

Acceptable Use Policy

Network Data Center Host

Our customers are expected to use the Internet with respect, courtesy, and responsibility, giving due regard to the rights of other Internet users. Common sense is the best guide as to what is considered acceptable use of your NDC Host account. The following are unacceptable and otherwise inappropriate uses.

Inappropriate Uses

Inappropriate uses include, but are not limited to activities such as unauthorized distribution or copying of copyrighted software (piracy or "warez"), violation of U.S. export restrictions, harassment, fraud, trafficking in obscene material, drug dealing, and other illegal activities. Files such as Layer-3 music (MP3s), Emulators and ROMs protected by copyright laws are strictly forbidden. The use of bots such as Eggdrop or any other similar programs executed on the server through Telnet are also not allowed.

Sites Not Welcome at NDC Host

NDC Host forbids websites that contain hatred messages including racism, sexism, or sites promoting one particular race, sex, or nationality as superior and/or another race, sex, or nationality as inferior.

Websites that promote activities that violate federal, state, local laws and/or violation of U.S. export restrictions are also not welcome at NDC Host. This includes "warez" sites, sites promoting hacking, cracking programs, or website distributing adult website passwords. Network Data Center Host will report and take immediate action towards sites violating U.S. laws, including providing logs and related account information that may be used against the offender in court proceedings.

Any site found on our servers which fits any of the descriptions above will be immediately disabled removed. NDC Host reserves the right to delete all of the files in the account and any other accounts maintained by any abuser of these policies. NDC Host nor its associates will be held accountable for losses occurred do to the removal of violating files / accounts.

Spamming, Trolling, and Mail bombing

Spamming is the sending of unsolicited e-mail, regardless of size, to persons the sender does not know. The use of fictitious e-mail addresses are forbidden, this includes but is not limited the manipulation of mail services and or domain piracy. Spamming also includes sending unsolicited advertisements to numerous email addresses or newsgroups and/or generating a significantly higher volume of outgoing email than a normal user. NDC Host reserves the right to determine an appropriate definition of spamming as techniques evolve and change, such as the use of snowshoe records, IP cycling, waterfalling, and listwashing. Trolling, the posting of outrageous messages to generate numerous responses is also not allowed. Mail bombing, the sending of

multiple messages without significant new content to the same user and/or subscribing someone else to a mailing list without that person's permission, cross-posting articles to an excessive number of newsgroups, or attempting without authorization to enter into a secured computer system is strictly forbidden. NDC Host reserves the right to determine what constitutes abuse of our services.

Tortuous Conduct/Interference with a Business Relationship/Contract

Includes, but is not limited to posting of defamatory, scandalous, or private information about a person without their consent, intentionally inflicting emotional distress, or violating trademarks, copyrights, or other intellectual property rights.

Abuse of System Equipment / Recourses

Misuse of system resources, including but not limited to employing posts or programs which consume excessive CPU time or storage space; permitting use of mail services, mail forwarding capabilities, POP accounts, or auto responders other than for the customer's own account; or resale of access to your hosting account of all account not subscribing to the reseller program, which in itself is governed by reseller stipulations. Any software or code presenting a security risk or promoting / exploiting vulnerability locally or remotely is sickly prohibited. Background processes are forbidden on shared hosting platforms. NDC Host reserves the right to determine what constitutes abuse of system equipment / resources.

Client Responsibilities

NDC Host cannot be held responsible for the deletion of users' files, whether intentional or unintentional. Sequential backup of all user files are maintained but no guarantee is made about the ability to retrieve such files. Clients are responsible for their own data, and are encouraged on a regular basis to keep copies of their site(s) and/or important data locally so that it may be recovered in the unlikely event of system data loss.

Complaints about violators of our policies should be referred to abuse@ndchost.com. We will make every effort to see your complaints are addressed in an orderly and prompt manner.

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