

1 Daddy, what does Go Daddy do?

2 A. Well, the not hosted template sent out to
3 the complainant, that contains advice that if they
4 wish to address the website content, that they need
5 to address it to the hosting provider. And it also
6 advises them that if this is a domain name specific
7 issue, that they would need to refer to the Uniform
8 Domain Name Dispute Resolution Policy.

9 Q. Okay. Now, if Go Daddy determines that a
10 website is not hosted, will Go Daddy go through the
11 process in Section 1.2 of this policy of determining
12 if the trademark is registered?

13 A. No.

14 Q. Okay. And Go Daddy also if it determines
15 that a website is not hosted at Go Daddy, it will not
16 go through the process 1.3 of determining if the
17 claim infringement is identifiable?

18 A. Correct, yes.

19 Q. And it also won't go through the process
20 in 1.4 of determining if the claim is complete?

21 A. Yes.

22 Q. Okay. And then it won't go through step
23 1.5 of opening a valid trademark claim?

24 A. Correct.

25 Q. Okay. So with respect to complaints

1 regarding websites that Go Daddy determines are not
2 hosted by Go Daddy, Go Daddy doesn't investigate
3 whether or not there is identifiable trademark
4 infringement; is that correct?

5 MR. LANSKY: Object to the form. Asked
6 and answered.

7 THE WITNESS: Since it's not actionable,
8 we don't make a determination.

9 BY MR. CLARK:

10 Q. Okay. So if a website is not hosted at
11 Go Daddy, there very well may be trademark
12 infringement; is that correct?

13 MR. LANSKY: Object to the form.

14 THE WITNESS: There could be something
15 that would be identified by the hosting company as
16 trademark infringement, but we don't make a
17 determination as to whether or not that it exists.
18 We simply give them the proper channels to pursue the
19 issue.

20 BY MR. CLARK:

21 Q. Okay. And do you know why Go Daddy will
22 not -- Go Daddy doesn't carry out any of these steps
23 regarding trademark infringement if the website is
24 not hosted by Go Daddy?

25 MR. LANSKY: Object to the form.

1 A. Yes.

2 Q. So Go Daddy wouldn't have -- in
3 evaluating the complaint for petronastowers.net, Go
4 Daddy wouldn't have considered the domain name
5 petronastower.net had been ordered transferred by a
6 court?

7 A. No, because it would have been the same
8 thing where we would have followed our standard
9 operating procedure.

10 Q. And it wouldn't have mattered that the
11 domain name petronastower.net was transferred by a
12 court because the court found trademark infringement?

13 A. No.

14 MR. LANSKY: Object to the form.

15 BY MR. CLARK:

16 Q. And it wouldn't matter that the
17 petronastower.net domain name listed the same
18 registrant?

19 MR. LANSKY: Object to the form.

20 THE WITNESS: No.

21 BY MR. CLARK:

22 Q. And that it was forwarding to the same
23 website?

24 MR. LANSKY: Object to the form.

25 THE WITNESS: No.

1 pretty steady.

2 Q. Okay. And do you have any idea how many
3 trademark infringement claims Go Daddy receives each
4 year?

5 A. I don't know a specific number, but it is
6 in the thousands.

7 Q. And of those claims -- I'm sorry if you
8 already told me this, but what's your estimate of how
9 many of those relate to hosted accounts?

10 A. Actionable claims are in the hundreds.

11 Q. Okay. And of the actionable claims, give
12 a sense of what percentage of those actually result
13 in a hosting account being cancelled or suspended?

14 A. It would be suspended and any actionable
15 claim that we get a valid complete complaint for
16 we're going to take action on. So a majority, vast
17 majority. I couldn't really give you a specific
18 number.

19 Q. And when you have the -- when there is a
20 valid trademark claim for a hosted website, the Go
21 Daddy customer has the opportunity to provide a
22 counter-notification; is that correct?

23 A. Yes.

24 Q. And can you describe what a
25 counter-notification is?

1 A. Yes. Counter-notification is actually on
2 Exhibit 16. And basically what they have to do is
3 they have to provide 1A through 1D. If they provide
4 1A through 1D, then in 10 business days if we don't
5 receive anything from the complainant to prevent us
6 from reinstating the site or removing the suspension,
7 then the suspension is removed.

8 Q. Okay. And do you have a sense of in what
9 percentage of the cases where an account is suspended
10 the suspension is removed after counter-notification?

11 A. It's extremely low.

12 Q. In implementing this trademark policy for
13 hosted content, does it require that Go Daddy
14 actually determine whether or not a particular hosted
15 website is infringing a trademark?

16 A. Can you clarify that a little?

17 Q. In other words, is what Go Daddy's doing
18 under this trademark policy, is it actually looking
19 at complaints and determining whether or not there
20 actually is infringement or something else?

21 MR. LANSKY: Object to the form.

22 THE WITNESS: We're determining whether
23 or not we've got all the elements that we need in
24 order to take action. We're determining that we can
25 actually view the trademark. We're determining that

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PETROLIAM NASIONAL BERHAD)
(PETRONAS),)
Plaintiff,)
vs.)
GODADDY.COM., INC.,)
Defendant.)

ORIGINAL

No. 09-CV-5939 PJH

DEPOSITION OF Jeff Munson, taken on
Wednesday, October 19, 2011, commencing at 9:00 a.m.,
at 225 Second Street SE, Cedar Rapids, Iowa, before
Angela L. Maddux, Certified Shorthand Reporter of the
State of Iowa, pursuant to the within stipulation.

APPEARANCES:

Perry R. Clark, of the Perry Clark Law Firm,
Attorney at Law, 825 San Antonio Road, Palo Alto,
California, 94303, Attorney for the Plaintiff.

