

CC Communications Internet Acceptable Use Policy (AUP)

This agreement is between CC Communications and the User and applies when any User initiates or uses a CC Communications Service. CC Communications's Acceptable Use Policy ("AUP" and the "Policy") for CC Communications Internet Services is designed to help protect CC Communications, CC Communications's Users, and Internet community in general from irresponsible or, in some cases, illegal activities. The Policy is a non-exclusive list of the actions prohibited by CC Communications. CC Communications reserves the right to modify the Policy at any time.

Prohibited Uses of CC Communications Systems and Services

1. **Illegal Use:** Transmission, distribution, or storage of any material in violation of an applicable law or regulation is prohibited. This includes, without limitation, pornography, viruses, worms, or harmful code, material protected by copyright, trademark, trade secret, or other intellectual property right used without proper authorization. CC Communications will enforce compliance with the Digital Millennium Copyright Act of 1998.
2. **Threats:** Threats of bodily harm or destruction of property, or any other communication that constitutes an illegal threat or harassment.
3. **Reselling:** The resale of CC Communications Service or otherwise making available to anyone outside the premises the ability to use the Service (i.e. Wi-Fi, or other methods of networking) without proper authorization.
4. **Impersonation/Forgery:** The use of CC Communications Service for the impersonation of another person for any purpose, including, without limitation, adding, removing, or modifying email or network header information, use of free email services, selling or auction services, and chat or other instant messaging services. Identity theft, misuse, or misrepresentation of one's identity on the Internet is a violation of NV state law and covered under section 18 of the United States Federal Code.
5. **Disruptions and Network Unfriendly Behavior:** Any activities, intentional or otherwise, which adversely affect the ability of other Users to use, CC Communications's Services or the Internet. This includes, without limitation, denial of service (DOS) attacks, unauthorized attempts to gain access to any account or computer resource not belonging to the User, the alteration, destruction, or any attempt thereof, of any CC Communications or CC Communications User's information by any means or device, the interference or disruption of other provider's customers, services, or equipment, knowingly engage in any activities that will cause a DOS attack to any CC Communications User or other provider's customers, the lack of adequate Service resources (e.g. Bandwidth) to adequately service IP packets destined for User's network which may result in harm to the CC Communications system.
6. **Network Security:** The operation, through action or inaction, of User network computers and equipment in an unsecured manner which permits others to use User's Service in a means that is in violation of this AUP or any applicable law or regulation including, without limitation, DOS attacks, the proliferation of viruses or worms, email relaying and unsolicited email ("email spam").
7. **Email:** Sending unsolicited mail messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material ("email spam"). This includes, without limitation, bulk-mailing of commercial advertising, informational announcements, and political tracts. Users in violation of this policy will be subject to a fine of no less than five dollars (\$5.00 US), not to exceed five hundred dollars (\$500.00 US), per mail message. It also includes, without limitation, posting the same or similar message to one or more newsgroups (excessive cross-posting or multiple-posting). The use of CC Communications accounts or Services to solicit customers from, or collect replies to, messages sent from another Internet service provider where those messages violate this AUP or that of any other provider. Relaying of unsolicited mail messages to any other provider, whether permitted or not.

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8. Deception: Obtaining or attempting to obtain service by any means or device with intent to avoid payment, or advertising, transmitting, or otherwise making available any software, program, product, or service that is designed to violate this AUP or that of any other provider, which includes, without limitation, the facilitation of the means to send email spam, initiation of pinging, flooding, mail-bombing, DOS attacks, and piracy of software.

Privacy & Security: It may be necessary for CC Communications employees or representatives to examine system operational and accounting logs and other records to resolve Service related problems. CC Communications reserves the right to access any Service account's mailbox or other features to resolve problems or mail system errors. While it's not CC Communications's intent to monitor Users activities, CC Communications will cooperate with the appropriate legal authorities pursuant to all laws, regulations, and provisions included in the USA Patriot Act of 2001, the Computer Fraud and Abuse Act, and all other applicable local, state, and federal laws or regulations. CC Communications makes no guarantee and assumes no liability for the security of any data on any server, even those designated as "secure servers", or any Internet access circuit. No computer system can be completely protected or should be considered 100% safe from intrusion. Email and other data transmissions over the Internet may pass through many computers systems, and should not be considered a secure means of communication unless encrypted. Even then, such information is only as secure as the encryption method used. CC Communications does not generally monitor the activity of accounts except to measure system utilization and accumulate billing records. However, in our efforts to protect the integrity of our Service and fulfill any responsibility we may have as good citizens within the Internet community, if we become aware of inappropriate use of the CC Communications service we may respond accordingly.

Remedy: Each CC Communications User is responsible for their activities. By accepting service from CC Communications, User is agreeing to ensure that it abides to this Policy. It is the Users responsibility to secure computer equipment so that it is not subject to external threats such as viruses, spam, and other methods of intrusion. If violations of the CC Communications Acceptable Use Policy occur, CC Communications reserves the right to suspend or terminate Services with or take action to stop the offending User from violating CC Communications's AUP as CC Communications deems appropriate, without notice. CC Communications will investigate incidents involving violations and may involve or will cooperate with law enforcement if a criminal violation is suspected. Violators of the policy are responsible, without limitations, for the cost of labor to correct any damage done to the operation of CC Communications's network and supporting business operations at the rate of one hundred twenty five dollars (\$125.00 US) per hour. Users will not be credited for down-time while Services are unavailable through the suspension, termination, or other interruption of Services resulting from violations of the AUP. Abuse violations should be sent to abuse@cccomm.net.