



## SP-0017: Acceptable Use Policy

### 1. Scope

This Acceptable Use Policy ("Policy") applies to customers' use of all services offered by Portfolio DecisionWare Inc. ("PDWare")

### 2. Last Updated

10/1/2019

### 3. Changes to Policy

PDWare may change this Policy by posting an updated version of the Policy at [success.pdware.com](http://success.pdware.com) and such updates will be effective upon posting.

### 4. Violations

A customer's violation of this Policy will be considered a material breach of the master subscription agreement and/or other agreement governing the customer's use of the services.

### 5. Prohibited Material

Customers may not, and may not allow any third-party, including its users, to use services to display, store, process or transmit, or permit use of services to display, store, process or transmit:

- Material that infringes or misappropriates a third party's intellectual property or proprietary rights
- Hate-related or violent material, and/or material advocating discrimination against individuals or groups
- Obscene, excessively profane material or otherwise objectionable material
- Material advocating or advancing criminal activity
- Material related to illegal drugs or paraphernalia
- Malicious material
- Unlawful software
- Malicious code, such as viruses, worms, time bombs, Trojan horses and other harmful or malicious files, scripts, agents or programs
- Material that violates, encourages or furthers conduct that would violate any applicable laws, including any criminal laws, or any third-party rights, including publicity or privacy rights.

### 6. Prohibited Actions

Customers may not use a service to, nor allow its users or any third-party to use a service to:

- Generate or facilitate unsolicited commercial email (spam). Such prohibited activity includes, but is not limited to:
  - Sending communications or email in violation of the CAN-SPAM Act or any other applicable anti-spam law or regulation
  - Imitating or impersonating PDWare, another person or his, her or its email address, or creating false accounts for the purpose of sending spam



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- Data mining or harvesting any web property (including any External-Facing Service) to find email addresses or other user account information
- Sending unauthorized mail via open, third-party servers
- Sending email to users who have requested to be removed from a mailing list
- Selling to, exchanging with, sharing with or distributing to a third-party personal information, including the email addresses of any person without such person's knowing and continued consent to such disclosure
- Sending unsolicited emails to email addresses belonging to individuals and/or entities with whom you have no preexisting relationship
- Send, upload, distribute or disseminate, or offer to do the same, with respect to unlawful, defamatory, harassing, abusive, fraudulent, infringing, obscene, excessively profane, hateful, violent, or otherwise objectionable material, or promote, support or facilitate unlawful, hateful, discriminatory, or violent causes
- Intentionally distribute viruses, worms, defects, Trojan horses, corrupted files, hoaxes, or any other items of a destructive or deceptive nature
- Use the services in any manner that violates any applicable industry standards or requirements that PDWare may communicate to its users, including all of the applicable guidelines published by the CTIA, the Mobile Marketing Association, the Self-Regulatory Principles as directed by the Digital Advertising Alliance and the Network Advertising Initiative or any other generally accepted industry associations, carrier guidelines or other industry standards
- Illegally transmit another's intellectual property or other proprietary information without such owner's or licensor's permission
- Post content that contains any personal information of minors
- Violate the rights (such as rights of privacy or publicity) of others
- Promote, facilitate or encourage illegal activity
- Interfere with other users' enjoyment of a service
- Impersonation of another person or entity or the misrepresentation of an affiliation with a person or entity in a manner that does or is intended to mislead, confuse, or deceive others
- Access (including through any interfaces provided with a service), any PDWare product or service, or other service or website, in a manner that violates the terms for use of or access to such service or website
- Perform significant load or security testing without first obtaining PDWare's permission
- Remove any copyright, trademark or other proprietary rights notices contained in or on the service
- Use a service in any manner that would disparage PDWare