 (44) 285 75 45  
 billing-fax: +41 (44) 285 75 70  
 billing-email: b.zehnder@campoint.ch  
 Name Servers: ns1.visit-x.net 194.116.150.20  
 Name Servers: ns2.visit-x.net 83.142.135.60  
 Name Servers: ns3.visit-x.net 62.129.133.28  
 ; Please register your domains at  
 ; http://www.dd24.net

currently handling 19 [qtids](#) and 247 [cctids](#) - [domains index](#)

 [add our whois service to searchbar](#)



Whois service - <http://www.v3whois.com>

<http://www.v3whois.com/w/visit-x.net>

12/21/2009

GD-001603

1 Perry R. Clark, Esq.  
Law Offices of Perry R. Clark  
2 3457 Cowper St.  
Palo Alto, CA 94306  
3 Telephone: (650) 248-5817  
Facsimile: (650) 248-5816  
4 perry@perryclarklaw.com

5 Attorney for Plaintiff  
PETROLIAM NASIONAL BERHAD  
6

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 PETROLIAM NASIONAL BERHAD, )  
12 Plaintiff, )  
13 vs. )  
14 PETRONASTOWERS.NET, an internet domain )  
name, )  
15 Defendant. )  
16

CASE NO: 10-CV-03052 PJH

**[PROPOSED] ORDER  
TRANSFERRING DOMAIN NAME  
PURSUANT TO 15 U.S.C. § 1125(D)**

17  
18  
19  
20  
21  
22  
23  
24  
25 **[PROPOSED] ORDER TRANSFERRING DOMAIN NAME  
PURSUANT TO 15 U.S.C. § 1125(D)**  
Case No.: 10-CV-03052 PJH

1 The undersigned has reviewed Plaintiff Petronas's Motion for Order Transferring  
2 Domain Name Pursuant to 15 U.S.C. § 1125(D) and for Entry of Judgment. For the reasons set  
3 forth in that motion, the Court hereby orders as follows:

- 4 1. GoDaddy.com, Inc. shall transfer the internet domain
- 5 "PETRONASTOWERS.NET" to Plaintiff Petronas within ten (10) days of this order; and
- 6 2. GoDaddy.com, Inc. shall provide Plaintiff Petronas within ten (10) days of this
- 7 order all information certifying the transfer of the domain name and any information that
- 8 Plaintiff Petronas may need to use and maintain that domain name, including any information
- 9 certifying ownership of the domain name, any information for utilizing the services of a domain
- 10 registrar other than GoDaddy.com, Inc. as to the domain name, and any information regarding
- 11 prior use or claims of ownership of the domain name.

12 Should either party wish to modify the timing for the transfer or make additional changes  
13 to this order regarding the technical details of the domain name transfer, the Court orders the  
14 parties to meet and confer within (10) days and submit a modified proposed order for the Court's  
15 review. The parties may also submit a joint letter not to exceed two pages explaining the  
16 proposed changes and any disputes the parties may have regarding those changes.

17  
18 SO ORDERED:

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20 Date: 8/27/10 \_\_\_\_\_



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25 **[PROPOSED] ORDER TRANSFERRING DOMAIN NAME**  
**PURSUANT TO 15 U.S.C. § 1125(D)**  
Case No.: 10-CV-03052 PJH

1 I, Perry Clark, state that I served Plaintiff's NOTICE OF MOTION AND MOTION FOR  
2 ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15 U.S.C. § 1125(D) AND  
3 FOR ENTRY OF JUDGMENT all exhibits thereto ("Motion") as follows:

- 4 1. I placed a copy of the motion in a Federal Express envelope with postage pre-paid  
5 for \_\_\_ addressed to:  
6 Heiko Schoneneckess  
7 BPM 195226  
8 372 Old Street  
9 London Ec1V 9AU  
10 United Kingdom
- 11 2. I deposited the Federal Express envelope identified in Paragraph 1 (above) in a  
12 Federal Express drop box on August 10, 2010.
- 13 3. I emailed a pdf copy of the motion to "[cc\\_ltd@live.com](mailto:cc_ltd@live.com)" on August 10, 2010.
- 14 4. I emailed a copy of the motion to counsel for GoDaddy, "[jslafsky@wsgr.com](mailto:jslafsky@wsgr.com)" on  
15 August 10, 2010.
- 16 5. I placed a copy of the motion in a U.S. Mail envelope with first class postage pre-  
17 paid addressed to:  
18 John Slafsky, Esq.  
19 Wilson Sonsini Goodrich & Rosati PC  
20 650 Page Mill Road  
21 Palo Alto, CA 94303
- 22 6. I deposited the U.S. Mail envelope identified in Paragraph 5 (above) in a U.S.  
23 Mailbox on August 10, 2010.

