

USFon Inc.
Acceptable Use Policy

USFon Inc.'s Acceptable Use Policy (the "AUP" or "Policy") for USFon Inc. services is designed to help protect USFon Inc., USFon Inc.'s customers and the Internet community in general from irresponsible or, in some cases, illegal activities. This Policy is a non-exclusive list of the actions prohibited by USFon Inc. USFon Inc. reserves the right to modify the Policy at any time, effective upon posting at <http://usfon.org>.

To ensure the activities of some users do not impair the ability of our customers to have access to reliable services provided at reasonable costs, you may not use our services for the transmission, distribution or storage of any material in a manner that is unlawful, infringes on intellectual property rights, or harms or unduly interferes with the use of USFon Inc.'s network or systems. This includes, without limitation, material protected by copyright, trademark, trade secret or other intellectual property right used without proper authorization, and material that is obscene, defamatory, constitutes an illegal threat, or violates export control laws. USFon Inc. reserves the right, without notice or limitation, to limit data throughput speeds or quantities or to deny, terminate, end, modify, disconnect, or suspend Service(s) if a user engages in any of the prohibited voice or data uses detailed below or if USFon Inc., in its sole discretion, determines action is necessary to protect its networks from harm or degradation.

Voice Services Use and Prohibited Use: USFon Inc. voice services are provided solely for live dialogue between, and initiated by, individuals for personal use and as otherwise described in this policy.

USFon Inc. services may **not** be used for any other purposes, including, but not limited to:

- (i) monitoring services,
- (ii) transmission of broadcasts,
- (iii) transmission of recorded material,
- (iv) telemarketing,
- (v) autodialed calls,
- (vi) other commercial uses, or
- (vii) other connections that do not consist of uninterrupted live dialogue between individuals.

Data Services Use and Prohibited Use: USFon Inc. data services are provided solely for purposes of web surfing, sending and receiving email, photographs and other similar messaging activities, and the non-continuous streaming of videos, downloading of files or online gaming.

Our data services may **not** be used:

- (i) to generate excessive amounts of Internet traffic through the continuous, unattended streaming, downloading or uploading of videos or other files or to operate hosting services including, but not limited to, web or gaming hosting;

- (ii) to maintain continuous active network connections to the Internet such as through a web camera or machine-to-machine connections that do not involve active participation by a person;
- (iii) to disrupt email use by others using automated or manual routines, including, but not limited to "auto-responders" or cancel bots or other similar routines;
- (iv) to transmit or facilitate any unsolicited or unauthorized advertising, telemarketing, promotional materials, "junk mail", unsolicited commercial or bulk email, or fax;
- (v) to Operate an account on behalf of, or in connection with, or reselling any service to, persons or firms listed in the Spamhaus Register of Known Spam Operations (ROKSO) database at www.spamhaus.org/rokso.
- (vi) for activities adversely affecting the ability of other people or systems to use either USFon Inc.'s data services or other parties' Internet-based resources, including, but not limited to, "denial of service" (DoS) attacks against another network host or individual user;
- (vii) to store and send files that violate copyright or other intellectual property laws or statutes or for any other criminal or illegal purpose; or
- (viii) for any other reason that, in our sole discretion violates our policy of providing service for individual use.
- (ix) to make unauthorized attempts by a user to gain access to any account or computer resource not belonging to that user (e.g., cracking, hacking, etc.).

General Prohibited Uses of USFon Inc.'s Systems and Services:

- (i) Obtaining or attempting to obtain service by any means or device with intent to avoid payment.
- (ii) Unauthorized access, alteration, destruction, or any attempt thereof, of any information of any USFon Inc. customers or end-users by any means or device.
- (iii) Using USFon Inc.'s Services to interfere with the use of the USFon Inc. network by other customers or authorized users.

USFon Inc.'s Wholesale Customer Responsibility for its Users: Each USFon Inc. wholesale customer is responsible for the activities of its users and, by accepting service from USFon Inc., is agreeing to ensure that its customers/representatives or end-users, as applicable, abide by this Policy. Complaints about customers/representatives or end-users of a USFon Inc. wholesale customer should be forwarded to the specific USFon Inc. wholesale customer for action.

Reporting Violations: USFon Inc. requests that any person who becomes aware of a violation of our AUP please report the information to USFon Inc. at abuse@usfon.org. If available, please provide the IP address used to commit the alleged violation and the date and time of the alleged violation. USFon Inc. may take any appropriate action as it reasonably deems fit in its sole discretion, including, but not limited to, one or more of the following actions in response to a report: (i) issue a warning; (ii) suspend the Subscriber's newsgroup posting privileges; (iii) suspend the Subscriber's account; (iv) terminate the Subscriber's account; (v) bill the Subscriber

for administrative costs and/or reactivation charges; (vi) bring appropriate legal action to enjoin violations and/or to collect damages, if any, caused by violations; or (vii) take no action.

Notice and Procedure for Making Claims of Copyright Infringement:

NOTE: THE FOLLOWING INFORMATION IS PROVIDED SOLELY FOR NOTIFYING THE SERVICE PROVIDERS IDENTIFIED BELOW THAT YOUR COPYRIGHTED MATERIAL MAY HAVE BEEN INFRINGED. NO OTHER INQUIRIES WILL RECEIVE A RESPONSE THROUGH THIS PROCESS.

To be effective, written notification must be submitted to the following Designated Agent:

Service Provider(s):

USFon Inc.
www.usfon.org

Designated Agent:

Brian DeHaven
Email: legal@usfon.org
Phone: 512-777-7704
Fax: 512-777-7715
Send notification to:

PO Box 569
Lockhart, TX 78644-0569

The written notification must also include each of the following:

1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed;
2. Identification of the copyrighted work claimed to have been infringed, or if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site;
3. Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit the service provider to locate the material;
4. Information reasonably sufficient to permit the service provider to contact the complaining party, such as an address, telephone number, and if available, an electronic mail address at which the complaining party may be contacted;
5. A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
6. A statement that the information in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.