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GoDaddy.com, Inc.
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10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
11

12 Petroliam Nasional Berhad,

13 Plaintiff,

14 vs.

15 GoDaddy.com, Inc.

16 Defendant.
17

CASE NO.: 09-CV-5939 PJH

DECLARATION OF KELLY LEWIS

DATE: December 23, 2009

TIME: 9:00 a.m.

JUDGE: Hon. Phyllis J. Hamilton

18
19 I, Kelly Lewis, declare as follows:

20 1. I am the Deputy General Counsel at Go Daddy.com, Inc. ("Go Daddy"), and in
21 such capacity, I am responsible for overseeing the company's litigation, among other duties. I
22 have personal knowledge of the facts set forth herein and, if called as a witness, I could and would
23 testify competently thereto.

24 2. Go Daddy is the world's largest domain name registrar, with over 37 million
25 domain names registered by customers around the world. A registrar provides registration
26 services to customers who wish to register a domain name. Customers who register domain
27 names through Go Daddy or other accredited registrars are referred to as "registrants." Go
28 Daddy is accredited by the Internet Corporation for Assigned Names and Numbers ("ICANN").

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1 3. Registrants who register specific domain names through Go Daddy or other domain
2 name registrars typically do so via an automated online portal.

3 4. Go Daddy maintains a commercial website, <http://www.godaddy.com>. This
4 website is located and operated on servers that are housed at a Go Daddy facility in Maricopa
5 County, Arizona. Go Daddy's website enables individuals to obtain information about Go
6 Daddy's domain registration and other services, and to purchase these services. Go Daddy does
7 not sell any of its services at physical retail store locations. All customers agree to forum selection
8 in Arizona.

9 5. Substantially all of Go Daddy's sales and service activities are conducted in
10 Maricopa County, Arizona. None are conducted in California. Go Daddy manages its
11 commercial website from Arizona. All equipment required to process customers' domain
12 registrations are located in Arizona. All sales and sales inquiries regarding Go Daddy's services
13 are handled on the website or by Go Daddy employees in Arizona. Go Daddy maintains all of
14 its corporate records in Arizona. More than 90% of Go Daddy's employees are located in
15 Arizona.

16 6. Go Daddy is the registrar for the specific Internet domain name
17 <petronastower.net> (the subject of this lawsuit), but does not offer any ancillary services such as
18 content hosting services or privacy services, in connection with this domain name.

19 7. Go Daddy provides its registrant-customers with an online "dashboard," allowing
20 them to manage their domain names, including pointing their domain names to their websites, if
21 they have one, or forwarding users who click on the domain name to another website. I have
22 reviewed Go Daddy's records for the domain name <petronastower.net> and determined that:

23 (a) this domain name was transferred by the registrant from another registrar to Go
24 Daddy on or about April 1, 2007; and

25 (b) on or about May 2, 2009 the registrant, through his online dashboard, implemented
26 a forwarding option, directing anyone clicking on <www.petronastower.net> to be forwarded to a
27 website that is not hosted by Go Daddy.

8. As of December 18, 2009, when Go Daddy first received a copy of the Complaint in this action, Go Daddy “locked” the domain name <petronastower.net>, barring the registrant from transferring it to a different registrant or registrar.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed December 22, 2009 in Scottsdale, Arizona.

Kelly W Lewis