

EXHIBIT B

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

PETROLIAM NASIONAL BERHAD)
(PETRONAS),)
Plaintiff,)
vs.)
GODADDY.COM., INC.,)
Defendant.)

ORIGINAL

No. 09-CV-5939 PJH

DEPOSITION OF Jeff Munson, taken on
Wednesday, October 19, 2011, commencing at 9:00 a.m.,
at 225 Second Street SE, Cedar Rapids, Iowa, before
Angela L. Maddux, Certified Shorthand Reporter of the
State of Iowa, pursuant to the within stipulation.

APPEARANCES:

Perry R. Clark, of the Perry Clark Law Firm,
Attorney at Law, 825 San Antonio Road, Palo Alto,
California, 94303, Attorney for the Plaintiff.

David L. Lansky, of the Wilson, Sonsini,
Goodrich & Rosati Law Firm, Attorney at Law, 650 Page
Mill Road, Palo Alto, California, 94304, Attorney for
the Defendant.

Angela L. Maddux, CSR, RPR
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1		<u>I N D E X</u>	
2	WITNESS	EXAMINATION	PAGE
3	Jeff Munson	By Mr. Perry	3

4

5 ORIGINAL

6		<u>E X H I B I T S</u>	
7	NUMBER		MARKED
8	Munson 31		7
9	Anderson 4 & 5		18
10	Munson 32		20
11	Munson 33		30
12	Munson 34		34

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25	Certificate of Shorthand Reporter		37
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1 **JEFF MUNSON**
 2 called as a witness, having been first duly sworn,
 3 was examined and testified as follows:
 4 **EXAMINATION**
 5 **BY MR. CLARK:**
 6 **Q.** Good morning. My name is Perry Clark. I'm
 7 a lawyer and I represent the plaintiff in this case,
 8 Petroliam Nasional Berhard, and I will refer to them
 9 as Petronas.
 10 **MR. LANSKY:** And I am David Lansky of
 11 Wilson, Sonsini, Goodrich & Rosati here on behalf of
 12 GoDaddy and the deponent.
 13 **Q.** All right. Could you go ahead and state
 14 and spell your name for the record, please?
 15 **A.** Yeah. **Jeff Munson. It is spelled J-e-f-f,**
 16 **M-u-n-s-o-n.**
 17 **Q.** And you're currently employed by GoDaddy?
 18 **A.** Yes.
 19 **Q.** What is your current job title at GoDaddy?
 20 **A.** Development manager.
 21 **Q.** And what are your responsibilities as
 22 development manager?
 23 **A.** We take care of what we call the park web
 24 system, the mask and forwarding system, and we also
 25 take care of a product called cache parking.

5

1 **A.** No.
 2 **Q.** All right. So can you just describe
 3 briefly what Go Daddy's park web system is?
 4 **A.** Yes. When a customer registers a domain,
 5 that domain is parked and so I take care of those,
 6 So if somebody registers a domain, and then they go
 7 in the web browser and type in that domain, if it is
 8 parked in our parked web system I show the parked
 9 page.
 10 **Q.** And just briefly if you can describe what
 11 the forward and masking -- let me ask you this.
 12 Would you call forward and masking a product or would
 13 you refer to it as a system?
 14 **A.** Yes, in my mind it is a system.
 15 **Q.** So can you just briefly describe the
 16 forward and masking system?
 17 **A.** Sure. We have upstream customers can
 18 choose to enable forward and masking on their domain.
 19 And my system what it does is it takes a request from
 20 the web, so if you have your domain set up to be
 21 forward and masked, my system will take that request,
 22 it will look into, take the domain name, look in the
 23 database and say are you forwarded? If you're not
 24 forwarded, I ask are you masked? And based on what
 25 you are, if you're forwarded or masked, I will serve