24 I declare under penalty of perjury that the forgoing is true and correct.

25 **[PROPOSED] ORDER TRANSFERRING DOMAIN NAME**  
**PURSUANT TO 15 U.S.C. § 1125(D)**  
Case No.: 10-CV-03052 PJH

1 Dated: August 10, 2010

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By: /s/ Perry R. Clark  
Perry R. Clark

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25 **[PROPOSED] ORDER TRANSFERRING DOMAIN NAME**  
**PURSUANT TO 15 U.S.C. § 1125(D)**  
Case No.: 10-CV-03052 PJH

1 Perry R. Clark, Esq.  
Law Offices of Perry R. Clark  
2 3457 Cowper St.  
Palo Alto, CA 94306  
3 Telephone: (650) 248-5817  
Facsimile: (650) 248-5816  
4 perry@perryclarklaw.com

5 Attorney for Plaintiff  
PETROLIAM NASIONAL BERHAD

6  
7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11	PETROLIAM NASIONAL BERHAD,	)	CASE NO: 10-CV-03052 PJH
		)	
12	Plaintiff,	)	Date: September 15, 2010
		)	Time: 9:00 a.m.
13	vs.	)	Location: Courtroom 3
		)	Third Floor
14	PETRONASTOWERS.NET, an internet domain	)	
	name,	)	
15		)	
	Defendant.	)	

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19 **NOTICE OF MOTION AND**  
20 **MOTION FOR ORDER TRANSFERRING DOMAIN NAME**  
21 **PURSUANT TO 15 U.S.C. § 1125(D) AND**  
22 **FOR ENTRY OF JUDGMENT**

23  
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25 NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15  
U.S.C. § 1125(D) AND FOR ENTRY OF JUDGMENT  
Case No.: 10-CV-03052 PJH

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**I. NOTICE OF MOTION**

TO ALL PARTIES AND COUNSEL OF RECORD: Please take notice that Plaintiff Petroliam Nasional Berhad (“Plaintiff” or “Petronas”) will and hereby does makes this motion for an order transferring the domain name “PETRONASTOWERS.NET” to Plaintiff Petronas pursuant to 15 U.S.C. § 1125(D) and for entry of judgment. Please further take notice of the hearing date for this motion: September 15, 2010 at 9 a.m.

**II. STATEMENT OF RELIEF REQUESTED**

Plaintiff Petronas requests that this Court issue an order directing GoDaddy.Com, Inc. to transfer the domain name “PETRONASTOWERS.NET” to Plaintiff Petronas pursuant to 15 U.S.C. § 1125(D). Plaintiff Petronas further requests an order entering final judgment in Petronas’s favor in this action. On July 12, 2010, Plaintiff Petronas informed the registrant of the internet domain name “PETRONASTOWERS.NET” of its intent to pursue this action at the physical and email addresses provided GoDaddy and as required by 15 U.S.C. § 1125(D). Ex. A. Plaintiff Petronas has not received any communication from the registrant as of the date of this motion. Plaintiff Petronas also has served a copy of the motion and supporting papers as set forth in declaration of service attached as Ex. B on the registrant and counsel for the domain name registrar, GoDaddy.com, Inc. Plaintiff Petronas is unaware of any person or entity that does, or would, oppose the motion.

**III. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION**

The “PETRONASTOWERS.NET” domain name should be transferred to Plaintiff Petronas under the Anticyberpiracy section of the Lanham Trademark Act, 15 U.S.C. § 1125(D)(2). A court may issue an order transferring a domain name pursuant to 15 U.S.C. § 1125(D)(2) where: (1) the domain name “violates any right of the owner of a mark registered in

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NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15 U.S.C. § 1125(D)  
AND FOR ENTRY OF JUDGMENT  
Case No.: 10-CV-03052 PJH

1 "PETRONASTOWERS.NET" domain name is associated with Petronas—which it is not.  
 2 *Automotive Gold, Inc. v. Volkswagen of America, Inc.*, 457 F.3d 1062, 1075-76 (9th Cir. 2006).  
 3 Moreover, the "PETRONASTOWERS.NET" domain name violates the rights of Petronas under  
 4 15 U.S.C. § 1125(a) by creating a "false designation of origin" as to the pornographic website  
 5 found at the "PETRONASTOWERS.NET" domain name because that site did not "originate"  
 6 with Petronas and, in fact, Petronas strongly objects to the site and its use of "PETRONAS."  
 7 *New West Corp. v. N.Y.M. Co. of California*, 595 F.2d 1194, 1201 (9th Cir. 1979) ("Whether we  
 8 call the violation infringement, unfair competition, or false designation of origin, the test is  
 9 identical—is there a likelihood of confusion?").

10 Accordingly, the first requirement for the transfer of the "PETRONASTOWERS.NET"  
 11 domain name to Petronas under the Anticyberpiracy section of the Lanham is met because that  
 12 domain name infringes the trademark rights of Petronas.

13 **B. In Personam Jurisdiction Is Unavailable As To The Registrant of**  
 14 **"PETRONASTOWERS.NET"**

15 The second requirement for the transfer of "PETRONASTOWERS.NET" to Petronas is  
 16 met because in a civil action under 15 U.S.C. § 1125(d) the court would not have had *in*  
 17 *personam* jurisdiction over the registrant of the "PETRONASTOWERS.NET" domain name.  
 18 According to 15 U.S.C. § 1125(d)(2)(A)(ii)(I), an *in rem* action for the transfer of a domain name  
 19 is proper where "the owner [of the mark] . . . is not able to obtain *in personam* jurisdiction over a  
 20 person who would have been a defendant in a civil action [for cybersquatting] under [15 U.S.C.  
 21 § 1125(d)] paragraph (2)." 15 U.S.C. § 1125(d)(2)(A)(ii)(I).

