

EXHIBIT 1

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

4
5 PETROLIAM NASIONAL BERHAD,

6
7 Plaintiff,

8
9 - vs -

 Case No. 09-CV-5939 PJH

10 GODADDY.COM, INC.,

11
12 Defendants.
13 _____/

14 DEPOSITION OF YEOH SUAT GAIK

15 PAGES 1 to 142

16 THURSDAY, SEPTEMBER 15, 2011

17
18 Reported by: LOUISE MARIE SOUSOURES, CSR NO. 3575

19 Certified LiveNote Reporter
20
21
22
23
24
25

1 BY MR. LANSKY:

2 Q. Let's take petronastwintowers.com, for
3 example.

4 Is the registrar that Go -- excuse me,
5 Petronas contacted to register that domain allowed to
6 use that domain name in any way?

7 MR. CLARK: Objection, lacks foundation,
8 calls for speculation.

9 THE WITNESS: No.

10 BY MR. LANSKY:

11 Q. Do you know if any registrars use any of
12 Petronas' domain names in any way?

13 MR. CLARK: Objection, lacks foundation.

14 THE WITNESS: I think I have difficulty with
15 your use of the word "use" the domain names.

16 So can you please be more -- can you clarify
17 what you mean by "use"?

18 BY MR. LANSKY:

19 Q. Just to the best of your understanding of
20 that word, are they allowed to use that domain in any
21 way that you can think of? Take a broad -- your
22 broadest understanding of the word "use."

23 MR. CLARK: I'm going to object, again,
24 lacks foundation, calls for speculation.

25 BY MR. LANSKY:

1 Q. You can still answer.

2 A. I explained earlier on what I know of the
3 registrar's function and to that extent, what I
4 understand the use is and I -- anything else is not
5 what I consider use.

6 Q. Okay. Does Petronas analyze the traffic on
7 its web sites?

8 A. Not sure, but I guess so.

9 Q. Okay. So you might not know the answer to
10 this, but do you have any idea what type of data
11 Petronas collects with respect to its web sites? For
12 instance, the number of hits, number of uniques,
13 things like that?

14 MR. CLARK: Again, calls for speculation.

15 THE WITNESS: I think it's good to track, I
16 hope they're tracking, but I don't know.

17 BY MR. LANSKY:

18 Q. You have no knowledge of that, okay.

19 Does Petronas take steps to monitor the use
20 of its trademarks by third parties?

21 A. Yes.

22 Q. What does it do?

23 A. We have subsidiary by the name of iPerintis.
24 They do periodic checks on the Internet for
25 unauthorized use of our trademark.

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

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

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

23 DATE: 9-26-2011

24

25

LOUISE MARIE SOUSOURES, CSR 3575