David L. Lansky, of the Wilson, Sonsini,
Goodrich & Rosati Law Firm, Attorney at Law, 650 Page
Mill Road, Palo Alto, California, 94304, Attorney for
the Defendant.

Angela L. Maddux, CSR, RPR
IRISH REPORTING, INC.
305 - 10th Avenue
Hiawatha, IA 52233
(319) 393-5050

| | | | |
|---|-------------|------------------|------|
| 1 | | <u>I N D E X</u> | |
| 2 | WITNESS | EXAMINATION | PAGE |
| 3 | Jeff Munson | By Mr. Perry | 3 |

4

5 ORIGINAL

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|----|----------------|------------------------|--------|
| 6 | | <u>E X H I B I T S</u> | |
| 7 | NUMBER | | MARKED |
| 8 | Munson 31 | | 7 |
| 9 | Anderson 4 & 5 | | 18 |
| 10 | Munson 32 | | 20 |
| 11 | Munson 33 | | 30 |
| 12 | Munson 34 | | 34 |

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| 25 | Certificate of Shorthand Reporter | | 37 |
|----|-----------------------------------|--|----|

3

1 **JEFF MUNSON**
 2 called as a witness, having been first duly sworn,
 3 was examined and testified as follows:
 4 **EXAMINATION**
 5 **BY MR. CLARK:**
 6 **Q.** Good morning. My name is Perry Clark. I'm
 7 a lawyer and I represent the plaintiff in this case,
 8 Petroliam Nasional Berhard, and I will refer to them
 9 as Petronas.
 10 **MR. LANSKY:** And I am David Lansky of
 11 Wilson, Sonsini, Goodrich & Rosati here on behalf of
 12 GoDaddy and the deponent.
 13 **Q.** All right. Could you go ahead and state
 14 and spell your name for the record, please?
 15 **A.** Yeah. **Jeff Munson. It is spelled J-e-f-f,**
 16 **M-u-n-s-o-n.**
 17 **Q.** And you're currently employed by GoDaddy?
 18 **A.** Yes.
 19 **Q.** What is your current job title at GoDaddy?
 20 **A.** Development manager.
 21 **Q.** And what are your responsibilities as
 22 development manager?
 23 **A.** We take care of what we call the park web
 24 system, the mask and forwarding system, and we also
 25 take care of a product called cache parking.

5

1 **A.** No.
 2 **Q.** All right. So can you just describe
 3 briefly what Go Daddy's park web system is?
 4 **A.** Yes. When a customer registers a domain,
 5 that domain is parked and so I take care of those,
 6 So if somebody registers a domain, and then they go
 7 in the web browser and type in that domain, if it is
 8 parked in our parked web system I show the parked
 9 page.
 10 **Q.** And just briefly if you can describe what
 11 the forward and masking -- let me ask you this.
 12 Would you call forward and masking a product or would
 13 you refer to it as a system?
 14 **A.** Yes, in my mind it is a system.
 15 **Q.** So can you just briefly describe the
 16 forward and masking system?
 17 **A.** Sure. We have upstream customers can
 18 choose to enable forward and masking on their domain.
 19 And my system what it does is it takes a request from
 20 the web, so if you have your domain set up to be
 21 forward and masked, my system will take that request,
 22 it will look into, take the domain name, look in the
 23 database and say are you forwarded? If you're not
 24 forwarded, I ask are you masked? And based on what
 25 you are, if you're forwarded or masked, I will serve

4

1 **Q.** I'm sorry, what was the second one you
 2 said?
 3 **A.** Forward and masking system.
 4 **Q.** Forward and masking system?
 5 **A.** Yes.
 6 **Q.** And the last one was cache parking?
 7 **A.** Yes. And I want to qualify the forward and
 8 masking sytem, it is the back end forward and masking
 9 system.
 10 **Q.** All right. How long have you worked at
 11 GoDaddy?
 12 **A.** I have worked there since November 30th of
 13 2004, so that would put it at almost seven years now.
 14 **Q.** Has your job title always been development
 15 manager?
 16 **A.** No. I came in as what we call a dot net
 17 developer which is a programmer. I became a
 18 development manager, I can't remember the exact date,
 19 in 2009 or '10, somewhere in there.
 20 **Q.** So do you have an undergraduate degree, a
 21 university degree?
 22 **A.** Yes. I have a bachelor of business
 23 administration and management information systems
 24 from the University of Iowa.
 25 **Q.** Do you have any post graduate --

6

1 back an HTTP response to the browser. I will serve
 2 back an HTTP response, a correct response, whether it
 3 is a 301, which is that location has changed and
 4 please update your links to change to that location;
 5 or a 302 which means a temporary forward, or a 200
 6 which serves back HTML in a frame set so the domain
 7 is masked.
 8 **Q.** Okay. I don't have a technical background
 9 at all, and we'll talk about this some more so bear
 10 that in mind. Then lastly cache park, what is cache
 11 parking?
 12 **A.** Cache parking is I will equate it to park
 13 web where you can pay a monthly fee and then we're
 14 share out the advertising revenue on that parked
 15 page.
 16 **Q.** So what is the difference between parked
 17 web and cache parking?
 18 **A.** Parked web, GoDaddy keeps the advertising
 19 revenue on those parked pages. And cache parking, if
 20 you pay a monthly fee to us we'll share out some of
 21 that revenue to you.
 22 **Q.** All right. And is parked web something
 23 that's set up automatically for each registration or
 24 not?
 25 **A.** As far as I know, yes. I'm not completely

7

1 sure, but I'm guessing yes.

2 Q. Okay. I will go ahead and mark this.

3 (Whereupon, Munson Deposition Exhibit

4 Number 31 was marked for identification.)

5 Q. I am going to hand the witness what has

6 been marked as Munson Exhibit 31. If you could go

7 ahead and -- have you ever seen Exhibit 31 before?

