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Ex. 2

1 JOHN L. SLAFSKY, State Bar No. 195513
2 DAVID L. LANSKY, State Bar No. 199952
3 HOLLIS BETH HIRE, State Bar No. 203651
4 WILSON SONSINI GOODRICH & ROSATI
5 Professional Corporation
6 650 Page Mill Road
7 Palo Alto, CA 94304-1050
8 Telephone: (650) 493-9300
9 Facsimile: (650) 493-6811
10 jslafsky@wsgr.com
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12 hhire@wsgr.com

13 Attorneys for Defendant / Counterclaimant
14 GODADDY.COM, INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 PETROLIAM NASIONAL BERHAD,)
18)
19 Plaintiff,)
20)
21 vs.)
22)
23 GODADDY.COM, INC.,)
24)
25 Defendant.)

CASE NO.: 09-CV-5939 PJH

**GO DADDY'S RESPONSE TO
PLAINTIFF'S THIRD SET OF
INTERROGATORIES (NOS. 21-25)**

26 GODADDY.COM, INC.,)
27)
28 Counterclaimant,)
29)
30 vs.)
31)
32 PETROLIAM NASIONAL BERHAD,)
33)
34 Counterclaim Defendant.)

1 Pursuant to Federal Rule of Civil Procedure 33, Defendant / Counterclaimant
2 GoDaddy.com, Inc. (“Go Daddy”), by and through its undersigned counsel, hereby responds to
3 the Third Set of Interrogatories (“Requests”) by Plaintiff / Counterclaim Defendant Petroliam
4 Nasional Berhad (“Plaintiff” or “Petronas”).

5 No admissions of any nature whatsoever are implied by, or should be inferred from, these
6 Responses. Each of these Responses is based on Go Daddy’s understanding of each individual
7 interrogatory and, to the extent that Plaintiff asserts an interpretation of any interrogatory that is
8 inconsistent with that understanding, Go Daddy reserves the right to supplement these
9 Responses.

10 **GENERAL OBJECTIONS**

11 Go Daddy makes the following general objections, whether or not separately set forth in
12 response to each interrogatory. Although Go Daddy may repeat some of these general objections
13 in a specific response because they are particularly applicable, such specific citations are not to
14 be construed as a waiver of any other general objections applicable to the interrogatory. These
15 general objections are incorporated in each response to each interrogatory as if fully set forth in
16 each of the individual responses below.

17 **GENERAL OBJECTION NO. 1:**

18 Go Daddy objects to the Requests, and to each and every individual interrogatory, to the
19 extent they seek information protected by the attorney-client privilege, work product doctrine,
20 and/or any other applicable privilege or protection. Without prejudice to this objection, Go Daddy
21 will provide responses to the Requests to the extent that such responses do not waive such
22 privileges or protections.

23 **GENERAL OBJECTION NO. 2:**

24 All responses to the Requests are based upon the information presently known to Go
25 Daddy and are given without prejudice to Go Daddy’s right to adduce evidence discovered or
26 analyzed subsequent to the date of these responses. Go Daddy expressly reserves the right to
27 revise and supplement its responses to the Requests.

1 **GENERAL OBJECTION NO. 3:**

2 Go Daddy objects to the Requests, and to each and every individual interrogatory, to the
3 extent they seek information outside of Go Daddy's possession, custody, or control, on the
4 grounds that any such request is overbroad and unduly burdensome, seeks to impose discovery
5 obligations in excess of those imposed by the Federal Rules of Civil Procedure, and would subject
6 Go Daddy to unreasonable annoyance, burden, and expense.

7 **GENERAL OBJECTION NO. 4:**

8 Go Daddy objects to the Requests, and to each and every individual interrogatory, as
9 unduly burdensome, oppressive and in violation of the Federal Rules of Civil Procedure to the
10 extent they purport to require Go Daddy to respond on behalf of, or conduct any inquiry or
11 investigation with respect to, any party other than Go Daddy. Go Daddy will only answer the
12 request on its own behalf.

13 **GENERAL OBJECTION NO. 5:**

14 Go Daddy objects to the Requests to the extent that they seek information that is neither
15 relevant, admissible, nor reasonably calculated to lead to the discovery of admissible evidence,
16 and to the extent that they require Go Daddy to make legal conclusions.

