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Ex. 14

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12 PETROLIAM NASIONAL BERHAD

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

16 PETROLIAM NASIONAL BERHAD,
17
18 Plaintiff,
19 v.
20 GODADDY.COM, INC.
21
22 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.

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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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