8 A. Yes.

9 Q. When did you see it?

10 A. Yesterday.

11 Q. That is when you were preparing for your

12 deposition?

13 A. Yes.

14 Q. How long did you prepare for your

15 deposition?

16 A. I wasn't watching the clock. I would guess

17 one or two hours.

18 Q. And you met with Mr. Lansky?

19 A. Yes.

20 Q. Did you do anything else to prepare for

21 your deposition?

22 A. No.

23 Q. If you could turn to Page 7 of Exhibit 31

24 there's a numbered Paragraph 2 about two-thirds of

25 the way down the page. Do you see that?

9

1 domain names.

2 MR. LANSKY: Objection to form.

3 Q. And for purposes of this deposition, can we

4 agree to refer to the domain names Petronastower.net,

5 Petronastowers.net as the disputed domain names?

6 A. Yes.

7 Q. Can you describe for me the services

8 provided by GoDaddy related to the disputed domain

9 names?

10 A. The services I assume you're referring to

11 are forwarding. Again, I work on the back end of the

12 forwarding system so I can testify to that. I was a

13 programmer on that. And as I explained before what

14 it does is it takes -- I get a web request from a

15 browser. I take the host header -- and when a

16 browser sends a request to a web server there's a

17 header involved and it specifies a get and it has a

18 host in that header. I take that host and I look up

19 that host in to my sequel database.

20 So the first thing I do is I query a

21 database to see if that domain name is to be

22 forwarded. If it is to be forwarded, I get a result

23 sent back from the database that tells me where to

24 forward it to and what type of forward to do. The

25 type of forward being a 301 which means a permanent

8

1 A. Yes.

2 Q. That paragraph says, "The services provided

3 by GoDaddy related to the disputed domain names,

4 including technical aspects of routing/forwarding the

5 disputed domain names." Do you see that?

6 A. Yes.

7 Q. And you understand you have been designated

8 to testify as GoDaddy's representative on that topic?

9 A. Yes.

10 Q. Then if you could turn to Page 11 of

11 Exhibit 31, there is numbered Paragraph 34 on that

12 page. It says, "Policies, procedure, guidelines,

13 rules, standards, and protocols relating to the

14 functioning and use of personal computers and local

15 area networks which may have been used to create or

16 process electronically stored information referencing

17 or relating to the subject matters." Do you see

18 that?

19 A. Yes.

20 Q. And do you understand you have been

21 designated to testify on that topic as well?

22 A. Yes.

23 Q. Great. So why don't we start with topic

24 two. Can you go ahead and describe for me the

25 services provided by GoDaddy related to the disputed

10

1 to the browser, means a permanent redirect; or a 302

2 which means a temporary redirect. So whoever the

3 registrant is of that domain name, somewhere they set

4 up the forwarding and that address goes in to a

5 database to forward it to and I take that address and

6 I forward the domain name to that address.

7 Q. So when you use the phrase "back end", can

8 you describe what you mean or elaborate more?

9 A. Yes. When a registrant forwards their name

10 they go to what is called our domain manager commonly

11 referred to as DCC where they manage our domains.

12 Within that application that can actually say I want

13 to forward or mask this domain. So the registrant

14 will go in and they will type the address that they

15 want to forward to, or specify the address they want

16 to set up masking for. So that's what I would call

17 the front end.

18 The middle piece, there's another middle

19 piece that I don't work on, but this middle piece

20 takes that information that was put in to that

21 interface, and what it does is it writes to the

22 database that I read from the back end. So that's

23 what I mean by back end. There is a front end where

24 user puts in the information, and middle end that

25 sets up the data for me, the back end.

11

1 Q. On the back end let's talk a little bit
 2 about the hardware that's involved. I assume there
 3 some sort of server?
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 11 Q. And these are servers owned by GoDaddy?
 12 A. Yes.
 13 Q. And where are they located?
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 17 Q. And GoDaddy has exclusive control over
 18 these servers?
 19 A. Yes.
 20 Q. And so these servers are running you
 21 said - I'm sorry, what was the name of the program?
 22 A. The operating system is Microsoft Windows
 23 2003.
 24 Q. And then what was the server application
 25 called?

13

1 more about the implementation of the forwarding
 2 service on the Internet Information Server? For
 3 example, did you have to write the code for that?
 4 A. Yes.
 5 Q. You did?
 6 A. Yes.
 7 Q. Were you the only one who wrote the code?
 8 A. Yes, I was.
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 14 Q. Now, the domain name forwarding that's
 15 being implemented on the Internet information server,
 16 does that implement domain name - let me start over.
 17 Is another word for domain name forwarding
 18 a URL redirect?
 19 A. Yes, I would refer to that as that, yes.
 20 Q. Is the URL redirect function described in
 21 any sort of standard that you're aware of?
 22 A. I think, yes, it is described in the HTTP
 23 standard, HTTP one dot one. If you go out and look
 24 you can see definitions for 301 and 302.
 25 Q. So when you were referring to 301 and 302

12

1 A. The web server is Internet Information
 2 Server 6.0.
 3 Q. Is that a Microsoft program also?
 4 A. Yes, it's a Microsoft product.
 5 Q. So you use the Internet Information Server
 6 6.0 to implement the forwarding service?
 7 A. Yes.
 8 Q. Is that the program you've always used to
 9 do forwarding at GoDaddy?
 10 A. Yes.
 11 Q. When did GoDaddy first start offering
 12 domain name forwarding?
 13 A. I don't know because I picked up the system
 14 in 2006. It was like April, May of 2006. Before
 15 that was on an Apache Linux system, so I don't know
 16 when they started to do forwarding.
 17 Q. So you were there when the cutover from
 18 Apache Linux to Internet Information Server took
 19 place?
 20 A. Yes.
 21 Q. Do you happen to know, was that just for
 22 the forwarding servers or did GoDaddy switch away
 23 from Apache Linux for all of its servers?
 24 A. It is just for the forwarding.
 25 Q. Okay. So can you tell me the little bit

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1 earlier you're talking about an HTTP 301 and 302 URL
 2 redirects?
 3 A. Yes.
 4 Q. And did you use that HTTP standard in
 5 writing the code for the domain name forwarding
 6 system?
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 25 Q. Is the 301 a temporary redirect?

