



WCIX.NET, inc.

Acceptable Use Policy

WCIX.Net, Inc. (the Company) has established this Acceptable Use Policy (AUP) to advise the users of its network and services of the acceptable and prohibited uses of its network and services. The Company's network and services must be used only for lawful purposes and for purposes consistent with this AUP, which is a non-exclusive list of the actions prohibited by the Company.

All systems which are connected to WCIX.Net networks shall be configured in accordance with industry standards, applicable laws and regulations, specifically to conform with approved "Request For Comments" standards documents which are published from time to time by the Internet Engineering Task Force (<http://www.ietf.org/rfc.html>).

Systems connected to WCIX.Net networks shall not be configured in any way which obscures system-identity information.

Proxy servers of any kind shall be configured so as to prevent unauthenticated use from the public Internet.

1. Users are prohibited from violating any system or network security measure, including, but not limited to engaging in:

- Unauthorized access or use of the Company's or a third party's network, electronic communications system, or telecommunications system, data, or information; including any attempt to probe, scan or test the vulnerability of a system or network, or to breach security authentication measures without express authorization of the owner of the secured network whether or not the intrusion results in the corruption or loss of data;
- Unauthorized monitoring of the Company's or third party's data, systems or network traffic;
- Interference with a third party's use of the Company's network or service, including without limitation, mail bombing, flooding and deliberate attempts to overload a system;
- Forging of any header or any part of the header information in any e-mail or newsgroup posting, or taking any action in order to obtain services to which such user is not otherwise entitled.
- Posing as an officer, member or employee of WCIX.Net or another organization, with the intent to compel another person to offer financial information, credit card or bank account numbers, account passwords, social security numbers or other sensitive information or information of a personal nature. This activity is commonly known as "Phishing" and not only is it a violation of WCIX.Net's AUP, it may also be a violation of applicable local, state and federal laws. WCIX.Net reserves the right to report Phishing activity to local, state and federal law enforcement agencies and to other organizations affected by this activity when, in WCIX.Net's sole discretion, such reports are necessary.

2. Users are prohibited from engaging in activities that cause interference with a third party's ability to connect to the Internet or provide services to Internet users.

3. Users are prohibited from sending unsolicited e-mail messages ("spamming"), including, but not limited to:

- Posting the same, or similar, messages to one or more Usenet or other newsgroups, forums, email mailing lists or other similar groups or lists;
- Posting any Usenet or other newsgroup, forum, e-mail mailing list or other similar group, or list articles which are off-topic or otherwise violate the rules of the charter or other owner-published FAQ or description of the group or list;
- Sending unsolicited e-mail, including commercial advertisements and informational announcements to Internet users, or any unsolicited e-mail that could reasonably be expected to provoke complaints;
- Using e-mail to engage in harassment, whether through language, frequency or messages. Continuing to send someone e-mail after being asked to stop is considered harassment;
- Sending e-mail with falsified or obscured header or information designed to hinder the



WCIX.NET, inc.

Acceptable Use Policy

identification of the location of what is advertised;

· Collecting replies to either (i) unsolicited e-mail messages or (ii) messages that were either sent through another provider which violate these rules or those of the other provider.

4. Users who send bulk e-mail to "opt-in" list must have a method of confirming or verifying subscriptions and be able to show evidence of subscriptions for users who complain about unsolicited e-mail. The Company's receipt of complaints from Internet users related to e-mails received due to users use of "opt in" list shall be a violation of this AUP.

5. Users are prohibited from creating, storing or disseminating any material (i) in violation of applicable law or regulation, (ii) protected by trademark, trade secret, copyright or other intellectual property rights without proper authorization, (iii) that is libelous, slanderous, defamatory, abusive, an invasion of privacy or otherwise illegal, (iv) containing fraudulent offers for goods or services or any promotional materials containing false, deceptive or misleading statements, claims or representations.

6 Using WCIX.Net -owned servers, or client-owned computers, or third party-owned computers, located anywhere, for the following purposes, is unacceptable use:

* Transmission, distribution or storage of any material in violation of any applicable law. This includes, without limitation, material protected by copyright, trademark, trade secret or other intellectual property right used without proper authorization, and material that is obscene, defamatory, constitutes an illegal threat, or violates export control laws.

* Harm to minors. Using the Services to harm, or attempt to harm, minors in any way.

* Threats. Using the Services to transmit any material (by email, uploading, posting, or otherwise) that threatens or encourages bodily harm or destruction of property.

* Harassment. Using the Services to transmit any material (by email, uploading, posting, or otherwise) that harasses another.

* Fraudulent activity. Using the Services to make fraudulent offers to sell or buy products, items, or services or to advance any type of scam, including but not limited to "pyramid schemes," "Ponzi schemes," and "chain letters."

* Forgery or impersonation. Adding, removing or modifying identifying network header information in an effort to deceive or mislead is prohibited. Attempting to impersonate any person by using forged headers or other identifying information is prohibited. The use of anonymous remailers or nicknames does not constitute impersonation. Using deliberately misleading headers ("munging" headers) in USENET news postings in order to avoid spam email address collectors is allowed, as long as the individual munging headers does so in a way that will not cause the message to be posted with a valid email address controlled or owned by someone else. (The use of a separate address that the poster owns or controls, however, is specifically permitted.)

* Reselling the Services

* Using WCIX.Net DNS servers to host domains used for spamming (sending Unsolicited Bulk Email, or hosting 'landing pages).

