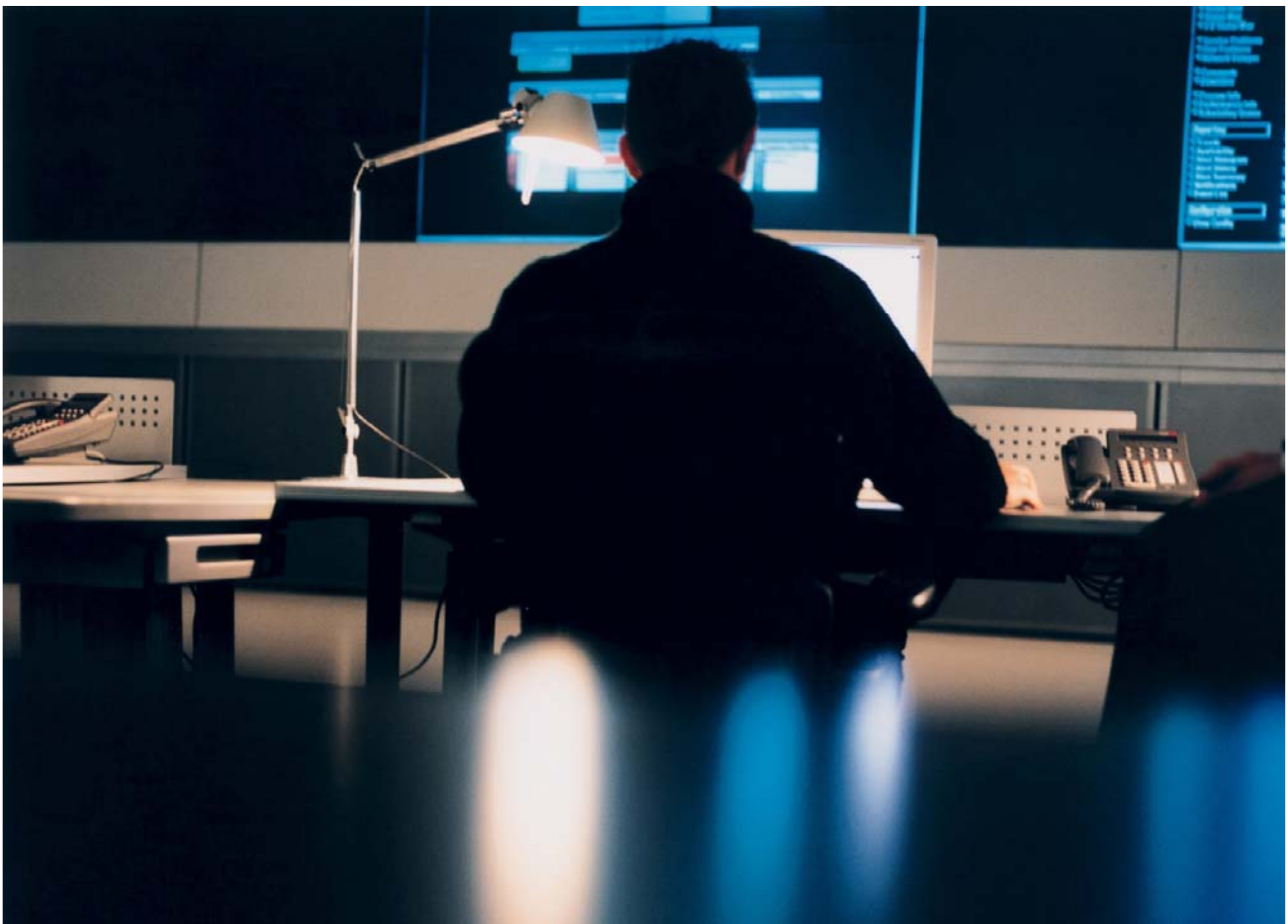


SCHUBERG PHILIS

Customer Anti-SPAM Policy



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MISSION CRITICAL OUTSOURCING

Schuberg Philis Customer Anti-SPAM Policy

Introduction

Schuberg Philis (AboveNet Nederland), has zero tolerance for Unsolicited Broadcast Email and Unsolicited Commercial Email (“UBE/UCE”, commonly known as “Spam”) whether originating from customers, from customers' customers, or from customers that provide services which are used to support UBE/UCE.

