

This Acceptable Use Policy (the "Policy") specifies the actions prohibited by Delta Communications, LLC dba Clearwave Communications ("Clearwave") to users of the Clearwave Internet Service ("Service") and/or the Clearwave Network. For the purposes of this Use Policy, "user(s)" shall mean "(a) customer(s) or anyone who uses or accesses the Service and/or the Clearwave Network". "Clearwave Network" shall mean the telecommunications and Internet system(s), points or presence, and network hubs.

1. ILLEGAL USE

Users may use the Service and the Clearwave Network only for lawful purposes. Transmission, distribution or storage of any material in violation of any law or regulation is prohibited. This includes, without limitation, material protected by copyright, trademark, trade secret or intellectual property right used without proper authorization, and material that is obscene, defamatory, constitutes an illegal threat or violates export control laws.

2. THE NETWORK

1. The user acknowledges that Clearwave does not attempt to, and is unable to exercise control over the content of the information passing over the Clearwave Network. Therefore, Clearwave is not responsible for the content of any message whether or not the posting was made by a Clearwave customer.
2. The Clearwave Network may be used for users to run applications, use services of their choice, connect devices and appliances, and link into other networks worldwide; assuming such use of the Network for the aforementioned purposes is not in violation of any law.
3. The user undertakes to conform to the Internet protocols and standards.
4. The user may not circumvent user authentication or security of any host, network, or account (referred to as "cracking" or "hacking"), nor interfere with service to any user, host, or network (referred to as "denial of service attacks").
5. The user may not use application that overloads the Clearwave Network by whatever means. Use of IP multicast other than by means provided and coordinated by Clearwave is likewise prohibited.
6. Users who violate systems or network security may incur criminal or civil liability. Clearwave will fully co-operate with investigations of suspected criminal violations, violation of systems or network security under the leadership of the police, relevant authorities, etc.
7. Clearwave agrees to offer to the public, interconnection to the Network and/or Internet, where technically feasible without exceeding the current or reasonably anticipated capacity limitations, on reasonable rates and terms to be negotiated with requesting parties.

3. SYSTEMS AND NETWORK SECURITY

Violations of system or network security are prohibited, and may result in criminal and civil liability. Clearwave will investigate incidents involving such violations and will involve and co-operate with the police, relevant authorities, etc. if a criminal violation is suspected. Examples of system or network security violations include, without limitation, the following:

1. 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 without express authorization of the owner of the system or network;
2. Unauthorized monitoring of data or traffic on any network or system without express authorization of the owner of the system or network;
3. Interference with service to any user, host or network including, without limitation, mail-bombing, flooding, deliberate attempts to overload a system and broadcast attacks;
4. Forging of any TCP-IP packet header or any part of the header information in an email or newsgroup posting.

If approached with complaints relating to any of the above violations, Clearwave will co-operate and assist the police, relevant authorities, etc. with their investigations in order to bring such misuse and violations to an end.

4. E-MAIL

1. It is explicitly prohibited to send unsolicited mail messages ("junk mail" or "spam") of any kind (commercial advertising, political tracts, announcements) etc.
2. Users may not forward or propagate chain letters or malicious e-mail.
3. A user may not solicit mail for any address other than that of the user, except with consent of the owner of the referred address.

This policy can be found posted at www.clearwave.com. Clearwave reserves the right to modify this Policy at any time. Any modification to this Policy will be made when Clearwave feels it is appropriate and it is the user's responsibility to ensure their awareness of any such changes.