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# Ex. 28

**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"]

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Dear Disputes,

This is the reply we sent for [petronastower.net](http://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](http://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.

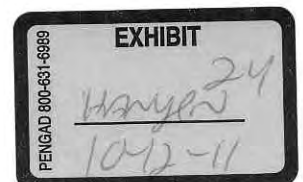
Regards,

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](mailto: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, Inc. \(http://www.godaddy.com\)](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](http://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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