* Advertising, transmitting, or otherwise making available any software, program, product, or service that is designed to violate this AUP or the AUP of any other Internet Service Provider, which includes, but is not limited to, the facilitation of the means to send Unsolicited Bulk Email, initiation of pinging, flooding, mail-bombing, denial of service attacks.

* Operating an account on behalf of, or in connection with, or reselling any service to, persons or firms listed in the Spamhaus Register of Known Spam Operations (ROKSO) database at www.spamhaus.org.

* Obtaining or attempting to obtain service by any means or device with intent to avoid payment.

* Unauthorized access, alteration, destruction, or any attempt thereof, of any information of any WCIX.Net clients or end-users by any means or device.

* Using the Services to interfere with the use of the WCIX.Net network by other clients or authorized users.

* Making any USENET newsgroup posting for commercial purposes (including, without limitation, the pointing to specific URLs for commercial purposes), except where such postings are expressly permitted under the charter and/or Frequently Asked Questions (FAQ) of an applicable newsgroup.



WCIX.NET, inc.

Acceptable Use Policy

- * Posting binary files to newsgroups whose charter or name does not include allowances for such files.
- * Canceling newsgroup postings other than Client's own, or using auto- responders or cancel-bots (except in cases of official newsgroup moderators performing their duties). WCIX.Net may cancel postings which violate this AUP.
- * Posting messages in violation of a newsgroup's charter.
- * Posting multiple copies of the same message, or substantively similar messages, to one or more newsgroups.
- * Excessive multi-posting and excessive cross-posting. WCIX.Net considers multi-posting or cross-posting to 10 or more groups within a two week sliding window to be excessive. Multi-posting is defined as the activity of posting several copies of a message to multiple newsgroups, posting each message separately; cross-posting is defined as the activity of posting one copy of a message to several newsgroups by including all of the newsgroups in the message's Newsgroups header.
- * Disrupting newsgroups with materials, postings, or activities that are (as determined by WCIX.Net in its sole discretion), excessive, or repetitious, unless such materials or activities are expressly allowed or encouraged under the newsgroup's name, FAQ, or charter.
- * Actions which may cause WCIX.Net to be listed on one of the major anti-abuse Internet blocklists.

7. Users are prohibited from falsifying user information provided to the Company or to other users in connection with use of a Company service.

8. Users are prohibited from engaging in any of the foregoing activities: (i) by using the service of another provider, but channeling such activities through a Company account, re-mailer, or otherwise through a Company service, (ii) using a Company account as a mail drop for responses, (iii) otherwise using the services of another provider for the purpose of facilitating the foregoing activities if such use of another party's service could reasonably be expected to adversely affect a Company service.

9. The Company considers the above practices to constitute abuse of its service. Engaging in one or more of these practices may result in immediate termination of a user's access to the Company's services. **Users shall be charged an administrative fee of \$500 for each incident in violation of this AUP.** A violation of this AUP by someone having only indirect access to the Company network through a customer, or other user, will be considered a violation by the customer, or other user, whether or not with the knowledge or consent of the customer or other user. The Company receives complaints directly from Internet users, through Internet organizations and through other parties.

10. The Company shall not be required to determine the validity of complaints received before taking action under this AUP. The Company reserves the right in its sole discretion to determine whether duplicative or mass e-mail messages are "unsolicited." A complaint from the recipient, whether received directly or through an anti-spamming organization, shall be presumed to be evidence that the message was unsolicited. The Company has no obligation to forward the complaint to the user or to identify the complaining parties.

11. The user is responsible for the use of all services utilized via its connection to the Company network, including any support services provided via its connection to the Company network. Support services include hosting Web sites, electronic mailboxes, telephony gateways, IRC servers, advertising, transmitting, or otherwise making available any software, program, product or service that is designed to violate this AUP or the AUP of any other Internet services provider. Conduct that directly or indirectly encourages, permits or relies on activities in violation of this AUP, is also a violation of the AUP. Examples include failure to implement technical or administrative measures to prevent mass unsolicited e-mail, or providing spamming support services such as e-mail drop boxes, sales of spamware, list washing, and the hosting of "spam-vertised" Web sites.



WCIX.NET, inc.

Acceptable Use Policy

12. Each WCIX.Net client is responsible for the activities of its users and, by accepting service from WCIX.Net , is agreeing to ensure that its clients/representatives or end-users abide by this Policy. Complaints about clients/representatives or end-users of a WCIX.Net client will be forwarded to the WCIX.Net client for action. If violations of the WCIX.Net Acceptable Use Policy occur, WCIX.Net reserves the right to terminate services with or take action to stop the offending client from violating WCIX.Net 's AUP as WCIX.Net deems appropriate, without notice.

13. Nothing contained in this policy shall be construed to limit the Company's actions or remedies in any way with respect to any of the foregoing activities, and the Company reserves the right to take any and all additional actions it may deem appropriate with respect to such activities, including without limitation taking action to recover the costs and expenses of identifying offenders and removing them from the Company service, and levying cancellation charges to cover the Company's costs. The Company will investigate violations of policy and will cooperate with law enforcement officials for suspected criminal violations. In addition, the Company reserves at all times all rights and remedies available to it with respect to such activities at law or in equity.

The Company reserves the right to modify this policy at anytime with 10 days notice.

AGREED TO BY _____

PRINT NAME _____

COMPANY AND TITLE _____

DATE _____