17 **GENERAL OBJECTION NO. 6:**

18 Go Daddy objects to the Requests, and to each and every individual interrogatory, as
19 overbroad and unduly burdensome to the extent they do not include a limitation or proposed
20 definition of a relevant time period.

21 **GENERAL OBJECTION NO. 7:**

22 Go Daddy objects to the Requests, and to each and every individual interrogatory, to the
23 extent they are not consistent with or do not meet the requirements of Federal Rules of Civil
24 Procedure. Go Daddy's agreement to endeavor to answer the Requests, and each and every
25 individual interrogatory, is not, and should not be construed as, Go Daddy's waiver of its right to
26 object to these or any other requests as violative of the Federal Rules of Civil Procedure.

27 **GENERAL OBJECTION NO. 8:**

28 Go Daddy objects to the Requests, and to each and every individual interrogatory

1 contained therein, to the extent they seek information related to experts. Go Daddy will provide
2 information related to experts consistent with the Court's schedule for expert discovery.

3 **GENERAL OBJECTION NO. 9:**

4 Go Daddy specifically reserves all objections as to the competence, relevancy, materiality,
5 and admissibility of its documents and interrogatory responses or the subject matter thereof, and
6 all rights to object on any ground to the use of any document or interrogatory response, or the
7 subject matter thereof, in any subsequent proceeding, including without limitation the trial of this
8 or any action. Go Daddy's Responses are made expressly subject to, and without in any manner
9 waiving, any and all objections to the competency, relevance, materiality and/or admissibility of
10 any of the matters encompassed in the following Responses.

11 **SPECIFIC RESPONSES AND OBJECTIONS**

12 Go Daddy expressly incorporates the above General Objections as though set forth fully in
13 response to each of the following individual interrogatories and, to the extent they are not raised in
14 any particular response, Go Daddy does not waive those objections. An answer to an
15 interrogatory shall not be deemed a waiver of any applicable specific or general objection.
16 Likewise, an answer to an interrogatory shall not be deemed an admission of any assertions
17 contained in that interrogatory.

18 **INTERROGATORY NO. 21:**

19 Please describe in detail the services provided by GoDaddy related to the disputed
20 domain names, including technical aspects of routing/forwarding the disputed domain names.

21 **RESPONSE TO INTERROGATORY NO. 21:**

22 In addition to the General Objections, Go Daddy objects to this interrogatory on the
23 grounds that it is cumulative, overbroad and harassing, vague, ambiguous and unintelligible,
24 particularly with respect to the phrase "services provided by GoDaddy related to the disputed
25 domain names...".

26 Subject to and without waving the foregoing objections, Go Daddy responds as follows:

27 Since April 1, 2007, Go Daddy has served as the registrar for the domain names
28 "petronastower.net" and "petronastowers.net." As part of its registrar services, Go Daddy

1 provided routing services, pointing the domain names to the name servers or websites of the
2 registrant's choosing. At times, Go Daddy routed or "forwarded" the domain names to a pre-
3 existing website, automatically at the request of the domain name registrant. Further information
4 concerning the services provided by Go Daddy to the domain names can be found at GD-
5 000293; GD-000298; GD-000361—GD-000362; GD-000366; GD-000384—GD-000392; GD-
6 000560—GD-000563 of Go Daddy's production. Go Daddy transferred the petronastower.net
7 domain name to counsel for Petronas, Perry Clark, on May 18, 2010. Go Daddy transferred the
8 petronastowers.net domain name to Clark on August 30, 2010. For additional details regarding
9 the technical aspects of the services provided, see the Expert Report of Michael Palage, served
10 on Petronas on October 3, 2011.

11 **INTERROGATORY NO. 22:**

12 Please describe in detail the information GoDaddy has in its possession regarding David
13 Daash and the "registration and use of the disputed domain names; hosting of destination
14 website; destination website content," to which GoDaddy refers in its supplemental initial
15 disclosures dated June 29, 2011, including when GoDaddy became aware that David Daash was
16 the registrant of one or both of the disputed domain names and any changes to the Whois record
17 related thereto.

