

This Acceptable Use Policy (AUP) sets forth guidelines for customers, subscribers, and clients of Kentec Communications, Inc. (KCI) who connect to and use the computer networks belonging to KCI and in which KCI has administrative authority. This includes dialup access accounts, radio networks, digital subscriber lines, ethernet networks, dedicated telephone circuits, and any other form of subscription and/or connectivity used. The latest version of this AUP is available at the URL <http://www.kci.net/UsagePolicy.html>. Changes or Modifications to this AUP will be effective immediately upon posting to that URL.

Introduction

Among other services, KCI provides network connectivity for dialup and dedicated access to the Internet. KCI makes little attempt to filter or control the content of data and information **entering** its networks upon request of network users (by actions such as browsing the World Wide Web, downloading files or documents, or participating in online conversations). Illegal activity is explicitly prohibited, and KCI may take efforts to protect its customers and its own computing/network equipment from known spammers (via the [Real-Time Black List](#)) and potential vulnerabilities, but **KCI does not make any warranty or guarantee of protection from network-based, application-based, or any other kind of attacks or attempts to control the computing equipment of its customers**. KCI strongly encourages users to become aware of potential vulnerabilities and forms of computer and network attacks, and to take measures to eliminate and protect against them (use virus scanning software, install OS updates, etc.).

KCI does exert some control over the content of data and information originating from and the use of networks and services available to its customers. It is not our intent to take on a "Big Brother" position, nor deny or prohibit legitimate uses of the Internet. Quite simply, there are both legal and practical obligations of an Internet Service Provider to contain the bounds of what use of its services is allowed and (especially) disallowed.

As outlined herein, the KCI AUP goes beyond the requirements to simply comply legally with the current laws by imposing certain limits and restrictions on behavior and use of Internet services by its network users, though the behavior may not explicitly be illegal. Our aim is to aid in eliminating network/Internet abuse and misuse, as well as to protect ourselves and our users from adverse consequences that result when not doing so.

E.g. Sending Unsolicited Commercial Email (UCE) can result in being put on a "blacklist" such that all KCI users could be affected by the inability to send mail, or make any network connections at all to sites that choose to honor the blacklist. Therefore sending UCE (also known as "Spam") is against this AUP, even though it may not be explicitly illegal. (Currently it's the subject of many lawsuits/legal debates, and whether it will end up being illegal or not will be determined in time. Regardless, we don't allow it.)

Illegal Activity

KCI explicitly disallows any activity or use of networks and services which is in violation of any local, regional, state or federal law or ordinance. Customers may not post, retrieve, transmit, or store material on or through KCI equipment or networks that is in violation of any applicable law or regulation, including material that is threatening, defamatory, obscene, indecent, constitutes an illegal threat, or could otherwise adversely affect any individual, group or entity, as well as material that is protected by copyright, trademark, patent, trade secret or other intellectual property law. Installation, storage, or distribution of licensed software without having appropriate license (a.k.a. "pirate" or "warez" software) is prohibited.

Should evidence of such activity be produced to or encountered by KCI, investigation may be made and/or corrective action taken in the matter possibly including, but not limited to account termination and involvement with appropriate law enforcement officials.

Email / Usenet News

Sending unsolicited commercial email (UCE) advertisements or informational announcements, chain letters, and "junk mail," as well as posting similar Usenet News messages to unrelated news groups or posting a message to multiple newsgroups, collectively known as "spam," is prohibited. Forging any Email or News header, or providing false information during a SMTP conversation is prohibited. Additionally, using non-KCI servers or services to relay mail or news either without permission or in order to send spam is prohibited.

KCI does not monitor the content of outgoing Email or News postings, but does respond to reports of abuse of either, typically with account termination. KCI does cooperate with law enforcement personnel in determining the origin of threatening messages and regarding similar issues.

System/Network Security

Attempting to defeat system or network security mechanisms, probe or scan systems and/or networks, forge network or application information, or cause a denial of service (DoS) to any system or network is explicitly forbidden, whether the system(s) and/or network(s) involved belong to KCI or otherwise, without express permission of the owner of the system/network. This includes, among similar activities, all of the following:

- Intercepting or diverting information, whether in transit or stored, for which you are not the intended recipient or would otherwise be allowed access to.
- Forging any part of an Email or News header, or information in headers of TCP/IP network packets.
- Using accounts for which you are not authorized to use, attempting to retrieve or determine account names and passwords, or otherwise attempting to bypass or manipulate an authentication system.
- Attempting to probe or scan systems or networks to determine potential vulnerabilities, services available, operating systems in use, or in order to map networks.
- Mailbombing and network flooding (ping floods, broadcast attacks, and the like).
- Attempting to cause any machine or application to crash or to consume resources such that services become unavailable or interrupted.

Reporting System / Network / Service Abuse

Complaints, reports or concerns of illegal activity, or activity in violation of the terms of this AUP and originating within or upstream of KCI networks, including SPAM (UCE) should be directed to abuse@kci.net.

Complaints or reports of such activity originating outside KCI (and upstream) networks should be directed to the authorities of the respective source. There is detailed information to help in determining such contact information available at <http://spam.abuse.net/howtocomplain.html>.