

# Acceptable Use Policy

Effective December 2009

User consent to be bound by the terms of this AUP. **Infrastructure Technology Solutions (“ITS”)** reserves the right to modify this AUP in its discretion at any time. Such modifications will be effective when posted. Any use of the **“ITS”** Network and Services after such modification shall constitute acceptance of such modification.

## Copyright:

No material copyrighted by someone else will be stored or cached on any device owned or operated by **“ITS”** without written permission of the holder or within allowances prescribed by the Digital Millennium Copyright Act (DMCA).

Any properly submitted notice for takedown by the copyright holder or agent for the copyright holder to remove materials from a **“ITS”** owned or managed device will be promptly honored.

**“ITS”** will honor the protection offered to the customer as prescribed by the DMCA. For materials stored on non- **“ITS”** owned and managed devices, **“ITS”** will forward any Notice of Takedown to the end user. If necessary, **“ITS”** will respond to recognized subpoenas and provide end user information as ordered by the appropriate courts.

## E-mail:

Sending unsolicited commercial electronic mail messages is explicitly prohibited. **“ITS”** will not hesitate to take steps, which may include immediate suspension of service. This includes unintended sending of unsolicited commercial electronic mail messages due to unsecured devices including, but not limited to: open email relay, proxy, and other possible exploits.

## Malicious Activity:

**“ITS”** customers shall use **“ITS”** services in accordance with all applicable local, state and federal laws, including but not limited to, obscenity laws. Customers shall not use **“ITS”** services to conduct any business or activity or solicit the performance of any activity that is prohibited by law, nor shall the customer's use of the **“ITS”** services impinge upon the use of **“ITS”** systems by other customers.

**Intended:** Attempts to exploit other devices or services on and off of the **“ITS”** network without the permission or implied permission of that party are not permitted. Violations of system or network security may result in criminal and civil liability. **“ITS”** will cooperate with law enforcement if a criminal violation is suspected. **“ITS”** will limit any traffic from the offending device or network immediately.

**Unintended:** **“ITS”** will notify customers of an exploited device being used for potential malicious activity. If the activity is causing severe damage or strain to other devices or networks, **“ITS”** will limit traffic to and from that device immediately. Otherwise **“ITS”** will notify the customer and give a reasonable amount of time to secure the device before limiting traffic to and from that device.

## Illegal Activity:

**“ITS”** will cooperate with law enforcement in cases where **“ITS”** services or devices are being used for any suspected illegal activity.

## Reselling of Services:

Reselling of any services provided by **“ITS”** is explicitly prohibited without expressed consent of **“ITS”**.

## Failure to Comply:

Failure to comply with **“ITS”** Acceptable Use Policy may result in the immediate termination of services, responding to law enforcement requests, or any other action deemed necessary by **“ITS”** in order to protect its network, customer relationships, and commitment to the highest possible quality of service. In the event that **“ITS”** determines that Customer has violated or will violate any of these policies, **“ITS”** may take such action as deemed to be appropriate under the circumstances as known to **“ITS”** at the time such action was taken to eliminate or preclude such violation **“ITS”** shall not be liable for any damages of any nature suffered by any Customer, Client, or third party resulting in whole or in part from its exercise of its rights under these policies. Customer is responsible for any charges resulting from the violation of these policies including but not limited to charges resulting from the compromise of any Customer secure password.

## Reporting Violations of the **“ITS”** Acceptable Use Policy:

**“ITS”** customers shall report to **“ITS”** any information customers may have concerning instances in which the conditions set forth herein have been or are being violated. When **“ITS”** becomes aware of any possible violations, **“ITS”** will initiate an investigation.

To report violations of **“ITS”** Acceptable Use Policy, send any and all documentation supporting the complaint to [abuse@infrastructuretech.net](mailto:abuse@infrastructuretech.net)

## Suspension; Termination,

Such harm to a network may include, but not limited to, risk of having an IP address placed on blacklists. ITS may take such further action as ITS determines to be appropriate under the circumstances to eliminate or preclude repeat violations, and ITS shall not be liable for any damages of any nature suffered by any Customer, User or any third party resulting in whole or in part from ITS' exercise of its rights under this AUP.

## Responsibility for Content:

**“ITS”** takes no responsibility for any material created or accessible on or through the **“ITS”** Network and Services. **“ITS”** is not obligated to monitor such material, but reserves the right to do so. **“ITS”** will not exercise any editorial control over such material. In the event that **“ITS”** becomes aware that any such material may violate this AUP and/or expose **“ITS”** to civil or criminal liability, **“ITS”** reserves the right to block access to such material and suspend or terminate any User creating, storing or disseminating such material. **“ITS”** further reserves the right to cooperate with legal authorities and third parties in the investigation of alleged wrongdoing, including disclosing the identity of the User that **“ITS”** deems responsible for the wrongdoing.

Last Modified 1-26-2010



**Infrastructure Technology Solutions**  
22068 Business Hwy 151  
Monticello, IA 52310  
(877) 723-8688  
<http://www.iowadatecenters.com>