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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

PETROLIAM NASIONAL BERHAD,

Plaintiff,

NO. 09-CV-_____

v.

Hearing: December 18, 2009

GODADDY.COM, INC.,

Defendant.

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[PROPOSED] TEMPORARY RESTRAINING ORDER

Upon consideration of Petroliam Nasional Berhad's Motion for Temporary Restraining Order, the Court finds that Plaintiff is likely to succeed on the merits of its claim that Defendant GoDaddy's registration of "petronastower.net" and its refusal to disable the associated website constitutes infringement and contributory infringement of Plaintiff's United States Trademark Reg. Number 2969707 for "PETRONAS" for the reasons set forth in the Memorandum in Support of the Motion and the Declarations in Support of the Motion, both of which were filed on December 18, 2009.

The harm caused by trademark infringement is presumed to be "irreparable." *GoTo.com v. Walt Disney Co.*, 202 F.3d 1199, 1209 (9th Cir. 2000) (upon a showing of likely success as to trademark infringement, a Court "may presume irreparable injury"). Moreover, the submitted declarations show that the trademark infringement is likely to cause substantial confusion by Plaintiff's potential customers and employees, among others, regarding the source of the website. Because monetary damages will be inadequate to compensate Plaintiff for these harms, for purposes of granting temporary relief, the Court finds that the injury caused is irreparable.

[PROPOSED] ORDER

1 IT IS THEREFORE ORDERED that Defendant GoDaddy.com, Inc., its agents,
2 representatives, servants, employees, and all those acting in concert with them remove from
3 registration, remove from its servers, and otherwise disable public access to, the website
4 “petronastower.net”.
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6 IT IS FURTHER ORDERED that a hearing on a preliminary injunction shall be held on
7 _____ . Any opposition thereto must be filed by _____ .
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10 Dated: _____ at _____ a.m./p.m.
11 _____

12 United States District Court Judge
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