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 NAVIGATION CATALYST SYSTEMS, INC., and  
 11 BASIC FUSION, INC.,

12 **UNITED STATES DISTRICT COURT**  
 13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**  
 14 **WESTERN DIVISION**

17 VERIZON CALIFORNIA INC.;  
 18 VERIZON TRADEMARK  
 19 SERVICES  
 20 LLC; and VERIZON LICENSING  
 COMPANY,

21 Plaintiffs,

22 Vs.

24 NAVIGATION CATALYST  
 25 SYSTEMS, INC.; and BASIC  
 26 FUSION,  
 INC.,

27 Defendants.  
 28

Case No. CV 08-2463 ABD (Ex)

**DECLARATION OF ROBERT P.  
 JOHNSON, IN SUPPORT OF  
 MEMORANDUM OF POINTS AND  
 AUTHORITIES IN OPPOSITION  
 TO MOTION FOR PRELIMINARY  
 INJUNCTION**

**DATE: June 30, 2008**  
**TIME: 10:00 a.m.**  
**CTRM: 680**

**HON. AUDREY B. COLLINS**



1 <http://blog.cdt.org/2007/11/30/dubious-domain-name-dealings/> (last  
2 visited June 15, 2008) is attached hereto as Exhibit D.

- 3 e. True and correct copies of printouts of *Companies join the ranks of big*  
4 *corporations redirecting "error" traffic*, Domain Name Wire dated  
5 February 9, 2008 at [http://domainnamewire.com/2008/02/09/time-](http://domainnamewire.com/2008/02/09/time-warner-yahoo-team-up-to-cybersquat/)  
6 [warner-yahoo-team-up-to-cybersquat/](http://domainnamewire.com/2008/02/09/time-warner-yahoo-team-up-to-cybersquat/) (last visited June 15, 2008) and  
7 *About Domain Name Wire*, Domain Name Wire dated March 8, 2005 at  
8 <http://domainnamewire.com/about/> (last visited June 15, 2008) are  
9 attached hereto as Exhibit E.
- 10 f. A true and correct printout of *Verizon Spreading DNS Redirection*  
11 *Service*, CircleID dated November 5, 2007 at  
12 [http://www.circleid.com/posts/print/verizon\\_dns\\_redirection/](http://www.circleid.com/posts/print/verizon_dns_redirection/) (last  
13 visited June 15, 2008) is attached hereto as Exhibit F.
- 14 g. A true and correct printout of comments from *Monetizing Disorder*,  
15 Professor Susan Crawford, blog posting dated November 5, 2007 at  
16 <http://scrawford.net/blog/monetizing-disorder/1042> (last visited June 13,  
17 2008) is attached hereto as Exhibit G.
- 18 h. A true and correct printout of *Verizon v. Navigation Catalyst Systems*,  
19 Adam Strong, Domain Name News dated May 27, 2008 available at  
20 <http://www.domainnamenews.com/tag/george-kirikos> (last visited on  
21 June 12, 2008) is attached hereto as Exhibit H.
- 22 i. A true and correct printout of *Communications company will have to*  
23 *defend its DNS wildcarding practices*, Domain Name Wire dated May  
24 27, 2008 at [http://domainnamewire.com/2008/05/27/verizon-sued-over-](http://domainnamewire.com/2008/05/27/verizon-sued-over-error-redirects/#comments)  
25 [error-redirects/#comments](http://domainnamewire.com/2008/05/27/verizon-sued-over-error-redirects/#comments) (last visited June 15, 2008) is attached hereto  
26 as Exhibit I.
- 27 j. A true and correct printout of *Verizon Online to Trial New Web Search*  
28 *Service to Reduce Error Messages from Mistyped Queries and Help*

1 *Customers Quickly Reach their Desired Destination*, Verizon Central  
2 Announcements available at

3 [http://netservices.verizon.net/portal/link/main/announcement?linkflag=g](http://netservices.verizon.net/portal/link/main/announcement?linkflag=guestonly_noregion&id=web_search)  
4 [uestonly\\_noregion&id=web\\_search](http://netservices.verizon.net/portal/link/main/announcement?linkflag=guestonly_noregion&id=web_search) (last visited June 13, 2008) is  
5 attached hereto as Exhibit J.

