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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

11

12 THE INTERNET CORPORATION FOR) ASSIGNED NAMES AND NUMBERS,)	CASE NO. CV 07-2089 R (PLAx)
13 Plaintiff,)	ANSWER TO COMPLAINT FOR BREACH OF CONTRACT, PRELIMINARY INJUNCTION, AND DECLARATORY RELIEF; DEMAND FOR JURY TRIAL
14 v.)	
15 REGISTERFLY.COM, INC., and) 16 UNIFIED NAMES, INC. ,)	
17 Defendants.)	Judge: Hon. Manuel L. Real
18)	
19)	

20 Defendants RegisterFly.com, Inc. and UnifiedNames, Inc. (hereinafter
21 "defendants") respond to the Complaint as follows:

22 1. Defendants admit that the Complaint contains claims for breach of
23 contract, injunctive relief, and declaratory relief. Defendants also admit that
24 Attachment 1 to the Complaint is the contract between RegisterFly.com, Inc.
25 ("RegisterFly") and the Internet Corporation for Assigned Names and Numbers
26 ("ICANN"). Defendants deny each and every other remaining allegation contained
27 in this paragraph of the Complaint.

28 2. Defendants admit that facts alleged in this paragraph of the Complaint.

1 3. Defendants admit that facts alleged in this paragraph of the Complaint.

2 4. Defendants admit that UnifiedNames, Inc. is a New Jersey corporation
3 and deny each and every other allegation set forth in this paragraph of the
4 Complaint.

5 5. Defendants deny the allegations in this paragraph of the Complaint.

6 6. Defendants admit the allegations in this paragraph of the Complaint.

7 7. On information and belief, defendants admit the allegations in this
8 paragraph of the Complaint.

9 8. On information and belief, defendants admit the allegations in this
10 paragraph of the Complaint.

11 9. Defendants admit the allegations in this paragraph of the Complaint.

12 10. Defendants admit the allegations in this paragraph of the Complaint.

13 11. Defendants admit the allegations in this paragraph of the Complaint.

14 12. Defendants admit the allegations in this paragraph of the Complaint.

15 13. Defendants admit the allegations in this paragraph of the Complaint.

16 14. Defendants admit the allegations in this paragraph of the Complaint
17 except to the extent that these facts ignore that a name may be registered through a
18 reseller who is not a registrar, but who works with an ICANN-accredited registrar.

19 15. Defendants admit the allegations in this paragraph of the Complaint.

20 16. Defendants admit the allegations in this paragraph of the Complaint.

21 17. Defendants admit the allegations in this paragraph of the Complaint.

22 18. Defendants admit that RegisterFly entered into a Registrar
23 Accreditation Agreement with ICANN and that RegisterFly was previously known
24 as "Top Class Names, Inc.". Defendants deny each and every remaining allegation
25 contained in this paragraph of the Complaint.

26 19. Defendants deny each and every allegation contained in this paragraph
27 of the Complaint.

28 20. Defendants admit that Attachment 4 was sent to RegisterFly by

1 ICANN. Defendants deny each and every remaining allegation contained in this
2 paragraph of the Complaint.

3 21. Defendants deny each and every allegation contained in this paragraph
4 of the Complaint.

5 22. Defendants deny each and every allegation contained in this paragraph
6 of the Complaint.

7 23. Defendants deny each and every allegation contained in this paragraph
8 of the Complaint.

9 24. Defendants deny each and every allegation contained in this paragraph
10 of the Complaint.

11 25. Defendants deny each and every allegation contained in this paragraph
12 of the Complaint.

13 26. Defendants deny each and every allegation contained in this paragraph
14 of the Complaint.

15 27. Defendants deny each and every allegation contained in this paragraph
16 of the Complaint.

17 28. Defendants admit that ICANN sent the letter described in this
18 paragraph to RegisterFly.

19 29. Defendants admit that ICANN sent the letter described in this
20 paragraph to RegisterFly. Defendants deny each and every remaining allegation
21 contained in this paragraph of the Complaint.

22 30. Defendants admit that ICANN sent the letter described in this
23 paragraph to RegisterFly. Defendants deny each and every remaining allegation
24 contained in this paragraph of the Complaint.

25 31. Defendants admit that RegisterFly provided data to ICANN on or about
26 March 23, 2007. Defendants deny each and every remaining allegation contained in
27 this paragraph of the Complaint.

