

Email Abuse and Email Misuse is a serious problem, and Nixperience Pte Ltd will not tolerate it.

Definition of UCE (Unsolicited Commercial Email), or SPAM:

- The bulk UCE, bulk promotional material, or other forms of solicitation sent via Email that advertise any IP address belonging to Nixperience Pte Ltd or any URL (domain) that is hosted by Nixperience Pte Ltd.
- Unsolicited postings to newsgroups advertising any IP or URL hosted by Nixperience Pte Ltd.
- The use of web pages set up on ISPs that allow SPAM-ing (also known as "ghost sites") that directly or indirectly reference customers to domains or IP addresses hosted by Nixperience Pte Ltd.
- Advertising, transmitting, or otherwise making available any software, program, product, or service that is designed to facilitate a means to SPAM.
- Forging or misrepresenting message headers, whether in whole or in part, to mask the true origin of the message.

For further information on mail abuse, please visit the Mail Abuse Prevention System (MAPS) website at <http://www.mailabuse.org/>

Repercussions of SPAM:

Across the Web, it is generally accepted that SPAM is an inconsiderate and improper business practice.

Nixperience Pte Ltd:

SPAM is not only harmful because of its negative impact on consumer attitudes toward Nixperience Pte Ltd, but also because it can overload Nixperience Pte Ltd's network and resources, especially on our shared (virtual) server environments.

Our Providers:

Since it is unsolicited, users who receive SPAM often become angry and send complaints to our upstream providers. This upsets our providers who abhor SPAM for the same reasons that Nixperience Pte Ltd does - it causes negative consumer attitudes and drains resources. We strive to maintain favorable business relationships in the Web community and obviously will not allow any practice that threatens these relationships.

Punishment For SPAM:

Nixperience Pte Ltd reserves the right to terminate, without warning, any account that violates this policy. Usage of Nixperience Pte Ltd services constitutes acceptance and understanding of this policy.

Nixperience Pte Ltd may, at its option, charge \$25.00 per SPAM complaint we receive for all (Colocation, Dedicated and Virtual Server) customers. Resellers will be charged for resold accounts, receiving SPAM complaints. Reseller may choose to pass this charge down to their client. These are non-refundable charges and will be invoiced at the time of complaint notification.

Nixperience Pte Ltd reserves the right to decide what it considers "SPAM", "UCE", "mail bombing", or "bulk Email", and to determine from all of the evidence whether or not the Email recipients were from an "opt-in Email" list.

Should you choose to Email from Nixperience Pte Ltd servers and/or network, especially if you use mailing lists, you must read and adhere to the following guidelines, which are offered as a statement of Internet standards and best current practices for proper mailing list management and preventing Email abuse.

Basic Mailing List Management Principles for Preventing Abuse

Mailing lists are an excellent vehicle for distributing focused, targeted information to an interested, receptive audience. Consequently, mailing lists have been used successfully as a highly effective direct marketing tool.

Unfortunately, some marketers misuse mailing lists through a lack of understanding of Internet customs and rules of the forum pertaining to Email. Others fail to take adequate precautions to prevent the lists they manage from being used in an abusive manner.

- The Email addresses of new subscribers must be confirmed or verified before mailings commence. This is usually accomplished by means of an Email message sent to the subscriber to which s/he must reply, or containing a URL which s/he must visit, in order to complete the subscription. However it is implemented, a fundamental requirement of all lists is the verification of all new subscriptions.
- Mailing list administrators must provide a simple method for subscribers to terminate their subscriptions, and administrators should provide clear and effective instructions for unsubscribing from a mailing list. Mailings from a list must cease promptly once a subscription is terminated.
- Mailing list administrators should make an "out of band" procedure (e.g., a means of contact by which messages may be sent for further correspondence via Email or telephone) available for those who wish to terminate their mailing list subscriptions but are unable or unwilling to follow standard automated procedures.
- Mailing list administrators must ensure that the impact of their mailings on the networks and hosts of others is minimized by proper list management procedures such as pruning of invalid or undeliverable addresses, or taking steps to ensure that mailings do not overwhelm less robust hosts or networks.
- Mailing list administrators must take adequate steps to ensure that their lists are not used for abusive purposes. For example, administrators can maintain a "suppression list" of Email addresses from which all subscription requests are rejected. Addresses would be added to the suppression list upon request by the parties entitled to use the addresses at issue. The purpose of the suppression list would be to prevent subscription of addresses appearing on the suppression list by unauthorized third parties. Such suppression lists should also give properly authorized domain administrators the option to suppress all mailings to the domains for which they are responsible.
- Mailing list administrators must make adequate disclosures about how subscriber addresses will be used, including whether or not addresses are subject to sale or trade with other parties. Once a mailing list is traded or sold, it may no longer be an opt-in mailing list. Therefore, those who are acquiring "opt-in" lists from others must examine the terms and conditions under which the addresses were originally compiled and determine that all recipients have in fact opted-in specifically to the mailing lists to which they are being traded or sold.
- Mailing list administrators should make adequate disclosures about the nature of their mailing lists, including the subject matter of the lists and anticipated frequency of messages. A substantive change in either the subject matter or frequency of messages may constitute a new and separate mailing list requiring a separate subscription. List administrators should create a new mailing list when there is a substantive change in either the subject matter or frequency of messages. A notification about the new mailing list may be appropriate on the existing mailing list, but existing subscribers should never be subscribed automatically to the new list. For example, if Company A acquires Company B, and Company B has compiled opt-in mailing lists, Company A should not summarily incorporate Company B's mailing lists into its own.

This Anti-Spam Policy and all other Nixperience Pte Ltd policies are subject to change by Nixperience Pte Ltd without notice.

Continued usage of the services after a change to this policy is implemented and posted on the Nixperience Pte Ltd site constitutes your acceptance of such change or policy. We encourage you to regularly check the Nixperience Pte Ltd site for any changes or additions. Visit our Terms & Conditions for further information regarding our policies.

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