6 k. A true and correct printout of *SiteFinder redux? Verizon tests DNS*  
7 *redirect service*, Jacqui Cheng, Ars Technica dated June 21, 2007 is  
8 available at [http://arstechnica.com/news.ars/post/20070621-sitefinder-](http://arstechnica.com/news.ars/post/20070621-sitefinder-redux-verizon-tests-dns-redirect-service.html)  
9 [redux-verizon-tests-dns-redirect-service.html](http://arstechnica.com/news.ars/post/20070621-sitefinder-redux-verizon-tests-dns-redirect-service.html) (last visited on June 21,  
10 2008) is attached hereto as Exhibit K.

11 l. A true and correct printout of *Opting out of DNS Assistance*, Verizon  
12 Central Help available at  
13 [http://netservices.verizon.net/portal/link/help/item?case=dns\\_assist&part](http://netservices.verizon.net/portal/link/help/item?case=dns_assist&partner=verizon&product=fios)  
14 [ner=verizon&product=fios](http://netservices.verizon.net/portal/link/help/item?case=dns_assist&partner=verizon&product=fios) (last visited June 15, 2008) is attached hereto  
15 as Exhibit L.

16 m. A true and correct printout of *HOWTO Disable the Verizon FiOS*  
17 *Domain Name Ad Redirect*, Lenny Domnitser, Domnit.org at  
18 <http://domnit.org/verizon> (last visited June 12, 2008) is attached hereto  
19 as Exhibit M.

20 n. A true and correct printout of *When Monetizing ISP Traffic Goes*  
21 *Horribly Wrong*, Brian Krebs, Washington Post at  
22 [http://blog.washingtonpost.com/securityfix/2008/04/when\\_monetizing\\_i](http://blog.washingtonpost.com/securityfix/2008/04/when_monetizing_isp_traffic_go.html)  
23 [sp\\_traffic\\_go.html](http://blog.washingtonpost.com/securityfix/2008/04/when_monetizing_isp_traffic_go.html) (last visited June 15, 2008) is attached hereto as  
24 Exhibit N.

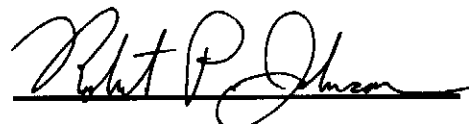
25 o. A true and correct printout of *Verizon Redirects Typo Traffic to its Own*  
26 *Search Service*, Om Malik, GIGAOM,  
27 <http://gigaom.com/2007/11/04/verizon-redirects-typo-traffic-to-its-own->  
28

1 search-service/ (last visited June 15, 2008) is attached hereto as Exhibit  
2 O.

- 3 p. A true and correct printout of *Verizon defends redirecting typo traffic,*  
4 Network World at [http://www.networkworld.com/news/2007/110907-  
6 verizon-redirects.html](http://www.networkworld.com/news/2007/110907-<br/>5 verizon-redirects.html) (last visited June 15, 2008) is attached hereto as  
7 Exhibit P.
- 8 q. A true and correct printout of *Verizon Gets Evil-er,* ClickZ at  
9 <http://blog.clickz.com/071211-102810.html> (last visited June 15, 2008)  
10 is attached hereto as Exhibit Q.
- 11 r. True and correct printouts of *ICANN .com Registry Agreement (signed*  
12 *25 May 2001)* at [http://www.icann.org/tlds/agreements/verisign/com-  
14 index-25may01.htm](http://www.icann.org/tlds/agreements/verisign/com-<br/>13 index-25may01.htm) (last visited June 15, 2008) and *ICANN Revised*  
15 *VeriSign Registry Agreements: Appendix C (posted 16 April 2001)* at  
16 [http://www.icann.org/tlds/agreements/verisign/registry-agmt-appc-  
18 16apr01.htm](http://www.icann.org/tlds/agreements/verisign/registry-agmt-appc-<br/>17 16apr01.htm) (last visited June 15, 2008) are attached hereto as Exhibit  
19 R.
- 20 s. A true and correct printout of *ICANN Registrar Accreditation*  
21 *Agreement (17 May 2001) (Additional appendices posted on 2002-2006)*  
22 at <http://www.icann.org/registrars/ra-agreement-17may01.htm> (last  
23 visited June 13, 2008) is attached hereto as Exhibit S.

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

26 Executed this 15th day of June in Brooklyn, New York.

27 

28 Robert P. Johnson