22 Here, according to records of the registrar of the "PETRONASTOWERS.NET" domain  
 23 name (GoDaddy.com), the domain name was registered by "Heiko Schonenekeess" whose  
 24

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25 NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15  
 U.S.C. § 1125(D)  
 AND FOR ENTRY OF JUDGMENT  
 Case No.: 10-CV-03052 PJH

1 address is “BPM 195226, 372 Old Street, London, Ecl V 9AU, United Kingdom.” Ex. D. The  
2 internet registrant also provided an email address: “cc\_ltd@live.com.” Although Plaintiff  
3 Petronas tried repeatedly to locate and contact the registrant, including by Federal Express and  
4 email, it was unable to do so. Petronas was also unable to identify any grounds for the exercise  
5 of personal jurisdiction over the registrant. The registrant of the “PETRONASTOWERS.NET”  
6 domain name would be liable as a defendant in action for cybersquatting under 15 U.S.C. §  
7 1125(d). Because the registrant of the “PETRONASTOWERS.NET” domain could not be  
8 subjected to *in personam* jurisdiction, the second requirement of the Anticyberpiracy section has  
9 been met with respect to the “PETRONASTOWERS.NET” domain name.

10 **C. The Domain Registrar (GoDaddy) Certifies This Court’s Authority Over the**  
11 **Domain Name “PETRONASTOWERS.NET”**

12 GoDaddy is the registrar of the domain name “PETRONASTOWERS.NET” and, as  
13 required by the Anitcyberpiracy section, has provided certification that this Court has the  
14 “control and authority” to transfer the “PETRONASTOWERS.NET” domain name to Petronas.  
15 Specifically, 15 U.S.C. § 1125(d)(2)(D)(i) provides that, upon the filing of an Anticyberpiracy  
16 action, “the domain name registrar . . . shall expeditiously deposit with the court documents  
17 sufficient to establish the court’s control and authority regarding the disposition of the  
18 registration and use of the domain name to the court.” GoDaddy provided this information to  
19 Petronas and it is being filed along with this motion. Ex. E. As a result, all of the requirements  
20 for an order directing GoDaddy to transfer the “PETRONASTOWERS.NET” domain name to  
21 Petronas under the Anticyberpiracy section have been met.

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25 NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15  
U.S.C. § 1125(D)  
AND FOR ENTRY OF JUDGMENT  
Case No.: 10-CV-03052 PJH

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**D. Entry of Judgment**

In this action, Plaintiff Petronas seeks an order transferring the "PETRONASTOWERS.NET" domain name. Upon the issuance of such an order, the Court will have granted complete relief to Petronas and entry of judgment will be proper under Fed. R. Civ. P. 54. Accordingly, Plaintiff Petronas requests that in addition to an order transferring the "PETRONASTOWERS.NET" domain name, the Court also issue final judgment in favor of Petronas.

**IV. CONCLUSION**

For the foregoing reasons, Plaintiff Petronas respectfully requests an order directing GoDaddy.com to transfer the "PETRONASTOWERS.NET" domain name to Petronas and the entry of judgment in favor of Petronas. A proposed order and proposed final judgment are being filed with this motion.

Dated: August 10, 2010

LAW OFFICES OF PERRY R. CLARK

By:  /s/ Perry R. Clark  
Perry R. Clark

Attorney for Plaintiff  
PETROLIAM NASIONAL BERHAD

NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15 U.S.C. § 1125(D) AND FOR ENTRY OF JUDGMENT  
Case No.: 10-CV-03052 PJH

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# Ex. A

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NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15  
U.S.C. § 1125(D) AND FOR ENTRY OF JUDGMENT  
Case No.: 10-CV-03052 PJH

LAW OFFICES OF  
**PERRY R. CLARK**

3457 Cowper St.  
PALO ALTO, CA 94306  
TELEPHONE: 650 248 5817  
FACSIMILE: 650 618 8533

July 12, 2010

**By Electronic Mail and Federal Express**

Heiko Schoenekess  
BPM 195226  
372 Old Street  
London EC1V 9AU  
United Kingdom

**Re: "PETRONASTOWERS.NET" DOMAIN NAME**

To Whom It May Concern:

Please take notice that your registration of the domain name "PETRONASTOWERS.NET" is a violation of 15 U.S.C. § 1125(D) and that we intend to proceed as counsel for Petroliam Nasional Berhad (Petronas) pursuant to that section as set forth in the enclosed complaint. We also have provided this notice to you by electronic mail at the email address ("cc\_ltd@live.com") maintained by GoDaddy.com, Inc., the registrar of "PETRONASTOWERS.NET."

Best Regards,



---

Perry Clark

1 PERRY R. CLARK, State Bar No. 197101  
Law Offices of Perry R. Clark  
2 3457 Cowper St.  
Palo Alto, CA 94306  
3 Telephone: (650) 248-5817  
Facsimile: (650) 618-8533  
4 perry@perryclarklaw.com

5 Attorney for Plaintiff  
PETROLIAM NASIONAL BERHAD  
6 (PETRONAS)

7  
8 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
9

10 PETROLIAM NASIONAL BERHAD, ) CASE NO.: 10-CV-\_\_\_\_\_  
11 )  
Plaintiff, )  
12 vs. ) **IN REM COMPLAINT FOR**  
13 PETRONASTOWERS.NET, an internet domain ) **VIOLATION OF 15 U.S.C. § 1125(D)**  
name, ) **(CYBERPIRACY)**  
14 ) **DEMAND FOR JURY TRIAL**  
Defendant. )  
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1 Plaintiff Petroliam Nasional Berhad ("Petronas") for its *In Rem* Complaint against  
2 Defendant PETRONASTOWERS.NET, an internet domain name, alleges as follows:

3 **THE PARTIES**

4 1. Plaintiff Petronas is a corporation duly organized under the laws of Malaysia with a  
5 principal place of business located at Tower 1, Petronas Twin Towers, Kuala Lumpur City Centre,  
6 50088, Kuala Lumpur, Malaysia. Petronas is wholly-owned by the Government of Malaysia and  
7 is vested with the entire ownership and control of the petroleum resources of Malaysia.