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1 A. No, it is a permanent redirect.
 2 Q. And can you explain a little bit the
 3 difference between the 301 and the 302 redirects?
 4 A. Yes. A 301 redirect, what it tells
 5 browsers and I think the main reason why customers
 6 were requesting it is because it also tells search
 7 engines to, you know, your Google spider and your,
 8 whatever, Yahoo spider, to go in to that new location
 9 and to update the links.
 10 Whereas a 302 search engines would just
 11 ignore it, browser would just ignore it and it would
 12 be a temporary redirect. A 301 is better for search
 13 engine optimization. So we had customers asking if
 14 we could implement 301 redirects for us. So we
 15 responded to that request and added that
 16 functionality.
 17 Q. When was that added?
 18 A. I can't recall for sure. I want to say
 19 sometime 2007, 2008. Somewhere in there.
 20 Q. A year or so after you originally drafted
 21 it?
 22 A. Yes, I think so.
 23 Q. That's fine. Did anybody else work on
 24 setting up the domain name forwarding system at
 25 GoDaddy that you know?

17

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 Q. I want to follow-up on thing you said. You
 6 mentioned customers demand domain name forwarding?
 7 A. Okay.
 8 Q. Can you tell me a little more about that;
 9 what you know about the customer demand?
 10 MR. LANSKY: Object to the form of the
 11 question.
 12 A. What I know about customer demand is with
 13 the forwarding system basically like take -- I'll
 14 provide an example. Like CNN dot com is out there as
 15 its own Website. So if I were CNN I may want to also
 16 have the dot net, dot U.S., dot biz, whatever the
 17 other TLDs that they make have registered. They may
 18 want to catch that type in traffic, so that somebody
 19 may type in and forward that to CNN dot com.
 20 Q. So there were customers who were requesting
 21 the ability to do that type of domain name
 22 forwarding?
 23 A. That I don't know. That's my personal
 24 opinion.
 25 Q. I see. So in addition to adding the 301

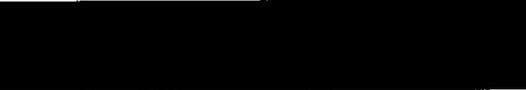
16

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 25 [REDACTED]

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1 redirects, were there any other changes made to the
 2 domain name forwarding system that you're aware of?
 3 A. Not that I can recall.
 4 Q. Now turning back to the topic, are you
 5 aware of any other services that GoDaddy provided
 6 related to the disputed domain names other than
 7 domain name forwarding?
 8 A. No.
 9 Q. I would like to go ahead and mark this.
 10 (Whereupon, Anderson Deposition Exhibits 4
 11 and 5 were marked for identification.)
 12 Q. I will hand you what has been previously
 13 marked Anderson Exhibit 4, which bears Bates number G
 14 00560 to 561, and Anderson Exhibit 5 which bears
 15 Bates stamp GD000562 to 563. Why don't we start with
 16 Exhibit 4. Can you tell me what Exhibit 4 is?
 17 A. No.
 18 Q. How about Exhibit 5, can you tell me what
 19 Exhibit 5 is?
 20 A. No.
 21 Q. Do you know when GoDaddy started providing
 22 domain name forwarding for the disputed domain names?
 23 A. No.
 24 Q. Do you have any idea how many GoDaddy
 25 customers use its domain name forwarding service?

19

1 **A. No.**
 2 **Q.** In addition to domain name forwarding,
 3 GoDaddy offers hosting services for customers;
 4 correct?
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 10 **A. Yes.**
 11 **Q.** So GoDaddy uses a different set of servers
 12 for its hosting service; correct?
 13 **A. Yes.**
 14 **Q.** Does GoDaddy use any servers in connection
 15 with its domain name registration service?
 16 **A. Can you rephrase the question?**
 17 **Q.** Sure. Does GoDaddy use any servers in
 18 connection with its domain name registration service?
 19 **A. I don't work in that area so I can't tell**
 20 **you. My guess would be yes, we would have to, I**
 21 **mean --**
 22 
 23
 24
 25 **A. No.**

21

1 question is going to be can you tell me what
 2 Exhibit 32 is?
 3 **A. In looking at it it looks like a help**
 4 **article to me.**
 5 **Q.** Sure. So there is a reference here to --
 6 it says at the top Redirect URLs. Is that the type
 7 of URL redirects we were talking about previously
 8 that GoDaddy uses for its domain name forwarding
 9 service?
 10 MR. LANSKY: Object to the form.
 11 **A. That I don't know because I'm not sure.**
 12 **From this article I can't tell how they're actually**
 13 **doing the redirect. My guess is it would be yes if**
 14 **we're doing 301s, 302s, but --**
 15 **Q.** Okay. So down at the bottom you see
 16 there's a note that says redirects can be permanent
 17 (a 301 redirect) or temporary (a 302 redirect).
 18 **A. Yes.**
 19 **Q.** Does that help you get a better sense of
 20 whether or not they're talking about the same kind of
 21 URL redirects that GoDaddy uses for its domain name
 22 forwarding service?
 23 MR. LANSKY: Object to the form.
 24 **A. I can't say for sure. But a 301 and a 302**
 25 **to the browser looks the same. A 301 comes back as a**