4

1 **Q.** I'm sorry, what was the second one you
 2 said?
 3 **A.** Forward and masking system.
 4 **Q.** Forward and masking system?
 5 **A.** Yes.
 6 **Q.** And the last one was cache parking?
 7 **A.** Yes. And I want to qualify the forward and
 8 masking sytem, it is the back end forward and masking
 9 system.
 10 **Q.** All right. How long have you worked at
 11 GoDaddy?
 12 **A.** I have worked there since November 30th of
 13 2004, so that would put it at almost seven years now.
 14 **Q.** Has your job title always been development
 15 manager?
 16 **A.** No. I came in as what we call a dot net
 17 developer which is a programmer. I became a
 18 development manager, I can't remember the exact date,
 19 in 2009 or '10, somewhere in there.
 20 **Q.** So do you have an undergraduate degree, a
 21 university degree?
 22 **A.** Yes. I have a bachelor of business
 23 administration and management information systems
 24 from the University of Iowa.
 25 **Q.** Do you have any post graduate --

6

1 back an HTTP response to the browser. I will serve
 2 back an HTTP response, a correct response, whether it
 3 is a 301, which is that location has changed and
 4 please update your links to change to that location;
 5 or a 302 which means a temporary forward, or a 200
 6 which serves back HTML in a frame set so the domain
 7 is masked.
 8 **Q.** Okay. I don't have a technical background
 9 at all, and we'll talk about this some more so bear
 10 that in mind. Then lastly cache park, what is cache
 11 parking?
 12 **A.** Cache parking is I will equate it to park
 13 web where you can pay a monthly fee and then we're
 14 share out the advertising revenue on that parked
 15 page.
 16 **Q.** So what is the difference between parked
 17 web and cache parking?
 18 **A.** Parked web, GoDaddy keeps the advertising
 19 revenue on those parked pages. And cache parking, if
 20 you pay a monthly fee to us we'll share out some of
 21 that revenue to you.
 22 **Q.** All right. And is parked web something
 23 that's set up automatically for each registration or
 24 not?
 25 **A.** As far as I know, yes. I'm not completely

7

1 sure, but I'm guessing yes.

2 Q. Okay. I will go ahead and mark this.

3 (Whereupon, Munson Deposition Exhibit

4 Number 31 was marked for identification.)

5 Q. I am going to hand the witness what has

6 been marked as Munson Exhibit 31. If you could go

7 ahead and -- have you ever seen Exhibit 31 before?

8 A. Yes.

9 Q. When did you see it?

10 A. Yesterday.

11 Q. That is when you were preparing for your

12 deposition?

13 A. Yes.

14 Q. How long did you prepare for your

15 deposition?

16 A. I wasn't watching the clock. I would guess

17 one or two hours.

18 Q. And you met with Mr. Lansky?

19 A. Yes.

20 Q. Did you do anything else to prepare for

21 your deposition?

22 A. No.

23 Q. If you could turn to Page 7 of Exhibit 31

24 there's a numbered Paragraph 2 about two-thirds of

25 the way down the page. Do you see that?

9

1 domain names.

2 MR. LANSKY: Objection to form.

3 Q. And for purposes of this deposition, can we

4 agree to refer to the domain names Petronastower.net,

5 Petronastowers.net as the disputed domain names?

6 A. Yes.

7 Q. Can you describe for me the services

8 provided by GoDaddy related to the disputed domain

9 names?

10 A. The services I assume you're referring to

11 are forwarding. Again, I work on the back end of the

12 forwarding system so I can testify to that. I was a

13 programmer on that. And as I explained before what

14 it does is it takes -- I get a web request from a

15 browser. I take the host header -- and when a

16 browser sends a request to a web server there's a

17 header involved and it specifies a get and it has a

18 host in that header. I take that host and I look up

19 that host in to my sequel database.

20 So the first thing I do is I query a

21 database to see if that domain name is to be

22 forwarded. If it is to be forwarded, I get a result

23 sent back from the database that tells me where to

24 forward it to and what type of forward to do. The

25 type of forward being a 301 which means a permanent

8

1 A. Yes.

2 Q. That paragraph says, "The services provided

3 by GoDaddy related to the disputed domain names,

4 including technical aspects of routing/forwarding the

5 disputed domain names." Do you see that?

6 A. Yes.

7 Q. And you understand you have been designated

8 to testify as GoDaddy's representative on that topic?

