



Acceptable Usage Policy

This AUP is a description of types of activities that are not allowed on our network. The Internet is still evolving, and the ways in which the Internet may be abused are also still evolving.

Therefore, we may from time to time amend this AUP to further detail or describe reasonable restrictions on your use of our services. Your continued use of the services will be an acceptance of the AUP as it is changed from time to time

This AUP forms part of the terms of your Master Services Agreement with us and your service may be suspended or terminated for breach of this AUP in accordance with the Master Services Agreement. You are responsible for violations of this policy by you or anyone using your service, whether authorized by you or not.

If you have any questions, please contact us.

1. INTERNET ABUSE

- 1.1. You may not use our network to engage in illegal, abusive, or irresponsible behaviour, including:
 - 1.1.1. Unauthorized access to or use of data, services, systems or networks, including any attempt to probe, scan or test the vulnerability of a system or network or to breach security or authentication measures without express authorization of the owner of the system or network;
 - 1.1.2. monitoring data or traffic on any network or system without the authorization of the owner of the system or network;
 - 1.1.3. Interference with service to any user, host or network including, without limitation, mail bombing, flooding, deliberate attempts to overload a system and broadcast attacks;
 - 1.1.4. Use of an Internet account or computer without the owner's authorization, including, but not limited to Internet scanning (tricking other people into releasing their passwords), password robbery, security hole scanning, and port scanning;
 - 1.1.5. Forging of any TCP-IP packet header or any part of the header information in an e-mail or a newsgroup posting; or
 - 1.1.6. Any activity or conduct that is likely to result in retaliation against our network.

2. SECURITY

- 2.1. You must take reasonable security precautions.
- 2.2. Passwords should consist of at least 8 mixed alpha and numeric characters with case variations. You should not permit a common word to be used as a password. You must protect the confidentiality of your password, and you should change your password regularly.

3. BULK COMMERCIAL E-MAIL

Eaton Kaye Limited
Registered Office: 26 Albany Road, Chatham, Kent, ME4 5DL
Phone: 01634 880 777 Mobile: 07976516396
Registered Company Number: 5361270
VAT Number: 855951192
Bank Details SC 209448 AC 90661007



- 3.1. You must obtain our advance approval for any bulk commercial e-mail, for which you must be able to demonstrate the following to our reasonable satisfaction:
 - 3.1.1. Your intended recipients have given their consent to receive e-mail via some affirmative means, such as an opt-in procedure;
 - 3.1.2. Your procedures for soliciting consent include reasonable means to ensure that the person giving consent is the owner of the e-mail address for which the consent is given;
 - 3.1.3. You retain evidence of the recipient's consent in a form that may be promptly produced within 72 hours of receipt of recipient's or our requests to produce such evidence.
 - 3.1.4. The body of the e-mail must include information about where the e-mail address was obtained, for example, "You opted in to receive this e-mail promotion from our Web site or from one of partner sites," and information on how to request evidence of the consent, for example, "If you would like to learn more about how we received your email address please contact us at **abuse@yourdomain.com**."
 - 3.1.5. You have procedures in place that allow a recipient to easily revoke their consent – such as a link in the body of the e-mail, or instructions to reply with the word "Remove" in the subject line and such evocations of consent are actioned within 72 hours;
 - 3.1.6. You must post an **abuse@yourdomain.com** e-mail address on the first page of any Web site associated with the e-mail, you must register that address at abuse.net, and you must promptly respond to messages sent to that address;
 - 3.1.7. You must have a Privacy Policy posted for each domain associated with the mailing; and
 - 3.1.8. You have the means to track anonymous complaints.
 - 3.1.9. You may not obscure the source of your e-mail in any manner. Your e-mail must include the recipients e-mail address in the body of the message or in the "TO" line of the e-mail.
- 3.2. These policies apply to messages sent using your Eaton Kaye Ltd service or network, or to messages sent from any network by you or any person on your behalf that directly or indirectly refer the recipient to a site hosted via your Eaton Kaye Ltd service. Neither may you use third party e-mail services that do not practice similar procedures for all its customers.
- 3.3. We may test and monitor your compliance with these requirements, including requesting opt-in information from a random sample of your list at any time.