8 2. Defendant PETRONASTOWERS.NET is an internet domain name that serves as  
9 the internet address for a website displaying obscene and highly offensive content. Plaintiff  
10 Petronas has not authorized the use of its United States Trademark "PETRONAS" or any other of  
11 its marks in connection with the domain name PETRONASTOWERS.NET or the associated  
12 website.

13 3. On information and belief, VeriSign, Inc. is the domain name registry for  
14 PETRONASTOWERS.NET.

15 4. GoDaddy.com, Inc. ("GoDaddy") is the domain name registrar for  
16 PETRONASTOWERS.NET.

17 5. According to GoDaddy's "WHOIS" database (available at  
18 "[http://who.godaddy.com/WhoIs.aspx?domain=petronastowers.net&prog\\_id=godaddy](http://who.godaddy.com/WhoIs.aspx?domain=petronastowers.net&prog_id=godaddy)"), the  
19 registrant of PETRONASTOWERS.NET is "Heiko Schoenekess, BPM 195226, 372 Old Streed,  
20 London, London EC1V 9AU, United Kingdom."

21 **JURISDICTION AND VENUE**

22 6. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(b)  
23 because this case arises under 15 U.S.C. § 1125(d).  
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1 Petronas and house the offices of many other major foreign and domestic corporations, including  
2 IBM, Microsoft, Boeing, McKinsey & Co., and Reuters. The Petronas Twin Towers and the  
3 adjoining Suria KLCC mall complex house some of Malaysia's leading cultural facilities,  
4 including an art museum (the Petronas Gallery), a symphony hall (the Petronas Philharmonic Hall,  
5 home to the Malaysian Philharmonic Orchestra), a science and technology discovery center  
6 (Petrosains), and a world-class aquarium (Aquaria KLCC, located in the adjoining Kuala Lumpur  
7 Convention Center).

8 13. As an iconic landmark that is famous around the world and one of the most visited  
9 destinations in Southeast Asia, the Petronas Twin Towers are widely and inseparably identified  
10 with Petronas, its brand, and the trademark "PETRONAS."

11 14. Petronas owns all right and title to United States Trademark No. 2969707 for the  
12 mark "PETRONAS." Petronas also is the owner of the trademark "PETRONAS TWIN  
13 TOWERS," and others.

14 15. At all relevant times, Petronas uses its "PETRONAS" mark to, among other things,  
15 identify itself as the source of the goods and services it provides.

16 16. Petronas uses its mark, for example, in its internet domain names associated with  
17 Petronas's websites. Petronas's sole official website uses a domain name owned by Petronas that  
18 uses the PETRONAS mark exclusively, "www.petronas.com.my," (the "Official Petronas  
19 Website"). Petronas also owns several other domain names that operate "mirror" websites which  
20 redirect to the Official Petronas Website: "www.petronas.com," "www.petronas.org," and  
21 "www.petronas.my."

22 17. Petronas also uses the PETRONAS mark for the domain name associated with its  
23 official Petronas Twin Towers website containing information about the Petronas Twin Towers,  
24 "www.petronastwintowers.com.my." As with the Official Petronas Website, Petronas owns other  
25

1 domain names, such as “petronastwintowers.com,” which redirect web users to the official  
2 “www.petronastwintowers.com.my” website.

3 18. According to publicly available records, Go Daddy is the domain name registrar for  
4 the defendant domain name “WWW.PETRONASTOWERS.NET.” The domain name  
5 “WWW.PETRONASTOWERS.NET” is the internet address for a pornographic website that  
6 displays obscene and highly offensive content as soon as a computer user’s internet browser  
7 arrives at the site.

8 19. Petronas has never authorized the use of its PETRONAS mark, or any other  
9 Petronas mark, in the “WWW.PETRONASTOWERS.NET” domain name.

10 20. GoDaddy’s public records, known as “WHOIS” (“http://who.godaddy.com/  
11 WhoIs.aspx?domain=petronastowers.net&prog\_id=godaddy”), state that the registrant of the  
12 “PETRONASTOWERS.NET” domain name is “Heiko Schoenekess, BPM 195226, 372 Old  
13 Streed, London, London EC1V 9AU, United Kingdom.”

14 21. Go Daddy’s records also state that the “Administrative Contact” and the “Technical  
15 Contact” for the “PETRONASTOWERS.NET” domain name is “Schoenekess, Heiko  
16 cc\_ltd@live.com, BPM 195226 372 Old Streed, London, London EC1V 9AU, United Kingdom,  
17 +44.2076636606.”