9 A. Yes.

10 Q. Then if you could turn to Page 11 of

11 Exhibit 31, there is numbered Paragraph 34 on that

12 page. It says, "Policies, procedure, guidelines,

13 rules, standards, and protocols relating to the

14 functioning and use of personal computers and local

15 area networks which may have been used to create or

16 process electronically stored information referencing

17 or relating to the subject matters." Do you see

18 that?

19 A. Yes.

20 Q. And do you understand you have been

21 designated to testify on that topic as well?

22 A. Yes.

23 Q. Great. So why don't we start with topic

24 two. Can you go ahead and describe for me the

25 services provided by GoDaddy related to the disputed

10

1 to the browser, means a permanent redirect; or a 302

2 which means a temporary redirect. So whoever the

3 registrant is of that domain name, somewhere they set

4 up the forwarding and that address goes in to a

5 database to forward it to and I take that address and

6 I forward the domain name to that address.

7 Q. So when you use the phrase "back end", can

8 you describe what you mean or elaborate more?

9 A. Yes. When a registrant forwards their name

10 they go to what is called our domain manager commonly

11 referred to as DCC where they manage our domains.

12 Within that application that can actually say I want

13 to forward or mask this domain. So the registrant

14 will go in and they will type the address that they

15 want to forward to, or specify the address they want

16 to set up masking for. So that's what I would call

17 the front end.

18 The middle piece, there's another middle

19 piece that I don't work on, but this middle piece

20 takes that information that was put in to that

21 interface, and what it does is it writes to the

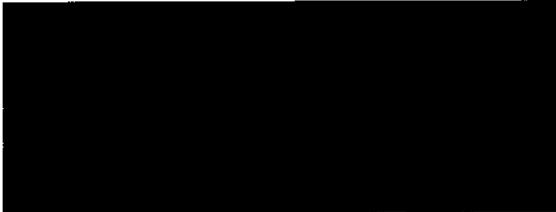

22 database that I read from the back end. So that's

23 what I mean by back end. There is a front end where

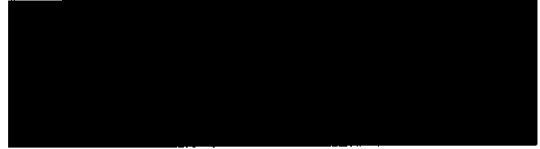
24 user puts in the information, and middle end that

25 sets up the data for me, the back end.

11

1 Q. On the back end let's talk a little bit
 2 about the hardware that's involved. I assume there
 3 some sort of server?
 4 
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 11 Q. And these are servers owned by GoDaddy?
 12 A. Yes.
 13 Q. And where are they located?
 14 
 15
 16
 17 Q. And GoDaddy has exclusive control over
 18 these servers?
 19 A. Yes.
 20 Q. And so these servers are running you
 21 said - I'm sorry, what was the name of the program?
 22 A. The operating system is Microsoft Windows
 23 2003.
 24 Q. And then what was the server application
 25 called?

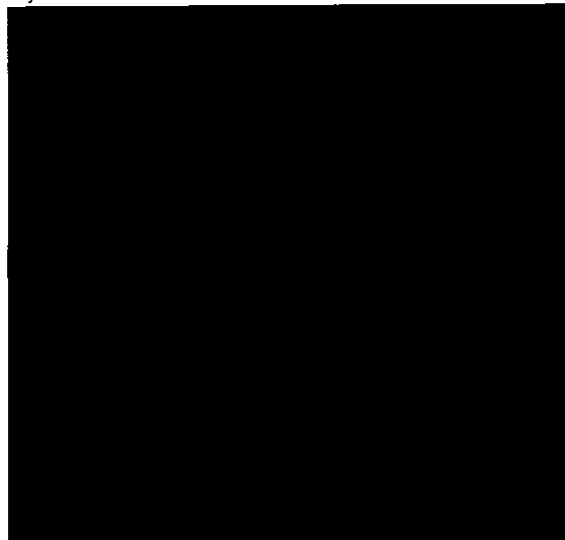
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1 more about the implementation of the forwarding
 2 service on the Internet Information Server? For
 3 example, did you have to write the code for that?
 4 A. Yes.
 5 Q. You did?
 6 A. Yes.
 7 Q. Were you the only one who wrote the code?
 8 A. Yes, I was.
 9 
 10
 11
 12
 13
 14 Q. Now, the domain name forwarding that's
 15 being implemented on the Internet information server,
 16 does that implement domain name - let me start over.
 17 Is another word for domain name forwarding
 18 a URL redirect?
 19 A. Yes, I would refer to that as that, yes.
 20 Q. Is the URL redirect function described in
 21 any sort of standard that you're aware of?
 22 A. I think, yes, it is described in the HTTP
 23 standard, HTTP one dot one. If you go out and look
 24 you can see definitions for 301 and 302.
 25 Q. So when you were referring to 301 and 302

