



Acceptable Use Policy

As a provider of web site hosting and other Internet-related services, RackWire offers its clients the means to acquire and disseminate a wealth of public, private, commercial, and non-commercial information. RackWire respects that the Internet provides a forum for free and open discussion and dissemination of information, however, RackWire reserves the right to take certain preventative or corrective actions. In order to protect these competing interests, RackWire has developed an Acceptable Use Policy ("AUP"), which supplements the customer's respective Hosting Service Agreement and is intended as a guide to the customer's rights and obligations when utilizing RackWire's services. This AUP will be revised from time to time.

Clients violate RackWire 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 messages over the Internet (known as "spamming"). It is not only harmful because of its negative impact on consumer attitudes toward RackWire, but also because it can overload RackWire's network and impact general network activity.

Intellectual Property Violations

Engaging in any activity that infringes or misappropriates the intellectual property rights of others, including copyrights, trademarks, service marks, trade secrets, software piracy, and patents held by individuals, corporations, or other entities. RackWire is required by law to remove or block access to customer content upon receipt of a proper notice of copyright infringement. It is also RackWire's policy to terminate the privileges of customers who commit repeat violations of copyright laws.

Obscene Speech or Materials

Using RackWire's network to advertise, transmit, store, post, display, or otherwise make available child pornography or obscene speech or material. RackWire is required by law to notify law enforcement agencies when it becomes aware of the presence of child pornography on RackWire's network.

Defamatory or Abusive Language

Using RackWire's network as a means to transmit or post 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.

Distribution of Viruses, Worms, Trojan Horses, or Other Destructive Activities

Distributing information regarding the creation of and sending viruses, worms, Trojan horses, pinging, flooding, 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.

Storage

Storage of user data must be done within the users designated directory, as assigned by RackWire staff. Usage of other disk space is prohibited, except by RackWire system programs making temporary use of the systems public files system areas.

Other Illegal Activities

Engaging in activities that are determined to be illegal, including advertising, transmitting, fraudulently charging credit cards, and pirating software.

Other Activities

Engaging in activities, whether lawful or unlawful, that RackWire determines to be harmful to its clients, operations, reputation, goodwill, or customer relations.

RackWire Rights

When RackWire becomes aware of harmful activities, it may take any action to stop the harmful activity, including but not limited to, removing information, disabling FTP access, e-mail accounts or shutting down a web site.