18 22. Plaintiff Petronas has been unable to locate the registrant of the  
19 “WWW.PETRONASTOWERS.NET” domain name based on the information provided by the  
20 domain registrar, Go Daddy. Petronas has sent notice of its intent to proceed under 15 U.S.C.  
21 1125(d)(2)(A), as well as a copy of that section, to the registrant of the  
22 “PETRONASTOWERS.NET” domain name, at the postal and email addresses he or she provided,  
23 on information and belief, to the registrar, Go Daddy, as set forth above. Petronas also attempted  
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1 to provide such notice by telephoning the telephone numbers in the Go Daddy records but calls  
2 placed to those telephone numbers were not answered.

3 **CLAIM FOR RELIEF UNDER 15 U.S.C. 1125(d)(2)(A)**

4 23. Petronas incorporates and re-alleges the preceding paragraphs as if set forth fully  
5 herein.

6 24. The domain name "PETRONASTOWERS.NET" violates the rights of Petronas as  
7 the owner of the registered mark "PETRONAS" and marks protected under 15 U.S.C. §§ 1125(a)  
8 and (c).

9 25. Petronas has been unable to find (or establish personal jurisdiction over) the  
10 registrant of the domain name "PETRONASTOWERS.NET" by using the diligence described in  
11 15 U.S.C. §§ 1125(d)(2)(A)(ii)(II)(aa).

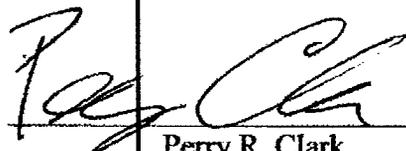
12 **RELIEF SOUGHT**

13 In light of the foregoing, Petronas respectfully requests the following relief:

14 1. The Court issue an order that Go Daddy, as the domain name registrar immediately  
15 transfer all right, title, and interest in the domain name "PETRONASTOWERS.NET" to Petronas;

16 2. Alternatively, the Court issues an order forever cancelling the domain name  
17 "PETRONASTOWERS.NET."

18 Dated: July 12, 2010

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21 By: 

Perry R. Clark  
Attorneys for Plaintiff  
Petroleum Nasional Berhad

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**JURY DEMAND**

1. Plaintiff Petronas respectfully demands a jury trial on all issues so triable

Dated: July 12, 2010

By:   
Perry R. Clark  
Attorneys for Plaintiff  
Petroleum Nasional Berhad

1 Perry R. Clark, Esq.  
Law Offices of Perry R. Clark  
2 3457 Cowper St.  
Palo Alto, CA 94306  
3 Telephone: (650) 248-5817  
Facsimile: (650) 248-5816  
4 perry@perryclarklaw.com

5 Attorney for Plaintiff  
PETROLIAM NASIONAL BERHAD

6

7

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UNITED STATES DISTRICT COURT

9

NORTHERN DISTRICT OF CALIFORNIA

10

OAKLAND DIVISION

11

PETROLIAM NASIONAL BERHAD,

)

CASE NO: 10-CV-03052 PJH

12

Plaintiff,

)

**CERTIFICATE OF SERVICE**

13

vs.

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PETRONASTOWERS.NET, an internet domain  
name,

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Defendant.

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**CERTIFICATE OF SERVICE**

Case No.: 10-CV-03052 PJH

1 I, Perry Clark, state that I served Plaintiff's NOTICE OF MOTION AND MOTION FOR  
2 ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15 U.S.C. § 1125(D) AND  
3 FOR ENTRY OF JUDGMENT all exhibits thereto ("Motion") as follows:

- 4 1. I placed a copy of the motion in a Federal Express envelope with postage pre-paid  
5 for FedEx Express addressed to:  
6 Heiko Schoneneckess  
7 BPM 195226  
8 372 Old Street  
9 London Ec1V 9AU  
10 United Kingdom  
11 Tel.: +44.2076636606
- 12 2. I deposited the Federal Express envelope identified in Paragraph 1 (above) in a  
13 Federal Express drop box on August 10, 2010.
- 14 3. I emailed a pdf copy of the motion to "[cc\\_ltd@live.com](mailto:cc_ltd@live.com)" on August 10, 2010.
- 15 4. I emailed a copy of the motion to counsel for GoDaddy, "[jslafsky@wsgr.com](mailto:jslafsky@wsgr.com)" on  
16 August 10, 2010.
- 17 5. I placed a copy of the motion in a U.S. Mail envelope with first class postage pre-  
18 paid addressed to:  
19 John Slafsky, Esq.  
20 Wilson Sonsini Goodrich & Rosati PC  
21 650 Page Mill Road  
22 Palo Alto, CA 94303

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25 NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15  
U.S.C. § 1125(D)  
AND FOR ENTRY OF JUDGMENT  
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6. I deposited the U.S. Mail envelope identified in Paragraph 5 (above) in a U.S. Mailbox on August 10, 2010.

I declare under penalty of perjury that the forgoing is true and correct.