12

1 A. The web server is Internet Information
 2 Server 6.0.
 3 Q. Is that a Microsoft program also?
 4 A. Yes, it's a Microsoft product.
 5 Q. So you use the Internet Information Server
 6 6.0 to implement the forwarding service?
 7 A. Yes.
 8 Q. Is that the program you've always used to
 9 do forwarding at GoDaddy?
 10 A. Yes.
 11 Q. When did GoDaddy first start offering
 12 domain name forwarding?
 13 A. I don't know because I picked up the system
 14 in 2006. It was like April, May of 2006. Before
 15 that was on an Apache Linux system, so I don't know
 16 when they started to do forwarding.
 17 Q. So you were there when the cutover from
 18 Apache Linux to Internet Information Server took
 19 place?
 20 A. Yes.
 21 Q. Do you happen to know, was that just for
 22 the forwarding servers or did GoDaddy switch away
 23 from Apache Linux for all of its servers?
 24 A. It is just for the forwarding.
 25 Q. Okay. So can you tell me the little bit

14

1 earlier you're talking about an HTTP 301 and 302 URL
 2 redirects?
 3 A. Yes.
 4 Q. And did you use that HTTP standard in
 5 writing the code for the domain name forwarding
 6 system?
 7 
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 25 Q. Is the 301 a temporary redirect?

15

1 A. No, it is a permanent redirect.

2 Q. And can you explain a little bit the

3 difference between the 301 and the 302 redirects?

4 A. Yes. A 301 redirect, what it tells

5 browsers and I think the main reason why customers

6 were requesting it is because it also tells search

7 engines to, you know, your Google spider and your,

8 whatever, Yahoo spider, to go in to that new location

9 and to update the links.

10 Whereas a 302 search engines would just

11 ignore it, browser would just ignore it and it would

12 be a temporary redirect. A 301 is better for search

13 engine optimization. So we had customers asking if

14 we could implement 301 redirects for us. So we

15 responded to that request and added that

16 functionality.

17 Q. When was that added?

18 A. I can't recall for sure. I want to say

19 sometime 2007, 2008. Somewhere in there.

20 Q. A year or so after you originally drafted

21 it?

22 A. Yes, I think so.

23 Q. That's fine. Did anybody else work on

24 setting up the domain name forwarding system at

25 GoDaddy that you know?

17

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q. I want to follow-up on thing you said. You

6 mentioned customers demand domain name forwarding?

7 A. Okay.

8 Q. Can you tell me a little more about that;

9 what you know about the customer demand?

10 MR. LANSKY: Object to the form of the

11 question.

12 A. What I know about customer demand is with

13 the forwarding system basically like take -- I'll

14 provide an example. Like CNN dot com is out there as

15 its own Website. So if I were CNN I may want to also

16 have the dot net, dot U.S., dot biz, whatever the

17 other TLDs that they make have registered. They may

18 want to catch that type in traffic, so that somebody

19 may type in and forward that to CNN dot com.

20 Q. So there were customers who were requesting

21 the ability to do that type of domain name

22 forwarding?

23 A. That I don't know. That's my personal

24 opinion.

25 Q. I see. So in addition to adding the 301

16

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

18

1 redirects, were there any other changes made to the

2 domain name forwarding system that you're aware of?

3 A. Not that I can recall.

4 Q. Now turning back to the topic, are you

5 aware of any other services that GoDaddy provided

6 related to the disputed domain names other than

7 domain name forwarding?

