

ACCEPTABLE USE POLICY

The intent of the Cap Rock Acceptable Use Policy ("AUP") is to provide guidelines as to types of prohibited conduct. This policy guideline is intended to elaborate on items in our Internet Agreement but does not replace them. The Cap Rock Internet Agreement and AUP apply to your use of service. Any violation(s) of our Internet Agreement or AUP may result in the suspension or cancellation of service.

Policy Concerning Prohibited Conduct and Legal Infringements:

Guidelines and Definitions:

Fraud: Involves a knowing misrepresentation or misleading statement, writing or activity made with the intent that the person receiving it will act upon it. Acting as or representing yourself as someone else electronically or on paper with or without the intention of committing a Fraud against a party or group of parties is prohibited.

Child Pornography: Federal child exploitation statutes define child pornography as visual depictions of "sexual intercourse" and/or "sexually explicit conduct", whether between persons of the same or opposite sex or lascivious exhibition of the genitals or pubic area of any person. It is illegal under Federal Law to possess, produce, receive, transport or distribute child pornography by any means, including e-mail, newsgroup posting or other services.

Infringement of Copyright, Patent, Trademark, Trade Secret, or Intellectual Property Right: Cap Rock respects the intellectual property rights of third parties, including those granted under the US copyright laws, and the interests of its subscribers and content providers on the Internet. You may not store material on, or disseminate material over, Cap Rock's systems or servers in any manner that constitutes an infringement of third party intellectual property rights, including rights granted under the US copyright laws. In accordance with the Digital Millennium Copyright Act ("DMCA") and other applicable law, it is the policy of Cap Rock to terminate, in appropriate circumstances, the Service provided to any subscriber or account holder who is deemed to infringe third party intellectual property rights, including repeat infringers. Appropriate circumstances may exist where (i) a subscriber or account holder has been found by a court of competent jurisdiction to have infringed the copyrights of a third party on two or more occasions, i.e. repeat infringers (ii) where a valid, effective and uncontested notice has been provided to Cap Rock alleging facts which are a violation by the subscriber or account holder of Cap Rock's Copyright Policy prohibiting infringing activity involving Cap Rock systems or servers, or (iii) in other cases of repeated flagrant abuse of access to the Internet (e.g. willful commercial piracy or malicious attempts to destroy the value of copyrighted works). In addition, Cap Rock expressly reserves the right to terminate or suspend the service of any subscriber or account holder if Cap Rock, in its sole judgment, believes that circumstances relating to the infringement of the third party intellectual property rights warrants such action. These policies are in addition to and do not affect or modify any other rights Cap Rock may have under law or contract. If you believe that copyrighted material has been used in violation of this policy or otherwise been made available on Cap Rock's service in a manner that is not authorized by the copyright owner, its agent or the law, please contact Cap Rock at 1-800-692-4242.

Hacking: Access or attempted access by any subscriber (or non-subscriber) attempting to access the accounts of others; or any penetration or attempted penetration of security measures of other systems, whether or not the intrusion results in corruption or loss of data.

Unauthorized Computer/Network Trespass: Unauthorized entry and/or use of another company and/or individual's computer system is not permitted.

Illegal Export: Unauthorized exporting of software or technical information may be a violation of U.S. export control laws, therefore is prohibited.

E-Mail Spamming: Transmitting of unsolicited e-mail to multiple recipients will not be tolerated. Such an offense negatively impacts mail system performance.

Usenet Spamming: Posting of messages to newsgroups that is irrelevant or blanket posting of messages to multiple news groups will not be tolerated.

Distribution of Viruses: Intentional distributions of software that attempts to and/or cause damage, harassment, or annoyance to persons, data, and/or computer systems are prohibited.

E-Mail/News Bombing: Malicious intent to impede another person's use of electronic mail services or news media will result in immediate termination.

E-Mail/Message Forging: Forging any message header, in part or whole, of any electronic transmission, originating or passing through Cap Rock services is prohibited.

Ponzi Schemes/Chain letters/ Pyramid Schemes: Posting of such scams may be unlawful and is prohibited on our service.

Inappropriate Use of Software: Use of software or any device that would facilitate a continued connection, i.e. ping, while using Cap Rock services is impermissible and prohibited.

Third Party Accountability: Cap Rock subscribers are responsible and accountable for any activity by third parties using their account, that violates these guidelines created and our Terms of Service and the Acceptable Use Policy.

Newsgroup Posting: Cap Rock subscribers may not use our Service to post or cross post more than ten same or similar messages to newsgroups at any one time.

This list is representative of prohibited activities and is not inclusive of all violations.

Cap Rock reserves the right to make changes to this policy and our Internet Agreement. Please check this site and our Internet Agreement periodically if you have questions about our guidelines and policies.