18 **RESPONSE TO INTERROGATORY NO. 22:**

19 Subject to and without waving the foregoing objections, Go Daddy responds as follows:

20 The contact audit history possessed by Go Daddy for domain name "petronastower.net"
21 indicates that at the time petronastower.net was transferred to Go Daddy on April 1, 2007, Heiko
22 Schoenekess was the registrant. The registrant of petronastower.net was changed by the account
23 holder to David Daash on April 1, 2007. On July 2, 2009 the registrant was changed by the
24 account holder back to Heiko Schoenekess. On December 12, 2009, the registrant of
25 "petronastower.net" was changed by the account holder to David Daash, and again back to Heiko
26 Schoenekess on the very same date. The contact audit history relating to David Daash and
27 petronastower.net, including Daash's listed registrant contact information, can be found at GD-
28 000151—GD-000152 of Go Daddy's production. A copy of the results of a Whois search for

1 petronastower.net from December 21, 2009—listing David Daash as the registrant—can also be
2 found at GD-000618—GD-000619 of Go Daddy’s production.

3 The contact audit history possessed by Go Daddy for domain name “petronastowers.net”
4 indicates that at the time petronastowers.net was transferred to Go Daddy on April 1, 2007,
5 Heiko Schoenekess was the registrant. The registrant of petronastowers.net was changed by the
6 account holder to David Daash on April 1, 2007. On July 2, 2009 the registrant was changed by
7 the account holder back to Heiko Schoenekess. The contact audit history relating to David
8 Daash and petronastowers.net, including Daash’s listed registrant contact information, can be
9 found at GD-000109—GD-000110 of Go Daddy’s production.

10 **INTERROGATORY NO. 23:**

11 Please describe in detail the information GoDaddy has in its possession regarding Bruno
12 Zehnder and the “hosting of destination website and destination website content” to which
13 GoDaddy refers in its supplemental initial disclosures dated June 29, 2011.

14 **RESPONSE TO INTERROGATORY NO. 23:**

15 Subject to and without waving the foregoing objections, Go Daddy responds as follows:

16 On December 21, 2009, a search was performed in the Whois database to determine the
17 domain name and contact information for the registrant of the domain name “visit-x.net”—the
18 “destination website” to which “petronastower.net” had been directed as of December 21, 2009.
19 The Whois search results indicate Bruno Zehnder to be the registrant of “visit-x.net.” Further
20 information concerning this search, as well as a copy of the search results, can be found at GD-
21 001593—GD-001603 of Go Daddy’s production.

22 **INTERROGATORY NO. 24:**

23 Please describe in detail GoDaddy’s services for “External Domains” to which GoDaddy
24 refers in the document produced with production PET GD 2469 (attached hereto as Exhibit A),
25 including the technical aspects of such services and the differences, if any, between those
26 services and the “routing/forwarding the disputed domain names” to which GoDaddy refers in its
27 supplemental initial disclosures dated June 29, 2011 and by identifying all persons with
28 knowledge of the foregoing and by describing all documents related to the foregoing.

1 **RESPONSE TO INTERROGATORY NO. 24:**

2 In addition to the General Objections, Go Daddy objects to this interrogatory on the
3 grounds that it is cumulative, overbroad and harassing, vague, ambiguous and unintelligible,
4 particularly with respect to the phrase “services provided by GoDaddy related to the disputed
5 domain names...”.

6 Subject to and without waving the foregoing objections, Go Daddy responds as follows:

7 The reference to “External Domains” in the document Bates-numbered PET GD 2469
8 indicates that Go Daddy hosting customers can have traffic routed to Go Daddy-hosted websites
9 from domains registered elsewhere (not with Go Daddy) (“external domains”). Such routing is
10 the same as “routing/forwarding” as referenced in Go Daddy’s supplemental initial disclosures.
11 Go Daddy does not provide any services for the external domains themselves.

12 Persons with relevant knowledge include Jeff Munson and John Roling.

13 **INTERROGATORY NO. 25:**

14 Please state when GoDaddy first began providing the domain name forwarding service to
15 which it refers in Paragraph 29 of its Amended Answer June 20, 2011 to any customer and
16 identify all persons with knowledge of the foregoing and describe all documents related to the
17 foregoing.

