

VDSWARE

Acceptable Use Policy

Offensive Content:

So that we can operate a high-performance and reliable service for our clients, VDSWARE restricts several materials from being hosted on our servers such as Terrorist Activities, Child Pornography, I/O Intensive Scripts (ex: Autodl, Sborg), Malware, Spam and Malicious Scripts (ex: originate DDoS attacks or hack attempts). If you are in doubt, feel free to contact us mentioning details about your contents.

Security:

You must take reasonable security precautions. You must protect the confidentiality of your password, and you should change your password periodically.

Bulk Commercial E-Mail:

You must obtain VDSWARE advance approval for any bulk commercial e-mail, which will not be given unless you are able to demonstrate all of the following to VDSWARE reasonable satisfaction:

Your intended recipients have given their consent to receive e-mail via some affirmative means, such as an opt-in procedure.

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.

You retain evidence of the recipients consent in a form that may be promptly produced on request, and you honor recipients and VDSWARE requests to produce consent evidence within 72 hours of receipt of the request.

The body of the e-mail must describe how 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 our 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 e-mail address please contact us at abuse@**yourdomain.com**.

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. Revocations of consent are honored within 72 hours, and you notify recipients that their revocation of their consent will be honored in 72 hours.

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. 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.

You must have a Privacy Policy posted for each domain associated with the mailing.

You have the means to track anonymous complaints.

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; and

You otherwise comply with the CAN SPAM Act and other applicable law.

These policies apply to messages sent using your VDSWARE service, 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 VDSWARE service. In addition, you may not use a third party e-mail service that does not practice similar procedures for all its customers. VDSWARE may test and otherwise monitor your compliance with its requirements, including requesting opt-in information from a random sample of your list at any time.

Material Protected by Copyright:

You may not publish, distribute, or otherwise copy in any manner any music, software, art, or other work protected by copyright law unless:

You have been expressly authorized by the owner of the copyright for the work to copy the work in that manner.

You are otherwise permitted by established Australian copyright law to copy the work in that manner

VDSWARE will terminate the service of repeat copyright infringes.

Copyright Infringement Notice (Digital Millennium Copyright Act):

If you believe your copyright is being infringed by a person using the VDSWARE network, please send your written notice of copyright infringement to abuse@vdsware.com

Your notice must include the following:

A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Identification of the copyrighted work claimed to have been infringed, or if multiple copyrighted works at a single site are covered by a single notification, a representative list of such works at that site.

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 VDSWARE to locate the material.

Information reasonably sufficient to permit VDSWARE to contact you, such as an address, telephone number, and, if available, an e-mail address.

A statement that you have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, the copyright owner's agent, or the law.

A statement that the information in the notification is accurate, and under penalty of perjury that you are authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Internet Abuse:

You may not engage in illegal, abusive, or irresponsible behavior. VDSWARE reserves the right to terminate service of any customer without refund for such behavior including:

Unauthorized access to or use of data, 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 (including those belonging to VDSWARE and its customers) without express authorization of the owner of the system or network.

Monitoring data or traffic on any network or system without the authorization of the owner of the system or network.

Interference with service to any user, host or network including, without limitation, mail bombing, flooding, deliberate attempts to overload a system and broadcast attacks.

Use of an Internet account or computer without the owners authorization, including, but not limited to Internet scanning (tricking other people into releasing their passwords), password robbery, security hole scanning, and port scanning.

Forging of any TCP-IP packet header or any part of the header information in an e-mail or a newsgroup posting; or any conduct that is likely to result in retaliation against the VDSWARE network.

Use of VDSWARE network in a way that unreasonably interferes with VDSWARE other customers use of the network.

Attack, make threats or act in an inappropriate manner towards VDSWARE staff.

Bandwidth Fair Usage Policy:

Bandwidth usage is to be reasonably consistent throughout every month, without irregular bandwidth usage patterns, either individually or as part of a group of Customer servers.

CDN or Media Streaming are not allowed on all our servers.

In the event VDSWARE, in its sole discretion, determines that the Customer is not using the Service according to this Fair Use Policy, VDSWARE will be entitled to impose limits on the network speed.

Other:

You must have valid and current information on file with your domain name registrar for any domain hosted on the VDSWARE network.

Disclaimer:

VDSWARE is under no duty, and does not by this AUP undertake a duty, to monitor or police our customer's activities and disclaims any responsibility for any misuse of the VDSWARE network.