20

1 **Q.** Backing up. So in terms of GoDaddy's
 2 hosting service, does GoDaddy provide its hosting
 3 service to customers who have registered their domain
 4 names with registrars other than GoDaddy?
 5 **A. I don't understand the question. I'm**
 6 **sorry.**
 7 **Q.** So GoDaddy certainly serves as the
 8 registrar of certain domain names. And GoDaddy also
 9 provides a hosting service; correct?
 10 **A. Correct.**
 11 **Q.** Does GoDaddy provide its hosting service to
 12 customers who have domain names that are registered
 13 with other domain name registrars?
 14 **A. That I'm not sure. I don't know.**
 15 **Q.** Now, GoDaddy offers a Windows hosting
 16 service; is that correct?
 17 **A. Yes.**
 18 **Q.** And it also offers a Linux based hosting
 19 service; correct?
 20 **A. Yes.**
 21 **Q.** So I will go ahead and have marked as
 22 Munson Exhibit 32 a document with no Bates numbers.
 23 (Whereupon, Munson Deposition Exhibit
 24 Number 32 was marked for identification.)
 25 **Q.** Why don't you look at Exhibit 32. My

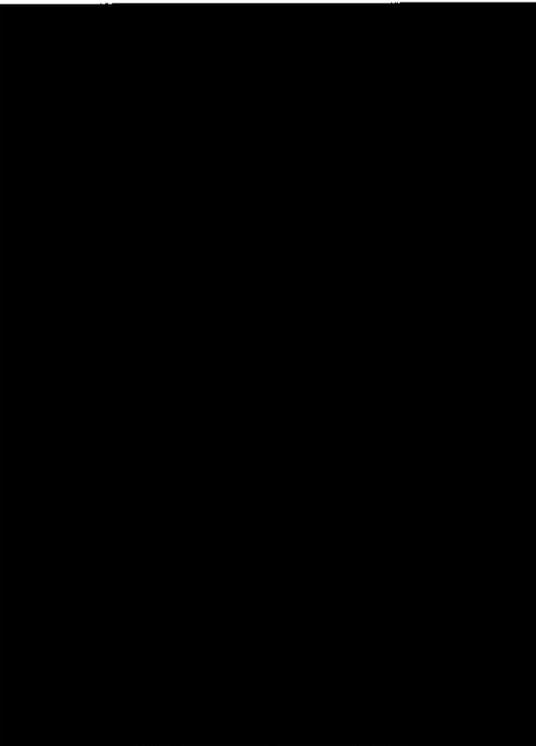
22

1 status code and there is a location with a URL. Same
 2 with a 302. I mean, there is a 302 status code with
 3 the location URL to go to. So I can't say for sure
 4 but from the looks of it, it would be somewhat
 5 similar.
 6 
 7
 8
 9 **A. My guess is no.**
 10 **Q.** Why do you say that?
 11 **A. Why do I say that? Because it says only**
 12 **our Linux hosting account offers this URL redirect**
 13 **feature. What I wrote isn't on Linux, so it is**
 14 **something different.**
 15 **Q.** Do you know who is responsible just overall
 16 for GoDaddy's Linux hosting service?
 17 **A. No, I'm not familiar with that.**
 18 **Q.** Why don't you refer back to Exhibit 31, the
 19 notice. If you turn to Page 11, please, and look at
 20 topic 34. Can you just describe what sort of
 21 policies, procedures or guidelines, et cetera,
 22 GoDaddy might have that relate to the functioning and
 23 use of its computers and networks?
 24 **A. Yes. Basically we're not allowed to bring**
 25 **any computers in, any personal -- like my personal**