18 **RESPONSE TO INTERROGATORY NO. 25:**

19 In addition to the General Objections, Go Daddy objects to this interrogatory on the
20 grounds that it is overbroad and harassing.

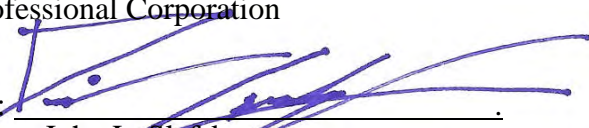
21 Subject to and without waving the foregoing objections, Go Daddy responds as follows:

22 Go Daddy first began providing domain name forwarding services on April 3, 2001.

23 Persons with relevant knowledge include George Kearns

24
25 Dated: October 19, 2011

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

26
27 By: 
28 John L. Slafsky
David L. Lansky
Hollis Beth Hire

1 CERTIFICATE OF SERVICE

2
3 I, Norma Carvalho, declare:

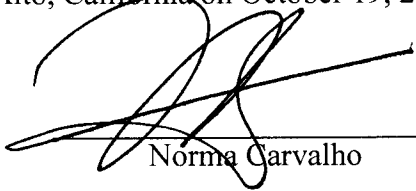
4 I am employed in Santa Clara County. I am over the age of 18 years and not a party to
5 the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill
6 Road, Palo Alto, California 94304-1050. On this date, I caused to be served:

7 **GO DADDY'S RESPONSE TO PLAINTIFF'S THIRD SET OF INTERROGATORIES**
8 **(NOS. 21-25)**

9 on each person listed below, by placing the document(s) described above in an envelope
10 addressed as indicated below, which I sealed. I placed the envelope(s) for collection and mailing
11 with the United States Postal Service on this day, following ordinary business practices at
12 Wilson Sonsini Goodrich & Rosati.

13 Perry R. Clark
14 Law Offices of Perry R. Clark
15 825 San Antonio Road
16 Palo Alto, CA 94303

17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct. Executed at Palo Alto, California on October 19, 2011.

19 
20 _____
21 Norma Carvalho
22
23
24
25
26
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28

Minjarez, Vira

From: Lansky, David
Sent: Thursday, October 20, 2011 11:05 AM
To: perry clark
Subject: Re: Go Daddy - Discovery Responses

And here is the verification:



3rd_ver.pdf

~David

From: Lansky, David
Sent: Thursday, October 20, 2011 10:37 AM
To: 'perry clark'
Subject: Go Daddy - Discovery Responses

Perry,

I finally got my computer up and running.
Here are the discovery responses that were served yesterday.



GO DADDY'S GO DADDY'S
;PONSE TO 4TH S&P PONSE TO PLAIN

Best,

David Lansky
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304-1050
650.493.9300 Tel
650.565.5100 Fax

APP017.1

1 JOHN L. SLAFSKY, State Bar No. 195513
2 DAVID L. LANSKY, State Bar No. 199952
3 HOLLIS BETH HIRE, State Bar No. 203651
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11 dlansky@wsgr.com
12 hhire@wsgr.com

13 Attorneys for Defendant / Counterclaimant
14 GODADDY.COM, INC.

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA

17 PETROLIAM NASIONAL BERHAD,

18 Plaintiff,

19 vs.

20 GODADDY.COM, INC.,

21 Defendant.

22 GODADDY.COM, INC.,

23 Counterclaimant,

24 vs.

25 PETROLIAM NASIONAL BERHAD,

26 Counterclaim Defendant.

27 CASE NO.: 09-CV-5939 PJH

28 **VERIFICATION OF DEFENDANT
GO DADDY'S RESPONSE TO
PLAINTIFF'S THIRD SET OF
INTERROGATORIES (NOS. 21-25)**

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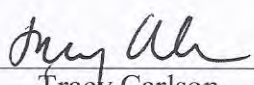
VERIFICATION

I, Tracy Carlson, declare:

I am Senior Staff Counsel of GoDaddy.com, Inc. ("Go Daddy"), Defendant in the above-captioned action. I have read Go Daddy's Response to Plaintiff's Third Set of Interrogatories (Nos. 21-25) and the matters set forth therein are true to the best of my knowledge, information, and belief.

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

Executed at Scottsdale, Arizona on October 14, 2011.



Tracy Carlson

APP017.3