Dated: August 10, 2010

By: /s/ Perry R. Clark  
Perry R. Clark

25 NOTICE OF MOTION AND MOTION FOR ORDER TRANSFERRING DOMAIN NAME PURSUANT TO 15  
U.S.C. § 1125(D)  
AND FOR ENTRY OF JUDGMENT  
Case No.: 10-CV-03052 PJH

1 Perry R. Clark, State Bar No. 197101  
2 Zhuanjia Gu, State Bar No. 244863  
3 KIRKLAND & ELLIS LLP  
4 950 Page Mill Road  
5 Palo Alto, CA 94303  
6 Telephone: (650) 859 7070  
7 Facsimile: (650) 859 7000  
8 pclark@kirkland.com  
9 zgu@kirkland.com  
10  
11 Attorneys For Plaintiff  
12 PETROLIAM NASIONAL BERHAD

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15 **SAN JOSE DIVISION**

16 PETROLIAM NASIONAL BERHAD,  
17 Plaintiff,  
18 v.  
19 GODADDY.COM, INC.  
20 Defendant.

NO. 09-CV-\_\_\_\_\_

**DECLARATION IN SUPPORT OF  
PLAINTIFF'S MOTION FOR TEMPORARY  
RESTRAINING ORDER**

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Declaration

1 I, Priya Manokaran, declare as follows:

2 1. I am employed by Petroliam Nasional Berhad, also known as Petronas, as the Legal  
3 Officer in the Intellectual Property and Technology Unit of Corporate Services and Technology,  
4 Legal and Corporate Affairs Division.

5 2. Petronas is a fully-integrated oil and gas corporation and is among the Fortune Global  
6 500 listing of the largest corporations in the world. Petronas's business encompasses the full  
7 spectrum of oil and gas operations in the areas of upstream oil and gas exploration and production,  
8 downstream oil refining, marketing and distribution of petroleum products, trading, gas processing  
9 and liquefaction, gas transmission pipeline network operations, marketing of liquefied natural gas,  
10 petrochemical manufacturing and marketing, shipping, and property investment.

11 3. Petronas has operations in more than 33 countries worldwide and employs approximately  
12 16,000 people.

13 4. Petronas's official corporate website is "www.petronas.com.my" ("Official Petronas  
14 Website"). There is an official U.S.-based "mirror" website at "www.petronas.com,"  
15 "www.petronas.org," and "www.petronas.my."

16 5. Petronas uses the "petronastwintowers.com.my" domain name for the official website of  
17 the Petronas Twin Towers and uses "petronastwintowers.com" to redirect to  
18 "petronastwintowers.com.my". The Petronas Twin Towers, which house Petronas's headquarters,  
19 are one of the most well known landmarks in Asia and are extremely closely identified with  
20 Petronas. The Petronas Twin Towers attract visitors from Malaysia and the rest of the world for the  
21 commercial, cultural, and other offerings housed at the Petronas Twin Towers. The  
22 "petronastwintowers.com.my" website is intended to provide information to as many people as  
23 possible about the Petronas Twin Towers.

24 6. The Official Petronas Website is perhaps the most widely viewed manifestation of the  
25 Petronas corporate identity. Petronas uses the Official Petronas Website to, among other things,  
26 project a corporate image that reflects the values of the employees, management, and shareholders of  
27 Petronas, including the people of Malaysia who, through the Government of Malaysia, own a stake  
28 in the company. Petronas also uses the Official Petronas Website to provide news and information

Declaration

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1 about its business, communicate with customers, potential customers, and employees, recruit and  
2 hire employees for its locations around the world, advertise its products, and promote its brand.

3 7. On or about November 26, 2009, Petronas learned that a person or persons unknown to  
4 Petronas had registered the domain name "www.petronastower.net" and was operating a website  
5 using that domain name without Petronas's knowledge or consent.

6 8. Since at least November 26, 2009, the "www.petronastower.net" website has displayed  
7 highly offensive obscene and pornographic material. As a result, any person directing a web  
8 browser to, or otherwise accessing, the "www.petronastower.net" website will be exposed to the  
9 highly offensive and pornographic material displayed on the "www.petronastower.net" website.

10 9. On or about November 26, 2009, Petronas learned that the domain name  
11 "petronastower.net" had been registered with Go Daddy.com, Inc.

12 10. On or about November 26, 2009, Petronas repeatedly informed Go Daddy of the  
13 unauthorized use of the "petronastower.net" domain name and that pornographic material was being  
14 displayed on the website associated with that domain name and requested that the website be  
15 removed. Ex. A at 1-2. These requests were sent by Petronas to the Go Daddy email addresses  
16 "abuse@godaddy.com" and "support@godaddy.com." *Id.*

17 11. On or about December 1, 2009, the GoDaddy.com "Spam and Abuse Department"  
18 responded with an email to Petronas stating that it is "prohibited from becoming involved in domain  
19 name ownership disputes" and refusing to take any action with respect to the "petronastower.net"  
20 website or domain name. Ex. A at 1. According to Go Daddy, any issues with the "wording of the  
21 domain name itself will need to be sent to either the registrant, through an arbitration forum such as  
22 the World Intellectual Property Organization, or the local court system." *Id.*

23 12. Petronas owns all right, title, and interest in U.S. Trademark No. 2969707 for  
24 "PETRONAS." Attached hereto as Ex. B is a true and correct copy of the U.S. Patent and  
25 Trademark Office's listing of Petronas's U.S. Trademark No. 2969707.

26 13. Petronas has not authorized the use of the PETRONAS mark in connection with the  
27 "petronastower.net" domain name or website.

28

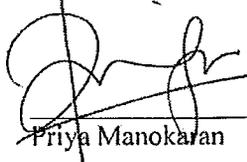
Declaration

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I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. This declaration is being executed in Kuala Lumpur, Malaysia.

