

As a provider of web site hosting and other Internet-related services, NPipes offers its customer (also known as "customers") and their customers and users the means to acquire and disseminate a wealth of public, private, commercial and non-commercial information. NPipes respects that the Internet provides a forum for free and open discussion and dissemination of information. However, when there are competing interests at issue, NPipes reserves the right to take certain preventive or corrective actions. In order to protect these competing interests, NPipes has developed an **Acceptable Use Policy ("AUP")**, which supplements and explains certain terms of each customer's respective service agreement, and is intended as a guide to the customer's rights and obligations when using NPipes' services. This AUP will be revised from time to time.

One important aspect of the Internet is that no one party owns or controls it. This fact accounts for much of the Internet's openness and value, but it also places a high premium on the judgment and responsibility of those who use it, both in the information they acquire and in the information they disseminate to others. When customers obtain information through the Internet, they must keep in mind that NPipes cannot monitor, verify, warrant or vouch for the accuracy and quality of the information they acquire. For this reason, the subscriber must exercise his or her best judgment in relying on information obtained from the Internet, and also should be aware that some material posted to the Internet may be sexually explicit or otherwise offensive. Because NPipes cannot monitor or censor the Internet, and will not attempt to do so, NPipes cannot accept any responsibility for injury to its customers resulting from inaccurate, unsuitable, offensive or illegal Internet communications.

When customers disseminate information from the Internet, they must keep in mind that NPipes does not review, edit, censor or take responsibility for any information its customers may create. When users place information on the Internet, they have the same liability as other authors for copyright infringement, defamation and other harmful speech. Also, because the information created is carried over NPipes' network and may reach a large number of people, including both customers and non-customers of NPipes, customers' postings to the Internet may affect other customers and may affect NPipes' goodwill, business, reputation or operations.

For these reasons, customers violate NPipes policy and the Service Agreement when they, their customers, affiliates or subsidiaries engage in the following prohibited activities:

- **Spamming:** Sending unsolicited bulk and/or commercial information over the Internet. It is not only harmful because of its negative impact on consumer attitudes toward NPipes, but also because it can overload NPipes' network and disrupt service to NPipes' customers. Also, maintaining an open SMTP relay is prohibited. When a complaint is received, NPipes will investigate and shutdown the account that is Spamming. A \$300 USD charge for violating this policy will be charged to the person initiating the SPAM. Furthermore NPipes reserves the right to prosecute for this violation. A \$1.50 USD charge will be assessed PER EMAIL sent should NPipes choose to pursue and prosecute.
- **Adult-Oriented Content:** NPipes requires to be notified may you wish to provide adult content, whether it be images, video, games, audio or software. Your intent to do so must be stated prior to, or at the time of purchase. Failure to comply may result in your account being suspended/terminated without notice.
- **Obscene Speech or Materials:** Using NPipes' network to advertise, transmit, store, post, display, or otherwise make available child pornography or obscene speech or material is

prohibited. NPipes is required by law to notify law enforcement agencies when it becomes aware of the presence of child pornography on or being transmitted through its network.

- **Defamatory or Abusive Language:** Using NPipes' network as a means to transmit or post negative, defamatory, harassing, abusive or threatening language.
- **Forging of Headers:** Forging or misrepresenting message headers, whether in whole or in part, to mask the originator of the message.
- **Illegal or Unauthorized Access to Other Computers or Networks:** Accessing, illegally or without authorization, computers, accounts or networks belonging to another party, or attempting to penetrate security measures of another individual's system (often known as "hacking"). Also, any activity that may be used as a precursor to an attempted system penetration (i.e., port scan, stealth scan or other information-gathering activity).
- **Distribution of Internet Viruses, Worms, Trojan Horses or Other Destructive Activities:** Distributing information regarding the creation of and sending Internet viruses, worms, Trojan horses, ping, flooding, mail bombing or denial of service attacks. Also, activities that disrupt the use of or interfere with the ability of others to effectively use the network or any connected network, system, service or equipment.
- **Facilitation a Violation of this AUP:** Advertising, transmitting or otherwise making available any software, program, product or service that is designed to violate this AUP, which includes the facilitation of the means to spam, initiation of ping, flooding, mail bombing, denial of service attacks and piracy of software.
- **Export Control Violations:** Exporting encryption software over the Internet or otherwise, to points outside the United States.
- **Usenet Groups:** NPipes reserves the right not to accept postings from newsgroups where we have actual knowledge that the content of the newsgroup violates the AUP.
- **Other Illegal Activities:** Engaging in activities that are determined to be illegal, including, but not limited to, advertising, transmitting or otherwise making available ponzi schemes, pyramid schemes, fraudulently charging credit cards and pirating software.
- **Other Activities:** Engaging in activities, whether lawful or unlawful, that NPipes determines to be harmful to its customers, operations, reputation, goodwill or customer relations.