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Attorney for Plaintiff
 PETROLIAM NASIONAL BERHAD (PETRONAS)

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

PETROLIAM NASIONAL BERHAD
 (PETRONAS),

Plaintiff,

vs.

GODADDY.COM, INC.,

Defendant.

) CASE NO: 09-CV-5939 PJH (MEJ)

) Noticed Hearing Date: December 7, 2011

) Noticed Hearing Time: 9:00 a.m.

DECLARATION OF PERRY CLARK
 IN SUPPORT OF
 PLAINTIFF PETRONAS'S
 OPPOSITION TO GODDADDY'S MOTION FOR SUMMARY JUDGMENT

1 I, Perry Clark, declare:

- 2 1. I am an attorney admitted to practice law before this Court and the attorney for
3 Plaintiff Petroliam Nasional Berhad (Petronas). I have personal knowledge of the
4 facts set forth in this declaration.
- 5 2. Attached hereto as Exhibit A is a true and correct copy of Plaintiff's Appendix Of
6 Fed. R. Civ. P. 56(C)(1)(A) Materials In Support Of Opposition To Goddaddy's
7 Motion For Summary Judgment lodged (under seal) on November 16, 2011.
- 8 3. Attached hereto as Exhibit 1 are pages OPPAPP000001-15 which are a true and
9 correct copy of portions of the transcript of the October 12, 2011 deposition of
10 Laurie Anderson ~~[UNDER SEAL]~~;
- 11 4. Attached hereto as Exhibit 2 are pages OPPAPP0000016-35 which are a true and
12 correct copy of GoDaddy's Response to Plaintiff's Second Set of Interrogatories
13 (Nos. 9-20);
- 14 5. Attached hereto as Exhibit 3 are pages OPPAPP0000036-44 which are a true and
15 correct copy of portions of the transcript of the October 13, 2011 deposition of
16 Matthew Bilunes ~~[UNDER SEAL]~~.
- 17 6. Attached hereto as Exhibit 4 are pages OPPAPP0000045-61 which are a true and
18 correct copy of the Notice of Fed. R. Civ. P. 30(b)(6) Deposition to Defendant;
- 19 7. Attached hereto as Exhibit 5 are pages OPPAPP0000062-77 which are a true and
20 correct copy of portions of the transcript of the October 12, 2011 deposition of
21 Jessica Hanyen ~~[UNDER SEAL]~~;
- 22 8. Attached hereto as Exhibit 6 are pages OPPAPP0000078-85 which are a true and
23 correct copy of portions of the transcript of the October 19, 2011 deposition of
24 Jeff Munson ~~[UNDER SEAL]~~;
- 25 9. Attached hereto as Exhibit 7 are pages OPPAPP0000086-101 which are a true and
26 correct copy of documents I accessed using my WestLawNext account entitled
27
28

1 “Senate Report No. 106-140,” 1999 WL 594571 and had printed using our office
2 computers;

3 10. Attached hereto as Exhibit 8 are pages OPPAPP0000102-135 which are a true and
4 correct copy of the Notice of Motion and Motion for Order Transferring Domain
5 Name Pursuant to 15 U.S.C. § 1125(D) and for Entry of Judgment in Case No.
6 10-CV-03052 PJH (Doc. No. 9);

7 11. Attached hereto as Exhibit 9 are pages OPPAPP0000136-178 which are a true and
8 correct copy of the Notice of Motion and Motion for Order Transferring Domain
9 Name Pursuant to 15 U.S.C. § 1125(D) and for Entry of Judgment in Case No.
10 10-CV-00431 PJH (Doc. No. 7);

11 12. Attached hereto as Exhibit 10 are pages OPPAPP0000178-198 (pages
12 OPPAPP000199-001558 are not included) which are a true and correct copy of
13 the Declaration of Expert Witness Kevin Fitzsimmons in Support of Plaintiff’s
14 Motion for Partial Summary Judgment of Contributory Cybersquatting;

15 13. Attached hereto as Exhibit 11 are pages OPPAPP0001588-3008 (pages
16 OPPAPP001616-003008 are not included) which are a true and correct copy of
17 the Declaration of Expert Witness Tina Dam in Support of Plaintiff’s Motion for
18 Partial Summary Judgment of Contributory Cybersquatting;

19 14. Attached hereto as Exhibit 12 are pages OPPAPP0003009-3024 which are a true
20 and correct copy of the Answer and Counterclaims filed by GoDaddy in this case
21 (Doc. No. 106);

22 15. Attached hereto as Exhibit 13 are pages OPPAPP0003025-3056 which are a true
23 and correct copy of documents I downloaded from U.S.P.T.O. Trademark
24 Document Retrieval system for U.S. Trademark Registration No. 2,969,707
25 (<http://tdr.uspto.gov/search.action?sn=78100185#>). At that URL, there is the
26 following description of the U.S.P.T.O. Trademark Document Retrieval system:
27 “The United States Patent and Trademark Office (USPTO) is pleased to present
28

1 TDR - Trademark Document Retrieval. Through TDR, you can view and
2 download any or all documents contained in the electronic file wrapper of almost
3 all pending trademark applications, as well as many registrations.”

4 16. Attached hereto as Exhibit 14 are pages OPPAPP0003057-3111 which are a true
5 and correct copy of documents I downloaded from U.S.P.T.O. Trademark
6 Document Retrieval system for U.S. Trademark Registration No. 2,932,662
7 (<http://tdr.uspto.gov/search.action?sn=78100185#>). At that URL, there is the
8 following description of the U.S.P.T.O. Trademark Document Retrieval system:
9 “The United States Patent and Trademark Office (USPTO) is pleased to present
10 TDR - Trademark Document Retrieval. Through TDR, you can view and
11 download any or all documents contained in the electronic file wrapper of almost
12 all pending trademark applications, as well as many registrations.”;

13 17. Attached hereto as Exhibit 15 are pages OPPAPP0003112-3130 which are a true
14 and correct copy of portions of the transcript of the September 15, 2011
15 deposition of Yeoh Suat Gaik;

16 18. Attached hereto as Exhibit 16 are pages OPPAPP3131-3139 which are a true and
17 correct copy copies of portions of OPPAPP3270-3284 in Exhibit 19 hereto;

18 19. Attached hereto as Exhibit 17 are pages OPPAPP3140-3153 which are a true and
19 correct copy of portions of the transcript of the September 15, 2011 deposition of
20 Michael Palage, Esq.;

21 20. Attached hereto as Exhibit 18 is a slip sheet indicating pages OPPAPP3154-3244
22 are not used;

23 21. Attached hereto as Exhibit 19 are pages OPPAPP003253-3363 which are a true
24 and correct copy of documents I downloaded from U.S.P.T.O. Trademark
25 Document Retrieval system for U.S. Trademark Registration No. 2,932,662
26 (<http://tdr.uspto.gov/search.action?sn=78100185#>). At that URL, there is the
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1 “The United States Patent and Trademark Office (USPTO) is pleased to present
2 TDR - Trademark Document Retrieval. Through TDR, you can view and
3 download any or all documents contained in the electronic file wrapper of almost
4 all pending trademark applications, as well as many registrations.”;

- 5 22. Attached hereto as Exhibit 20 are pages OPPAPP003364-3484 which are a true
6 and correct copy of deposition exhibits from the deposition of the September 15,
7 2011 deposition of Yeoh Suat Gaik.

8 I declare under penalty of perjury that the foregoing is true and correct. Executed in Palo
9 Alto, California on November 25, 2011.

12 By: /s/ Perry R. Clark
13 Perry R. Clark