28 32. Defendants admit that ICANN sent the letter described in this

1 paragraph to RegisterFly. Defendants deny each and every remaining allegation
2 contained in this paragraph of the Complaint.

3 33. Defendants deny each and every allegation contained in this paragraph
4 of the Complaint.

5 34. Defendants lack sufficient information and belief upon which to admit
6 or deny the allegations contained in this paragraph of the Complaint and on that
7 basis deny them.

8 35. Defendants deny each and every allegation contained in this paragraph
9 of the Complaint.

10 36. Defendants deny each and every allegation contained in this paragraph
11 of the Complaint.

12 37. Defendants deny each and every allegation contained in this paragraph
13 of the Complaint.

14 38. Defendants incorporate by reference their responses to the foregoing
15 paragraphs at though fully set forth hereat.

16 39. Defendants admit the allegations contained in paragraph 39 of the
17 Complaint.

18 40. Defendants deny each and every allegation contained in this paragraph
19 of the Complaint.

20 41. Defendants deny each and every allegation contained in this paragraph
21 of the Complaint.

22 42. Defendants deny each and every allegation contained in this paragraph
23 of the Complaint.

24 43. Defendants deny each and every allegation contained in this paragraph
25 of the Complaint.

26 44. Defendants deny each and every allegation contained in this paragraph
27 of the Complaint.

28 45. Defendants deny each and every allegation contained in this paragraph

1 of the Complaint.

2 46. Defendants deny each and every allegation contained in this paragraph
3 of the Complaint.

4 47. Defendants deny each and every allegation contained in this paragraph
5 of the Complaint.

6 48. Defendants deny each and every allegation contained in this paragraph
7 of the Complaint.

8 49. Defendants incorporate by reference their responses to the foregoing
9 paragraphs at though fully set forth hereat.

10 50. Defendants admit the allegations contained in this paragraph of the
11 Complaint.

12 51. Defendants admit the allegations contained in this paragraph of the
13 Complaint.

14 52. Defendants admit that ICANN seeks the relief stated in this paragraph.
15 Defendants deny each and every remaining allegation contained in this paragraph of
16 the Complaint.

17 53. Defendants incorporate by reference their responses to the foregoing
18 paragraphs at though fully set forth hereat.

19 54. Defendants deny each and every allegation contained in this paragraph
20 of the Complaint.

21 55. Defendants deny each and every allegation contained in this paragraph
22 of the Complaint.

23 56. Defendants deny each and every allegation contained in this paragraph
24 of the Complaint.

25 57. Defendants deny each and every allegation contained in this paragraph
26 of the Complaint.

27 58. Defendants deny each and every allegation contained in this paragraph
28 of the Complaint.

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WHEREFORE, Defendants pray for judgment on the Complaint, as follows:

1. That Plaintiff take nothing by reason of the Complaint, and that judgment be entered for Defendants;
2. That Defendants be awarded their expenses, costs of suit, and attorney's fees herein, as appropriate; and
3. For such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Defendants respectfully request a trial by jury on all issues so triable.

DATED: June 11, 2007

ERVIN, COHEN & JESSUP LLP
Kelly O. Scott
Heather L. McCloskey
Lauren J. Katunich

By: Heather L. McCloskey
Heather L. McCloskey
Attorneys for REGISTERPLY.COM, INC.
AND UNIFIEDNAMES, INC.

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PROOF OF SERVICE BY HAND-DELIVERY

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 350 S. Figueroa Street, Suite 299, Los Angeles, California 90071.


On June 11, 2007, I served the document described as **ANSWER TO COMPLAINT FOR BREACH OF CONTRACT, PRELIMINARY INJUNCTION, AND DECLARATORY RELIEF; DEMAND FOR JURY TRIAL** on the parties in this action by delivering a true copy thereof enclosed in a sealed envelope addressed as follows:

Jeffrey A. LeVee
Samantha Eisner
Jones Day
555 S. Flower Street, 50th Floor
Los Angeles, CA 90071-2300
Tel: (213) 489-3939
Fax: (213) 243-2539
Attorneys for Plaintiff

I delivered such envelope(s) by hand to the office of the addressee(s).

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

EXECUTED on June 11, 2007 at Beverly Hills, California.

By: 
Print: Edgar Roales