Dated: December 17, 2009



Priya Manokaran

Declaration

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**From:** trademarkclaims@godaddy.com  
**Sent:** Thursday, July 8, 2010 6:44 AM  
**To:** perry clark <perry@perryclarklaw.com>  
**Subject:** RE: Trademark Claims

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Dear Perry Clark,

Although the domain PETRONASTOWERS.NET is registered through our company, the domain is forwarding to a website (camfunchat.com) that is hosted elsewhere . Any issues regarding the content of the website will need to be addressed to the owner of the site either directly, or to the hosting provider.

We can only process claims of trademark infringement against the content of websites that we host. ICANN, the managing body of internet, domain name registrars, specifically prohibits domain registrars from becoming involved in disputes over domain ownership in their Uniform Domain Name Dispute Resolution Policy.

Any disputes over the ownership or wording of the domain name itself will need to be sent either to the owner, or through an arbitration forum, or the local court system.

For your convenience we are including the current hosting Whois information below:

IP Location:  Netherlands Vcn Corp. / Kolido.net

Resolve Host: server16.nl.kolido.net

IP Address: 91.184.52.16     

SSL Cert: confixx SSL Certificate has expired.

Reverse IP: 270 other sites hosted on this server.

inetnum: 91.184.48.0 - 91.184.55.191

netname: VCN-20061001

descr: VCN Corp. / kolido.net

country: NL

admin-c: VCN-RIPE

tech-c: VCN-RIPE

status: Assigned PA

mnt-by: MNT-VCN

mnt-routes: OCOM-MNT

source: RIPE # Filtered

person: Oliver Ellermeier

remarks: +-----

remarks: | Abuse Contact: abuse@kolido.net - in case of Attacks, |

remarks: | Illegal Activity, Violation, Scans, Spam etc. |

remarks: | Please see VCN-RIPE for contacts in case of |

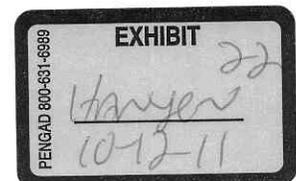
remarks: | operational/technical issues. |

remarks: +-----

address: VCN Corp.

address: Ramon Arias Avenue Maheli Building

address: Office 12-E



APP091

CONFIDENTIAL

GD-001326

address: Panama City  
address: Republic of Panama  
phone: +49 (180) 3471133111  
fax-no: +49 (180) 3684399484  
abuse-mailbox: [abuse@kolido.net](mailto:abuse@kolido.net)

mnt-by: MNT-VCN  
nic-hdl: VCN-RIPE  
source: RIPE # Filtered

route: 91.184.48.0/20  
descr: kolido  
origin: AS16265  
remarks: kolido  
mnt-by: MNT-VCN  
mnt-by: OCOM-MNT  
source: RIPE # Filtered

Please feel free to contact us if we can provide further assistance.

Regards,

Domain Services  
[GoDaddy.com](http://GoDaddy.com), Inc.

----- Original Message -----

Subject: Trademark Claims  
From: "perry clark" <[perry@perryclarklaw.com](mailto:perry@perryclarklaw.com)>  
Date: Wed, July 07, 2010 2:38 pm  
To: <[trademarkclaims@godaddy.com](mailto:trademarkclaims@godaddy.com)>

Pursuant to Section A(2) of the "Go Daddy Trademark and/or Copyright Infringement Policy" (attached), this email serves as notification of a claim for trademark infringement.

Attached to this email please find the "Request for Trademark Claims" required by Section A(1) of the "Go Daddy Trademark and/or Copyright Infringement Policy. **The Trademark Tracking ID** is **470158**.

The following information is provided in the order it is listed in Section A(2) of the "Go Daddy Trademark and/or Copyright Infringement Policy":

Evidence that the infringer of the trademark is a Go Daddy customer is that WHOIS lists the following information with respect to the domain name "petronastowers.net":

Registrant:

Heiko Schoenekess

BPM 195226

372 Old Street

London, London EC1V 9AU

United Kingdom

Registered through: GoDaddy.com, Inc. (<http://www.godaddy.com>)

Domain Name: PETRONASTOWERS.NET

Created on: 08-May-03

Expires on: 08-May-11

Last Updated on: 23-Mar-10

Administrative Contact:

Schoenekess, Heiko [cc\\_ltd@live.com](mailto:cc_ltd@live.com)

BPM 195226

372 Old Street

London, London EC1V 9AU

United Kingdom

+44.2076636606 Fax -- +44.2076636606

Technical Contact:

Schoenekess, Heiko [cc\\_ltd@live.com](mailto:cc_ltd@live.com)

BPM 195226

372 Old Street

London, London EC1V 9AU

United Kingdom

+44.2076636606 Fax -- +44.2076636606

Domain servers in listed order:

NS39.DOMAINCONTROL.COM

NS40.DOMAINCONTROL.COM

Registry Status: clientDeleteProhibited

Registry Status: clientRenewProhibited

Registry Status: clientTransferProhibited

Registry Status: clientUpdateProhibited

The infringed trademark is U.S. Trademark Registration Number 2969707 "PETRONAS." See attached U.S. Patent and Trademark Office Record.

The mark applies in, at least, the United States. The mark is also registered in other countries.

The owner of the mark is Petroliam Nasional Berhad, Petronas Twin Towers, Tower 1 Kuala Lumpur City Centre 50088 Kuala Lumpur MALAYSIA.