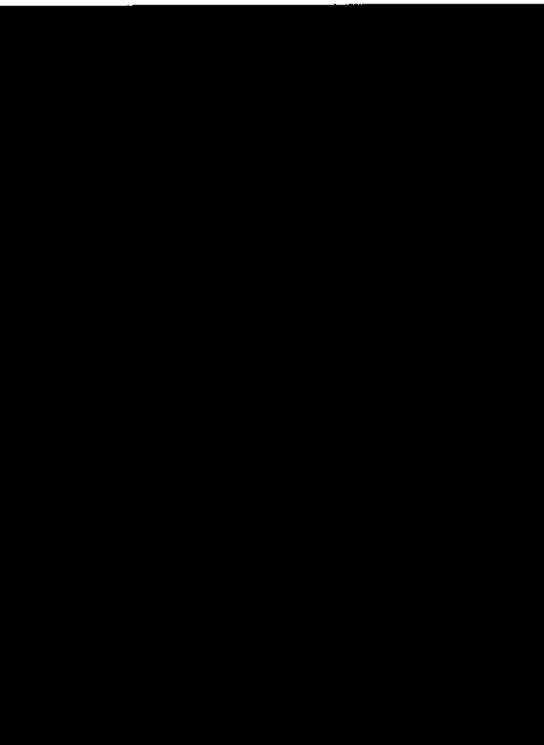
23

1 laptop or anything like that is not allowed in the
2 door. No flash drives.
3 
4
5
6
7
8 Q. Are GoDaddy's policies in this regard set
9 out in some sort of manual, like employee manual?
10 A. Yes.
11 Q. And what's the title of that document?
12 A. I am not sure what the title of the
13 document is, but it is in our employee handbook.
14 Q. Do you know if GoDaddy is ISO 9000
15 compliant?
16 A. No, I do not know that.
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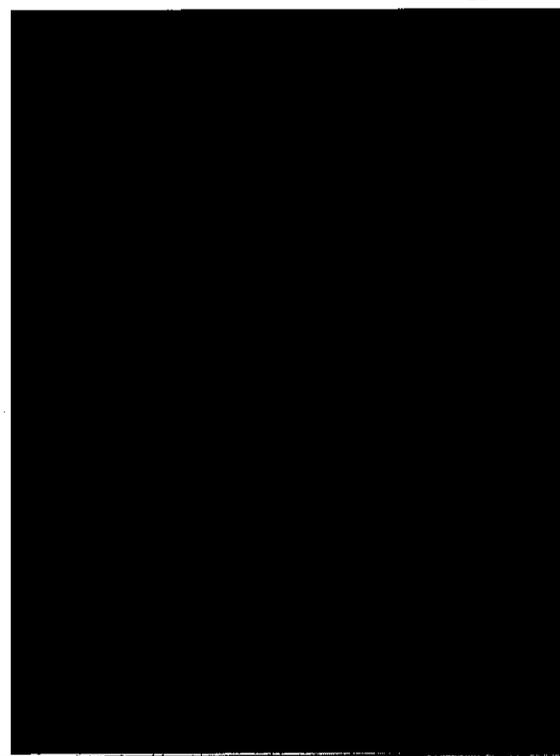
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From: trademarkclaims@godaddy.com
Sent: Wednesday, July 14, 2010 9:17 AM
To: domaindisputes@godaddy.com
Subject: [FWD: Trademark Claims]
Attach: 2010-7-7 PTO Reg PETRONAS.pdf; 2009-12-9 Go Daddy Trademark Infr policy.pdf;
2010-7-7 Signed Request for Trademark Claims.pdf

Dear Disputes,

This is the email we received for PETRONASTOWERS.NET claim # 470158.

Thanks,

Rod

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

Subject: Trademark Claims
From: "perry clark" <perry@perryclarklaw.com>
Date: Wed, July 07, 2010 2:38 pm
To: <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

BPM 195226

372 Old Street

London, London EC1V 9AU

United Kingdom

+44.2076636606 Fax -- +44.2076636606

Technical Contact:

Schoenekess, Heiko 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."

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

CLOSE WINDOW

PRINT

GO DADDY TRADEMARK AND/OR COPYRIGHT INFRINGEMENT POLICY

RESPECTING INTELLECTUAL PROPERTY

GoDaddy.com, Inc. ("Go Daddy") supports the protection of intellectual property. Whether you are the holder of a trademark, service mark, or copyright, Go Daddy is committed to helping you protect your legal rights. Therefore, we have established the following policies for considering trademark and/or copyright infringement claims.

Domain Name Dispute Claims

Please refer to the Uniform Domain Name Dispute Resolution Policy (the "UDRP") if you have a concern or dispute concerning a domain name. The UDRP covers domain names disputes; this policy specifically excludes domain name disputes.

Go Daddy Auctions Dispute Claims

1. To notify Go Daddy that there has been a trademark violation regarding a domain offered for sale on Go Daddy Auctions, please follow the specific instructions (A) below for filing a trademark claim.
2. If you are responding to a complaint of infringement regarding a domain offered for sale on Go Daddy Auctions, follow our Counter Notification Policy in (C) below.

Copyright and Trademark Claims

1. To notify Go Daddy that there has been a copyright or trademark violation, please follow the specific instructions in (A) for filing a trademark claim, or (B) filing a copyright complaint.
2. If you are responding to a complaint of infringement, you will need to follow our Counter Notification policy in (C).

A. Trademark Claims

1. If you (the "Complaining Party") would like to submit a trademark claim for violation of a mark on which the Complaining Party holds a valid, registered trademark or service mark, Go Daddy requests that the Complaining Party substantiate such claim by providing Go Daddy with the following information here. A valid, registered mark is a registration with the United States Patent and Trademark Office or, for foreign marks, registration with the appropriate intellectual property organization of your country. State registrations will not be considered valid registrations.

The Complaining Party should understand that Go Daddy, an ICANN accredited registrar, and its customers are bound by the UDRP. Nothing in this Policy should be construed to supersede the UDRP, nor the obligation of Go Daddy and its customers to abide by it in the context of domain name disputes.

2. In addition to the Preparation Form above, you must submit an effective notification. To be considered effective, a notification of a claimed trademark violation must be provided via email to TrademarkClaims@godaddy.com and must include the following information:

- Sufficient evidence that the party posting the trademark that is claimed to be infringing is a Go Daddy customer.

- The trademark, service mark, trade dress, name, or other indicia of origin ("mark") that is claimed to be infringed.
- The jurisdiction or geographical area to which the mark applies.
- The name, post office address and telephone number of the owner of the mark identified above.
- The goods and/or services covered by or offered under the mark identified above.
- The date of first use of the mark identified above.
- The date of first use in interstate commerce of the mark identified above.
- The mark the Complaining Party believes is an infringement of its mark.
- The goods and/ or services covered by or offered under the mark claimed to be infringing.
- The precise location of the infringing mark, including electronic mail address, etc.
- A good faith certification, signed under penalty of perjury, stating:
 - i. The mark [identify mark] infringes the rights of another party,
 - ii. The name of such said party,
 - iii. The mark [identify mark] being infringed, and
 - iv. That use of the mark [identify mark] claimed to be infringing at issue is not defensible.

3. Upon receipt of the appropriate information identified in Section 2 above, for trademark claims, Go Daddy will initiate an investigation. While Go Daddy is investigating the claim, Go Daddy, at its sole discretion and without any legal obligation to do so, may temporarily remove the challenged material from the Go Daddy Marketplace or from Go Daddy Auctions, notify the posting party it will lock down the posting party's domain name(s), redirect the posting party's DNS, and/or if it is solely stored on a Go Daddy server, temporarily remove or deny access to the challenged material.