Definition

Schuberg Philis defines UBE/UCE as unsolicited broadcast or commercial email that is sent to addresses that do not affirmatively and verifiably request such material from that specific sender, including but not limited to advertising, surveys, information pieces, third party spamming, website addresses, sales, and auctions.

The Policy

1. Schuberg Philis' customers, and customers of Schuberg Philis customers or any downstream customers, are prohibited from sending and shall not allow their connection to Schuberg Philis to be used for sending UBE/UCE. Mail senders are required to maintain records that verify, on a case by case basis, that explicit affirmative permission was obtained from recipients before mailing. Lack of such records can be considered, at Schuberg Philis' sole discretion, proof that permission was not obtained.
2. Schuberg Philis customers are responsible for ensuring that they, their customers, and their respective agents and contractors abide by this policy. Schuberg Philis' customers will be held responsible for all traffic either sent via their connection to Schuberg Philis or sent elsewhere using support services provided via their connection to Schuberg Philis. "Support services" includes hosting websites, electronic mailboxes, telephony gateways, IRC servers, sale of spamming software or other similar services. Customers are also responsible for ensuring that they do not advertise or promote themselves through UBE/UCE.
3. Schuberg Philis may charge customer and customer shall pay \$1000.00 per valid UBE/UCE complaint of which Schuberg Philis is notified.
4. If Schuberg Philis receives a complaint, it will be forwarded to customer for a response and complete resolution. If within twenty-four (24) hours there is no response indicating complete resolution, Schuberg Philis may block traffic to and from the IP address involved in the UBE/UCE complaint until Schuberg Philis is convinced that the problem is resolved and preventative measures have been implemented to prevent the violation from recurring. If Schuberg Philis receives repeat complaints indicating that a problem has not been resolved, Schuberg Philis may block traffic to and from the IP address(es) or, in its sole discretion, to the customer involved in the UBE/UCE complaint until Schuberg Philis is convinced that the problem is resolved. The customer is responsible for all UBE/UCE that passes through its connection to Schuberg Philis.

5. Schuberg Philis also reserves the right to block traffic to and from the IP address(es) involved in hacking, and/or port scanning.
6. Customers whose connection to Schuberg Philis is used to provide services to support UBE/UCE are subject to suspension of services upon two (2) hours' notification.
7. If you run a mailserver, you must maintain a mailbox and read mail to postmaster@(your domain).
8. In addition, from time to time, Schuberg Philis blocks third party IP addresses that Schuberg Philis believes are used for the distribution of UBE/UCE or are designated as open relays. Any blocking of such IP addresses shall prevent Schuberg Philis customers from sending or receiving traffic to and from such IP addresses.

What does this mean?

1. You must provide us with contact information for us to notify you regarding compliance with these provisions. E-mail and phones/cell phones are best, but we will attempt contact via pager as well.
2. You must educate your customers about UBE/UCE to ensure compliance with these provisions.
3. You must promptly investigate and satisfactorily deal with any UBE/UCE complaints forwarded to you.
4. When using a mailing list, you must confirm that the recipients on the mailing lists have requested or otherwise affirmatively accepted receipt of any materials to be sent by you.
5. If you host websites, we suggest that you use a minimum of one IP address per customer so that Schuberg Philis has the ability to block only that customer which is distributing UBE/UCE.

Why this Policy?

Unlike senders of traditional "junk mail" who are required to pay for envelopes, materials and postage, senders of UBE/UCE can, given the nature of the internet, impose enormous costs on the recipients of their messages at little or no cost to themselves. Costs imposed on UBE/UCE recipients include ISP bandwidth used to deliver UBE/UCE, additional IP infrastructure needed to handle UBE/UCE, and time and money wasted in filtering out and deleting UBE/UCE. Schuberg Philis believes that users of the internet should not be forced to incur such expenses without their consent. As a result, Schuberg Philis believes that the elimination of UBE/UCE will result in a better and less expensive internet experience for all internet users and will allow Schuberg Philis to provide better and more efficient service to its customers. e.net so that we may initiate a closure of your account.