



Acceptable Use Policy

Any prohibited or illegal activity that affects DSLWest, LLC (DSLWest), its agents, equipment or customers is punishable to the full extent of the law; furthermore, DSLWest will hold you responsible for any damage caused by your actions, whether intentional or unintentional. You are strictly prohibited from using your account other than as outlined in this Acceptable Use Policy, and you will be prosecuted to the full extent of the law if you do so illegally (see [Enforcement](#) section). DSLWest will make no exception in enforcement of this policy.

DSLWest, functions as a common carrier; our standard policy is to not monitor or interrupt our users' activities, exert editorial control over their content, or censor either them or their content. To protect the interests of DSLWest and in the best interests of our customers, exceptions to this policy may be made under certain specific circumstances including but not limited to the following:

Illegal activities: The law requires that DSLWest report any criminal activity of which it might become aware to the appropriate authorities. It is the responsibility of the account owner to be familiar with current laws and regulations.

Email: Email accounts are for personal or business correspondence only. Unsolicited Commercial Email (otherwise known as UCE - or spam) is strictly prohibited and violators will have their accounts terminated immediately. Sending unsolicited email to one or more addresses regardless of how the addresses were obtained may be considered spamming and is grounds for account termination. Use of a DSLWest address or any address of a domain hosted by DSLWest as a return address for replies to spam is similarly prohibited.

DSLWest may at its discretion employ filtering techniques to block inbound email from known sources of spam and email abuse, and may also filter incoming email for known viruses.

Usenet: All users of DSLWest news servers agree to be bound by the charter of any newsgroup or newsgroup hierarchy posted to. It is the responsibility of the user to be familiar with these charters, which may include rules about content, spam, language and off-topic posting. Excessive posting of identical messages to multiple newsgroups ('cross-posting') via DSLWest news servers is prohibited, as is the posting of unsolicited commercial email (spam).

Shell use: DSLWest can provide shell access to its users on request. Shell access is an optional service, and DSLWest reserves the right to grant or revoke customer shell access at any time. To activate shell access, please call our technical support department.

The shell server is a shared resource and shell access is intended for use only when a user is actively connected and using the connection. IRC bots, excessive use of resources, and network abuse are all prohibited. The use of any process or program intended to run while the user is not on-line is also prohibited.

DSLWest maintains a zero-tolerance policy with regard to abuse of user shell access privileges. Any abuse of the shell service will result in immediate revocation of shell access, and further action may be taken at the discretion of DSLWest (see Network abuse and Enforcement sections).

Network abuse: Use of DSLWest accounts or services for orchestration of or participation in any abuse of the DSLWest or any other network, system or service is expressly forbidden and is grounds for account termination and possible legal action. Any action that interferes with the DSLWest or other networks, or which affects the use of or access to any network is likewise expressly forbidden.

DSLWest retains at all times the right to determine what constitutes network abuse. Examples include but are not limited to:

- Attempts to hack the DSLWest network or any other network or systems
- Port scanning
- Use of 'cracking' software or techniques
- Dissemination of viruses or malware
- Provocation of attacks on the DSLWest network or any other network
- Conduct which causes DSLWest to be blocked by another provider or which causes DSLWest to be placed on a "block list"
- Flooding DSLWest or any other network with traffic for the purpose of disrupting service
- Mail bombing

Acceptable Use Policy

DSLWest customers must also comply with the acceptable use policies of our upstream providers, UUNET (<http://www.uu.net>), Cable and Wireless (<http://www.cw.com>) and Sonic.net (<http://www.sonic.net>).

Use of copyrighted material: DSLWest is obligated to comply with the Digital Millennium Copyright Act of 1998 (DMCA). All web pages are subject to copyright law, and members are responsible for the content in their file space. Use of the World Wide Web, FTP, Newsgroups or any other services provided by DSLWest to transfer copyrighted material in violation of applicable laws is prohibited and may result in termination of your DSLWest account.

Complete details on the DSLWest DMCA policies and instructions on how to initiate or respond to a claim of copyright infringement, including contact information for our designated agent, can be found on the company website.

Access to content: DSLWest functions as a common carrier and does not censor. Material can be found on the Internet or in Usenet news groups, etc., that some viewers may find objectionable; DSLWest is not responsible for any content available via DSLWest accounts or services. Any limitation of access to content is at all times the responsibility of the account holder and DSLWest shall not be held responsible for access to material that an account holder deems inappropriate. We suggest that minors be supervised.

Accountability

The owner of any type of DSLWest account or service will be held responsible for any abuse of that account or service, regardless of whether the owner was the actual initiator of the abuse. This includes but is not limited to: abuse of an email account or dialup add-on which is part of a customer's account but which is used by a third party; or abuse of a collocated server or collocation services by a third party, with or without the account owner's permission.

Enforcement and remedy:

Violation of any terms set forth in this Acceptable Use Policy may result in one or more of the following, at the discretion of DSLWest:

- Issuance of a warning
- Temporary suspension of service
- Billing to defray administrative costs incurred
- Termination of your services, account or accounts
- Legal action

If any activities or security problems involving a DSLWest account or DSLWest customer's services cause network outages, the owner of the account or service will be billed for network down-time.

Any account owner whose account is terminated for violation of the terms set forth in this Acceptable Use Policy will be required to pay any outstanding balances due, including any and all early termination fees. In instances where it is necessary to terminate a customer's account, an administrative disconnect fee may also be applied.

DSLWest will normally attempt to contact any user in violation of this Acceptable Use Policy before taking action, but depending on the circumstances or the severity of the violation action may be taken without prior notification. In this case, the user will be notified as soon as it is practicable.

No limitation

This acceptable use policy in no way limits the rights and remedies of DSLWest. At its discretion DSLWest may take other actions it deems necessary to protect the integrity of its or other's networks, or to recover the costs of operation that pertain to identifying and removing violators of this acceptable use policy.