8 A. No.

9 Q. I would like to go ahead and mark this.

10 (Whereupon, Anderson Deposition Exhibits 4

11 and 5 were marked for identification.)

12 Q. I will hand you what has been previously

13 marked Anderson Exhibit 4, which bears Bates number G

14 00560 to 561, and Anderson Exhibit 5 which bears

15 Bates stamp GD000562 to 563. Why don't we start with

16 Exhibit 4. Can you tell me what Exhibit 4 is?

17 A. No.

18 Q. How about Exhibit 5, can you tell me what

19 Exhibit 5 is?

20 A. No.

21 Q. Do you know when GoDaddy started providing



22 domain name forwarding for the disputed domain names?

23 A. No.

24 Q. Do you have any idea how many GoDaddy

25 customers use its domain name forwarding service?

19

1 **A. No.**
 2 **Q.** In addition to domain name forwarding,
 3 GoDaddy offers hosting services for customers;
 4 correct?
 5 
 6
 7
 8
 9
 10 **A. Yes.**
 11 **Q.** So GoDaddy uses a different set of servers
 12 for its hosting service; correct?
 13 **A. Yes.**
 14 **Q.** Does GoDaddy use any servers in connection
 15 with its domain name registration service?
 16 **A. Can you rephrase the question?**
 17 **Q.** Sure. Does GoDaddy use any servers in
 18 connection with its domain name registration service?
 19 **A. I don't work in that area so I can't tell**
 20 **you. My guess would be yes, we would have to, I**
 21 **mean --**
 22 
 23
 24
 25 **A. No.**


21

1 question is going to be can you tell me what
 2 Exhibit 32 is?
 3 **A. In looking at it it looks like a help**
 4 **article to me.**
 5 **Q.** Sure. So there is a reference here to --
 6 it says at the top Redirect URLs. Is that the type
 7 of URL redirects we were talking about previously
 8 that GoDaddy uses for its domain name forwarding
 9 service?
 10 MR. LANSKY: Object to the form.
 11 **A. That I don't know because I'm not sure.**
 12 **From this article I can't tell how they're actually**
 13 **doing the redirect. My guess is it would be yes if**
 14 **we're doing 301s, 302s, but --**
 15 **Q.** Okay. So down at the bottom you see
 16 there's a note that says redirects can be permanent
 17 (a 301 redirect) or temporary (a 302 redirect).
 18 **A. Yes.**
 19 **Q.** Does that help you get a better sense of
 20 whether or not they're talking about the same kind of
 21 URL redirects that GoDaddy uses for its domain name
 22 forwarding service?
 23 MR. LANSKY: Object to the form.
 24 **A. I can't say for sure. But a 301 and a 302**
 25 **to the browser looks the same. A 301 comes back as a**



20

1 **Q.** Backing up. So in terms of GoDaddy's
 2 hosting service, does GoDaddy provide its hosting
 3 service to customers who have registered their domain
 4 names with registrars other than GoDaddy?
 5 **A. I don't understand the question. I'm**
 6 **sorry.**
 7 **Q.** So GoDaddy certainly serves as the
 8 registrar of certain domain names. And GoDaddy also
 9 provides a hosting service; correct?
 10 **A. Correct.**
 11 **Q.** Does GoDaddy provide its hosting service to
 12 customers who have domain names that are registered
 13 with other domain name registrars?
 14 **A. That I'm not sure. I don't know.**
 15 **Q.** Now, GoDaddy offers a Windows hosting
 16 service; is that correct?
 17 **A. Yes.**
 18 **Q.** And it also offers a Linux based hosting
 19 service; correct?
 20 **A. Yes.**
 21 **Q.** So I will go ahead and have marked as
 22 Munson Exhibit 32 a document with no Bates numbers.
 23 (Whereupon, Munson Deposition Exhibit
 24 Number 32 was marked for identification.)
 25 **Q.** Why don't you look at Exhibit 32. My