The goods and services covered by the mark are: Chemicals and petrochemicals for use in the manufacture of pharmaceuticals, cosmetics, detergents, packaging, wire and cable installation, cassette tapes, pipes, toys, films, floorings, synthetic rubber, paints and coatings, adhesives, fuel additives and lubricants, textiles, agriculture, electrical and electronic components, automotive parts, aerospace and aviation, building and construction materials, plastics, foods, and diagnostic equipment; chemical and petrochemical in the nature of methanol, ethylene, methyl tertiary butyl ether (MTBE), vinyl chloride monomer, polyvinyl chloride, polyethylene, polypropylene, propylene, ethyl benzene, and styrene monomer all for use in industrial, forestry, agricultural, horticultural, and scientific applications; photographic chemicals; artificial and synthetic resins for use in the manufacture of fibers, polymers and coatings, and molding compounds; plastic molding compounds for use in plastic extrusion operations plastic molding compounds for use the manufacture of molded plastic articles and plastic sheets and films; composts; manures; fertilizers for agricultural and domestic use; glue for industrial purposes, adhesives for general industrial use, contact cements; gases for heating, lighting, steam generating, cooking, refrigeration, drying and ventilating for industrial use in liquid and gaseous forms; oil dispersants; chemicals for separating oils; hydraulic fluids for general use; chemical additives for use in the manufacture of fuels, lubricants, gasoline and drilling lubricants; drilling muds for use in oil well drilling, coolants for vehicle engines, heat transfer fluids for industrial use, hydraulic fluids for general use, acidulated water for recharging accumulators and batteries; chemical additives for use with internal combustion engines. chemical additives for fuel saving treatments, catalysts for use in the oil processing industry, oil for preservation of masonry, transmission fluids, cutting oil for industrial metalworking, Crude oil, natural gasoline, fuel oil and general purpose greases, all purpose lubricants; gasoline; fuel gas; fuel oils; fuel alcohol; diesel fuel; gas; gasoline as lubricant; kerosene, unleaded fuel; oil gas; paraffin; petroleum; petroleum ether, fuels in liquid, gaseous and solid form, dust lying and absorbing compositions for use on unpaved roads; non-chemical additives for oils and fuels; petroleum jelly for industrial purposes, tallow, automatic transmission fluids; methanol petrochemicals for use in fuel, petroleum based dust suppressing compositions for use in manufacture, air conditioners, water distillation units, flares, gas and petrol burners for industrial purposes; gas regulators, heat exchangers, heat pumps, pasteurizers for use in food and beverage industry; electric radiators not for motors or engines, solar collectors for heating solar furnaces, water filters.

The mark has been used in interstate commerce since at least 2001.

It is unclear what goods or services are being offered under the mark that is infringed.

The precise location of the infringing mark is "[petronastowers.net](http://petronastowers.net)."

Under penalty of perjury, I certify in good faith that "petronastowers.net" infringes the rights of Petronas and the use of the mark in "petronastowers.net" is not defensible.

Best,

Perry Clark

Law Offices of Perry R. Clark

3457 Cowper St.

Palo Alto, CA 94306

Tel.: 650 248 5817



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Lookup an IP address :

91.184.52.16    [ list ]

IP addresses can be entered using IPv4 or IPv6 address format

Help »

IP : 91.184.52.16 Neighborhood
Host : server16.nl.kolido.net
Country : Netherlands

Locate your IP on map
Very simple to use online whois, dns, trace, ping, mx, ip location
www.istimed.com

Ads by Google

- Address information
Related IP addresses
IP owner info (Whois)
Domain owner info (Whois / Abuse)
Conversions (IPv4 / IPv6)
Ping

How to hide my IP address
About 99% of hacking attacks uses the IP address. Hide your IP now.
www.HideYourIPAddress.net

Ads by Google

Searching for ip lookup?

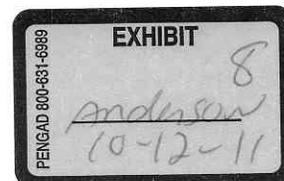
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Easily Make A Professional Website. Award-Winning Software. Try Free.
Homestead.com/free-website

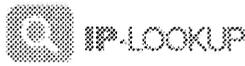
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Network
Bandwidth Tool
Monitor Network Bandwidth & Prevent Bottlenecks. Download a Free Trial.
www.SolarWinds.com





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### Domain Lookup

Retrieve the IP address associated with a web site:

Domain Name:



The IP address associated with [camfunchat.com](#) is :

**91.184.52.16**

[ [server16.nl.kolido.net](#) ]

**BuyDomains: Official Site**  
 Search for Premium Domain Names. 1000's of Choices at BuyDomains.com  
[www.BuyDomains.com](http://www.BuyDomains.com)

Ads by Google

Ads by Google

#### Reverse Email Lookup

1) Type in Email Address. 2) Get Owner Name & Info.  
[EmailFinder.com](#)

#### Network Bandwidth Tool

Monitor Network Bandwidth & Prevent Bottlenecks.  
 Download a Free Trial.  
[www.SolarWinds.com](http://www.SolarWinds.com)

#### IP Scan

Scan your Network IP Free Network IP Scan.  
[IP.Scan.Qualys.com](http://IP.Scan.Qualys.com)

#### Static IP Service

Consumer & Business DSL Service. Contact A Sales Rep & Get DSL Now.  
[www.Sonic.net](http://www.Sonic.net)

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