4. UNSOLICITED E-MAIL

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4.1. You may not send any unsolicited e-mail, whether commercial or non-commercial in nature, to any person who has indicated that they do not wish to receive it.

5. NEWSGROUP, CHAT FORUMS, OTHER NETWORKS

5.1. You must comply with the rules and conventions for postings to any bulletin board, chat group or other forum in which you participate, such as IRC and USENET groups including their rules for content and commercial postings. These groups usually prohibit the posting of off-topic commercial messages, or mass postings to multiple forums.

5.2. You must comply with the rules of any other network you access or participate in using our services.

6. OFFENSIVE CONTENT

6.1. You may not publish, display or transmit via our network and equipment any content that we reasonably believe:

6.1.1. constitutes child pornography or is otherwise obscene, sexually explicit or morally repugnant;

6.1.2. is excessively violent, incites violence, threatens violence, or contains harassing content or hate speech;

6.1.3. is unfair or deceptive under the consumer protection laws of any jurisdiction, including chain letters and pyramid schemes;

6.1.4. is defamatory or violates a person's privacy;

6.1.5. creates a risk to a person's safety or health, creates a risk to public safety or health, compromises national security, or interferes with a investigation by law enforcement;

6.1.6. improperly exposes trade secrets or other confidential or proprietary information of another person;

6.1.7. is intended to assist others in defeating technical copyright protections;

6.1.8. clearly infringes another person's trade or service mark, patent, or other property right;

6.1.9. promotes illegal drugs, violates export control laws, relates to illegal gambling, or illegal arms trafficking;

6.1.10. is discriminatory in any way, including by way of sex, race, or age discrimination

6.1.11. is otherwise illegal or solicits conduct that is illegal under laws applicable to you or to us; and

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- 6.1.12. is otherwise malicious, fraudulent, or may result in retaliation against us by offended viewers.
- 6.2. Content "published or transmitted" via our network or equipment includes Web content, e-mail, bulletin board postings, chat, and any other type of posting, display or transmission that relies on the Internet.

7. COPYRIGHTED MATERIAL

- 7.1. You may not use our network or equipment to download, publish, distribute, or otherwise copy in any manner any music, software, art, or other work protected by copyright law unless:
 - 7.1.1. you have been expressly authorized by the owner of the copyright for the work to copy the work in that manner;
 - 7.1.2. you are otherwise permitted by copyright law to copy the work in that manner.
- 7.2. We will terminate the service of repeat copyright infringers.

8. COOPERATION WITH INVESTIGATIONS AND LEGAL PROCEEDINGS

- 8.1. We may, without notice to you:
 - 8.1.1. report to the appropriate authorities any conduct by you that it believes violates applicable criminal law, and
 - 8.1.2. provide any information we have about you and co operate in response to a formal or informal request from a law enforcement or regulatory agency investing in any such activity, or in response to a formal request in a civil action that on its face meets the requirements for such a request.

9. OTHER

- 9.1. You must have valid and current information on file with your domain name registrar for any domain hosted on our network.
- 9.2. You may only use IP addresses assigned to you by our staff.

10. CONSEQUENCES OF VIOLATION OF AUP

- 10.1. We may without notice to you, suspend your service or remove any content transmitted via the Eaton Kaye Ltd service if we reasonably believe your service is being used in breach of this AUP. You must cooperate with our reasonable investigation of any suspected breach of the AUP.
- 10.2. You are strictly responsible for the use of your Eaton Kaye Ltd service in breach of this AUP, including use by your customers, and including unauthorized use that you could not have prevented. We will charge you our hourly rate for work on any breach of the AUP together with the cost of equipment and material needed to (i) investigate or otherwise respond to any suspected violation of this AUP, (ii) remedy any harm caused to us or any

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of our customers by the use of your service in violation of this AUP, (iii) respond to complaints, and (iv) have our Internet Protocol numbers removed from any "blacklist"

11. DISCLAIMER

11.1. We are under no duty, and by this AUP are not deemed to undertake a duty, to monitor or police our customers' activities and we disclaim any responsibility for any misuse of our network.

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