4. If Go Daddy concludes that the Complaining Party has raised a legitimate trademark claim, it may, at its sole discretion and without any legal obligation to do so, permanently remove the challenged material from the Go Daddy Marketplace or from Go Daddy Auctions, continue to suspend the posting party's Go Daddy account and/or if it is solely stored on a Go Daddy server, deny access to the challenged material. If Go Daddy concludes that the Complaining Party has not raised a legitimate claim or if it is not clear whether the Complaining Party has raised a legitimate claim, Go Daddy will restore access to the challenged material.

B. Copyright Claims

1. If the Complaining Party would like to submit a copyright claim for material on which you hold a bona fide copyright, Go Daddy requests that the Complaining Party substantiate such claim by providing Go Daddy with the following information via email to CopyrightClaims@godaddy.com. The words "Copyright Claim" should appear in the subject line. A copyright claim can also be submitted by mail to: Copyright Agent, Go Daddy, 14455 N. Hayden Road, Suite 219, Scottsdale, AZ 85260

To be considered effective, a notification of a claimed copyright infringement must be provided to Go Daddy and must include the following information:

- i. An electronic signature of the copyright owner, or a person authorized to act on behalf of the owner, of an exclusive copyright that has allegedly been infringed.
- ii. Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works on that site.
- iii. Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit Go Daddy to locate the material.
- iv. Information reasonably sufficient to permit Go Daddy to contact the Complaining Party, such as an address, telephone number, and, if available, an electronic mail address at which the Complaining Party may be contacted.
- v. A statement that the Complaining Party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.
- vi. A statement that the information in the notification is accurate, and under penalty of perjury, that the Complaining Party is the owner, or is authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed.

2. For Copyright Claims, upon receipt of appropriate notification from the Complaining Party, pursuant to Section 1 of Copyright Claims above, Go Daddy will remove or disable access to the material that is claimed to be infringing.

3. If the Complaining Party provides Go Daddy with appropriate notification, pursuant to Section 1 of Copyright Claims above, including information reasonably sufficient to permit Go Daddy to locate and remove or disable the material in question, or includes information concerning repeat infringement, then Go Daddy will forward the Complaining Party's written notification to such alleged Infringer and shall take reasonable steps promptly to notify the Infringer that it has removed or disabled access to the material.

C. Counter Notification Policy

1. Counter Notification. If you have received a notice of copyright or trademark infringement, you may provide Counter Notification by emailing CopyrightClaims@godaddy.com or TrademarkClaims@godaddy.com and including the following:

- i. An electronic signature of the Infringer.
- ii. Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.
- iii. A statement under penalty of perjury that the Infringer has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
- iv. The Infringer's name, address, and telephone number, and a statement that the Infringer consents to the jurisdiction of the Federal District Court for the judicial district of Arizona, or if the Infringer's address is outside of the United States, for any judicial district in which Go Daddy may be found, and that the Infringer will accept service of process from the Complaining Party or an agent of such Party.

2. Upon receipt of a Counter Notification as described in Section 1 above, Go Daddy shall promptly provide the Complaining Party with a copy of the Counter Notification, and inform such Party that it will replace the removed material or cease disabling access to it in ten (10) business days. Go Daddy will replace the removed material and cease disabling access to it

in not less than ten (10), nor more than fourteen (14), business days following receipt of the Counter Notification, unless Go Daddy first receives notice from the Complaining Party that such Complaining Party has filed an action seeking a court order to restrain the Infringer from engaging in infringing activity relating to the material on Go Daddy's system or network.

D. Repeat Infringers

It is Go Daddy's policy to provide for the termination, in appropriate circumstances, of Go Daddy customers and account holders who repeatedly violate this policy or are repeat infringers of copyrighted works, trademarks or any other intellectual property.

Revised: 12/1/2009

Copyright © 2003-2009 GoDaddy.com, Inc. All Rights Reserved.



United States Patent and Trademark Office

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Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Wed Jul 7 03:54:50 EDT 2010

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[Logout](#) Please logout when you are done to release system resources allocated for you.

[Start](#) List At: OR [Jump](#) to record: **Record 2 out of 3**

[Back](#) | [Next](#) | [First](#) | [Last](#) (Use the "Back" button of the Internet Browser to return to TESS)



Word Mark PETRONAS

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: 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

IC 004. US 001 006 015. G & S: 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

IC 011. US 013 021 023 031 034. G & S: 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

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.15.08 - Raindrop (a single drop); Single drop (rain, tear, etc.); Teardrop (a single drop)
 26.03.17 - Concentric ovals; Concentric ovals and ovals within ovals; Ovals within ovals; Ovals, concentric
 26.03.21 - Ovals that are completely or partially shaded
 26.03.28 - Miscellaneous designs with overall oval shape, including amoeba-like shapes and irregular ovals; Oval shape (miscellaneous overall shape)

Serial Number 78100185

Filing Date December 28, 2001

Current Filing Basis 44E

Original Filing Basis 1B;44E

Published for Opposition August 24, 2004

Registration Number 2969707

Registration Date July 19, 2005

Owner (REGISTRANT) Petroliaam Nasional Berhad CORPORATION MALAYSIA Petronas Twin Towers, Tower 1 Kuala Lumpur City Centre 50088 Kuala Lumpur MALAYSIA

Attorney of Record Brian E. Banner

Description of Mark 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.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE



PRINT**REQUEST FOR TRADEMARK CLAIMS****Trademark Tracking ID: 470158****Add your identification and E-mail this form to trademarkclaims@godaddy.com or FAX form to Trademark Department at 480-247-4137****The trademark department cannot process your request without the 'Trademark Claims Tracking ID' listed at the top.**

If you (the "Complaining Party") would like to submit a trademark claim for violation of a mark on which the Complaining Party holds a valid, registered trademark or service mark, GoDaddy.com, Inc. requests that the Complaining Party substantiate such claim by providing GoDaddy.com, Inc. with the following information via email to trademarkclaims@godaddy.com. The words "Trademark Claims" should appear in the subject line. The Complaining Party should understand that GoDaddy.com, Inc., an ICANN accredited registrar, and its customers are bound by the UDRP. Nothing in this Policy should be construed to supersede the UDRP, nor the obligation of GoDaddy.com, Inc. and its customers to abide by it in the context of domain name disputes.

