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

Attorneys for Defendant
GoDaddy.com, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Petroliam Nasional Berhad,	)	CASE NO.: 09-CV-5939 PJH
Plaintiff,	))	
vs.	))	**DECLARATION OF KELLY LEWIS**
GoDaddy.com, Inc.	))	DATE: December 23, 2009 TIME: 9:00 a.m.
Defendant.	))	JUDGE: Hon. Phyllis J. Hamilton
	))	

I, Kelly Lewis, declare as follows:

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

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

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

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

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

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

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

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

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

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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
Kelly Lewis

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