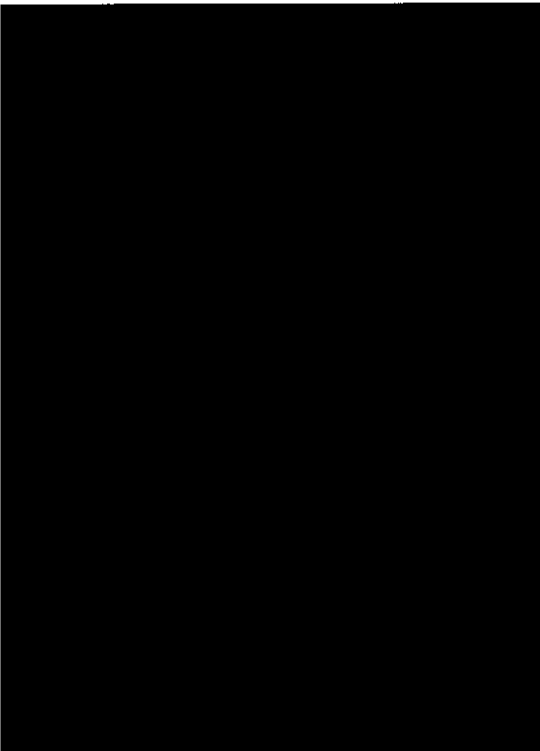
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1 status code and there is a location with a URL. Same
 2 with a 302. I mean, there is a 302 status code with
 3 the location URL to go to. So I can't say for sure
 4 but from the looks of it, it would be somewhat
 5 similar.
 6 
 7
 8
 9 **A. My guess is no.**
 10 **Q.** Why do you say that?
 11 **A. Why do I say that? Because it says only**
 12 **our Linux hosting account offers this URL redirect**
 13 **feature. What I wrote isn't on Linux, so it is**
 14 **something different.**
 15 **Q.** Do you know who is responsible just overall
 16 for GoDaddy's Linux hosting service?
 17 **A. No, I'm not familiar with that.**
 18 **Q.** Why don't you refer back to Exhibit 31, the
 19 notice. If you turn to Page 11, please, and look at
 20 topic 34. Can you just describe what sort of
 21 policies, procedures or guidelines, et cetera,
 22 GoDaddy might have that relate to the functioning and
 23 use of its computers and networks?
 24 **A. Yes. Basically we're not allowed to bring**
 25 **any computers in, any personal -- like my personal**


23

1 laptop or anything like that is not allowed in the
2 door. No flash drives.
3 
4
5
6
7
8 Q. Are GoDaddy's policies in this regard set
9 out in some sort of manual, like employee manual?
10 A. Yes.
11 Q. And what's the title of that document?
12 A. I am not sure what the title of the
13 document is, but it is in our employee handbook.
14 Q. Do you know if GoDaddy is ISO 9000
15 compliant?
16 A. No, I do not know that.
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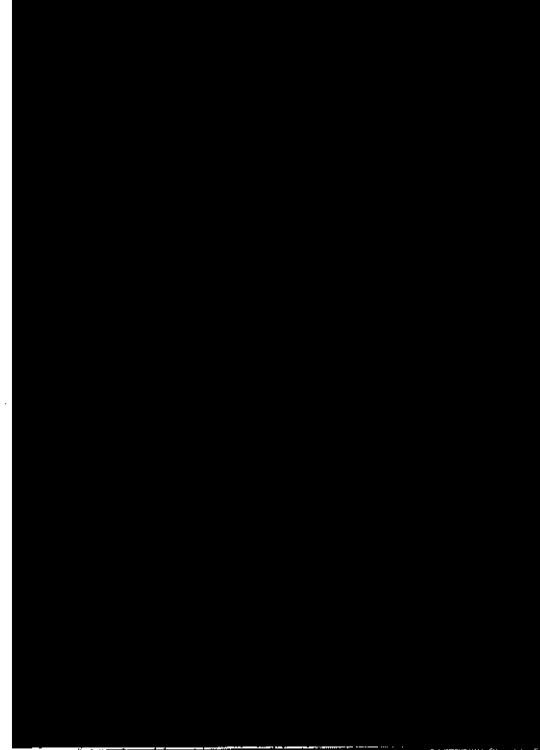
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