Domain Information:

Domain Name: PETRONASTOWERS.NET

Contact Information:

Requestor First Name: Perry

Requestor Last Name: Clark

E-mail: perry@perryclarklaw.com

Phone Number: 650 248 5817

Trademark Registration#: 2969707

Additional Information:

Please immediately disable the domain name "petronastowers.net," which infringes the trademark rights of my client, Petronas. Please do not hesitate to contact me with any questions. Best, Perry Law Offices of Perry R. Clark 3457 Cowper St. Palo Alto, CA 94306 Tel.: 650 248 5817

To be considered effective, a notification of a claimed trademark violation must be provided via email to GoDaddy.com, Inc. and must include the following information:

1. Sufficient evidence that the party posting the trademark that is claimed to be infringing is a GoDaddy.com, Inc. customer.
2. The trademark, service mark, trade dress, name, or other indicia of origin ("mark") that is claimed to be infringed.
3. The name, post office address and telephone number of the owner of the mark identified above.
4. The goods and/or services covered by or offered under the mark identified in B above.
5. The date of first use of the mark identified above.
6. The date of first use in interstate commerce of the mark identified above.
7. The mark the Complaining Party believes is an infringement of its mark.
8. The goods and/or services covered by or offered under the mark claimed to be infringing.
9. The precise location of the mark that is claimed to be infringing, including electronic mail address, etc. A good faith certification, signed under penalty of perjury, stating:
 1. The mark [identify mark] infringes the rights of another party,
 2. The name of such said party,
 3. The mark [identify mark] being infringed, and
 4. That use of the mark [identify mark] claimed to be infringing at issue is not defensible.

Upon receipt of the appropriate information identified in Section 1 above, for trademark claims, GoDaddy.com, Inc. will initiate an investigation. While GoDaddy.com, Inc. is investigating the claim, GoDaddy.com, Inc. , at its sole discretion and without any legal obligation to do so, may notify the posting party it will lock down the posting party's domain name(s), redirect the posting party's DNS, and/or if it is solely stored on a GoDaddy.com, Inc. server, temporarily remove or deny access to the challenged material.

If GoDaddy.com, Inc. concludes that the Complaining Party has raised a legitimate trademark claim, it may, at its sole discretion and without any legal obligation to do so, continue to suspend the posting party's GoDaddy.com, Inc. account and/or if it is solely stored on a GoDaddy.com, Inc. server, deny access to the challenged material. If GoDaddy.com, Inc. concludes that the Complaining Party has not raised a legitimate claim or if it is not clear whether the Complaining Party has raised a legitimate claim, GoDaddy.com, Inc. will restore access to the challenged material.

Notification to GoDaddy.com, Inc. customers and account holders: It is GoDaddy.com, Inc. 's policy to provide for the termination, in appropriate circumstances, of GoDaddy.com, Inc. customers and account holders who are repeat infringers of copyrighted works, trademarks or any other intellectual property.

Signed: /s/ Perry ClarkDate: July 7, 2010

Printed Name: _____

From: trademarkclaims@godaddy.com
Sent: Wednesday, July 14, 2010 9:14 AM
To: domaindisputes@godaddy.com
Subject: [FWD: RE: TRADEMARK CLAIMS: Notification of Trademark Infringement by Domain Name "petronastower.net"]

Dear Disputes,

This is the reply we sent for petronastower.net claim # 415576.

Thanks,

Rod

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

Subject: RE: TRADEMARK CLAIMS: Notification of Trademark Infringement by Domain Name "petronastower.net"
From: <trademarkclaims@godaddy.com>
Date: Wed, December 16, 2009 10:21 am
To: "Perry Clark" <pclark@kirkland.com>

Dear Perry Clark,

Although the domain PETRONASTOWER.NET is registered through our company, the domain is forwarding to a website 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.

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

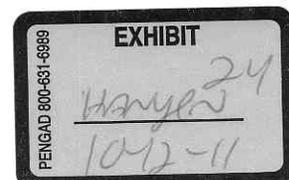
Regards,

Domain Services
Go Daddy Software, Inc.

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

Subject: TRADEMARK CLAIMS: Notification of Trademark Infringement by Domain Name "petronastower.net"
From: "Perry Clark" <pclark@kirkland.com>
Date: Wed, December 16, 2009 10:09 am
To: 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 agreement. **The "Trademark Tracking ID" is 415576.**

The following information is provided in the order it is listed in Section A(2) of the agreement:

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 "petronastower.net":

Heiko Schoenekess
BPM 195226
372 Old Street
London, London EC1V 9AU
United Kingdom
Registered through: [GoDaddy.com](http://www.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

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 "petronastower.net."

Under penalty of perjury, I certify in good faith that the "petronastower.net" infringes the trademark "Petronas," which is owned by Petronas and the use of the mark in "petronastower.net" is not defensible.

Best Regards,
Perry Clark
KIRKLAND & ELLIS LLP
950 Page Mill Road
Palo Alto, CA 94303
Office: 650 859 7070
Mobile: 650 248 5817

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