

## HTC Internet's Free WebSpace Community Guidelines

HTC Internet Subscribers must agree to use their Free WebSpace in a manner consistent with all applicable local, state, and federal laws and regulations, and in accordance with the HTC Internet Service Agreement, Acceptable Use Policy, and the Community Guidelines set forth here. The guidelines listed below are a nonexclusive list of actions and content prohibited on member sites:

**Illegal use:** Using the Free WebSpace Services to transmit any material (by email, uploading, posting, or otherwise) that, intentionally or unintentionally, violates any applicable local, state, national, or international law, or any rules or regulations promulgated hereunder.

**Do not post obscene or objectionable content:** Do not upload, post, email or otherwise transmit any Content that is unlawful, harmful, threatening, abusive, harassing, tortuous, defamatory, vulgar, obscene, libelous, invasive of another's privacy, hateful, or racially, ethnically or otherwise objectionable; Harm to minors. Using the Free WebSpace Services to harm, or attempt to harm, minors in any way.

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

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

**Fraudulent activity:** Using the Free WebSpace Services to make fraudulent offers to sell or buy products, items, or services, or to advance any type of financial scam such as "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 news postings in order to avoid spam email address collectors is allowed.

**Unsolicited commercial email/ Unsolicited bulk email:** Using the Free WebSpace Services to transmit upload, post, email or otherwise transmit any unsolicited or unauthorized advertising, promotional materials, "junk mail," "spam," "chain letters," "pyramid schemes," or any other form of solicitation or other activities that have the effect of facilitating unsolicited commercial email or unsolicited bulk email whether or not that email is commercial in nature, are prohibited.

**Unauthorized access:** Using the Free WebSpace Services to access, or to attempt to access, the accounts of others, or to penetrate, or attempt to penetrate, security measures of HTC Internet's or another entity's computer software or hardware, electronic communications system, or

telecommunications system, whether or not the intrusion results in the corruption or loss of data.

Copyright or trademark infringement: Using the Free WebSpace Services to transmit any material (by email, uploading, posting, or otherwise) that infringes any copyright, trademark, patent, trade secret, or other proprietary rights of any third party, including, but not limited to, the unauthorized copying of copyrighted material, the digitization and distribution of photographs from magazines, books, or other copyrighted sources, and the unauthorized transmittal of copyrighted software. HTC Internet is registered under the Digital Millennium Copyright Act of 1998.

Collection of personal data: Using the Free WebSpace Services to collect, or attempt to collect, personal information about third parties without their knowledge or consent.

### **Reselling the services.**

Reselling the Services without HTC Internet's authorization: Network disruptions and unfriendly activity. Using the Free WebSpace Services for any activity that adversely affects the ability of other people or systems to use HTC Internet Services or the Internet. This includes "denial of service" (DoS) attacks against another network host or individual user. Interference with or disruption of other network users, network services, or network equipment is prohibited. It is the Member's responsibility to ensure that their network is configured in a secure manner. A Member may not, through action or inaction, allow others to use their network for illegal or inappropriate actions. A Member may not permit their network, through action or inaction, to be configured in such a way that gives a third party the capability to use their network in an illegal or inappropriate manner.

News: HTC Internet Members should use their best judgment when posting to any newsgroup. Many groups have charters, published guidelines, FAQs, or "community standards" describing what is and is not considered appropriate. Usenet can be a valuable resource if used properly. The continued posting of off-topic articles is prohibited. Commercial advertisements are off-topic in most newsgroups, especially regional groups not specifically named for such. The presence of such articles in a group is not indicative of the group's "intended" use. Please familiarize yourself with basic Usenet netiquette before posting to a newsgroup. HTC Internet considers "multiposting" to 10 or more groups within a two-week sliding window to be excessive. HTC Internet servers currently limit the number of allowable "cross-posts" to 9. HTC Internet Members may not cancel messages other than their own messages. A Member may cancel posts forged in that Member's name. We may cancel any postings that violate this AUP.

Long Connections and Multiple Logins: Using a personal account for high volume or commercial use is prohibited. The Services are intended for periodic, active use of email, newsgroups, file transfers, Internet chat, games, and browsing the World Wide Web.

Members may stay connected so long as they are actively using that connection for the above purposes. Members may not use the Services on a standby or inactive basis in order to maintain a connection. Pinging is expressly prohibited. Accordingly, HTC Internet maintains the right to terminate any member's connection following any extended period of inactivity as determined by HTC Internet.

### **Web Site Size and Space Limitations:**

All HTC Internet Members receive at least 10MB Free Webspace for use with their HTC Internet access account. Each member's Free Webspace is allocated at least 1GB of traffic per month (traffic is calculated on a formula multiplying the number of hits that your site receives by the size of your files). If a site exceeds its maximum monthly allotment of traffic, the site will become unavailable until the beginning of the next calendar month. A site that exceeds the maximum allowed webspace size will also become unavailable. Unavailability includes but may not be limited to the inability to access the site publicly or to publish to or modify the site's contents via certain Web creation tools.

Using the Web Site to advertise business: Using the Free Webpage to advertise a business is prohibited. 'Commercial' in this case is deemed as a distribution channel and a medium for marketing communications that will result in a monetary gain to the owner of the web space.

### **Non profit organization:**

HTC allows it's customers to advertise non-profit organizations on their Free Webpage. Organizations who choose to utilize their Free Webpage for this purpose will be required to provide a copy of their 501c3 'nonprofit/tax exempt' form. For additional information send your email to domains@htcinc.net.

HTC Internet, in its sole discretion, may take any one or more of the following actions in response to violations of these guidelines:

- Issue written or verbal warnings
- Suspend the Member's webspace privileges
- Suspend the Member's account
- Terminate the Member's account
- Bill the Member for administrative costs and/or reactivation charges
- Bring legal action to enjoin violations and/or to collect damages, if any, caused by violations.

HTC Internet reserves the right to make changes to these guidelines at any time and in any manner.

Rev: 01/14/2011

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