Acceptable Use Policy

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The .ae Domain Administration – .aeDA
PO Box 116688
Dubai,
United Arab Emirates (UAE)
www.aeda.ae

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Document Information

Document Contact

Contact the following for details relating to this document:

Title	Policy Officer
Address	PO Box 116688, Dubai, UAE
Contact Number	+971.44288888
Email	policy@aeda.ae

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Acceptable Use Policy

1. Interpretation and Definitions

1.1. Except where expressly provided otherwise in this Policy, all terms used in this Policy, and defined in the .aeDA's Common Definition Policy (as amended from time to time) will carry the meaning ascribed to them in that Common Definition Policy.

1.2. Except where the context otherwise requires, the following principles will apply in interpreting the terms and words used in this Policy:

a) words importing the masculine, feminine or neuter gender include any of them, and the singular includes the plural and vice versa;

b) clause or section headings are for ease of reference only and do not affect the meaning of this Policy;

c) references to notice mean notice in writing;

d) the Schedules and any appendices or annexures form part of this Policy;

e) a reference to a Party includes its executors, administrators, successors and permitted assigns; and

f) words and expressions importing natural persons include partnerships, bodies corporate, associations, governments, governmental and local authorities and agencies.

2. Purpose

The purpose of this Policy is to detail the correct usage of Registry Services including the EPP Service and the WhoIs Service and WhoIs Check Service and to outline the acceptable use of those functionalities. This Policy has been developed by the .aeDA to clearly outline to users the appropriate use of the Registry Systems.

3. Compliance with Policy

Registrars must comply with all Policies as if they are incorporated into, and form a part of the Registry-Registrar Agreement. In the event of any inconsistencies between the provisions of this Policy and the Registry-Registrar Agreement on the relevant issues, this Policy provision will take precedence.

4.   Principles

This Policy has been implemented to ensure the stability and integrity of the Registry System is maintained for all users and to provide all Registrars with fair and equitable access to the Registry System.

5.   Guidelines

5.1. System and Network Security

Violations of the Registry Systems or network security are prohibited and may result in criminal and/or civil liability. The .aeDA will investigate incidents involving such violations and may involve, and will cooperate with, law enforcement if a criminal violation is suspected. Examples of system or network security violations include, without limitation, the following:

5.1.1.   unauthorised access to or use of data, systems or networks, including any attempt to probe, scan or test the vulnerability of a system or network or to breach security or authentication measures without express authorisation of the .aeDA;

5.1.2.   unauthorised monitoring of data or traffic on any network or system without express authorisation of the owner of the system or network; and

5.1.3.   interference with service to any user, host or network including, without limitation, mailbombing, flooding, deliberate attempts to overload the system and broadcast attacks.

5.2. Non-Interference with Services

No party may use the Registry Systems for actions that restrict or inhibit any person, in its use or enjoyment of the network or any service or product, including the Registry Services, of the .aeDA.

5.3. Network Integrity

No party may actually, nor attempt to, circumvent user authentication or security of any network or accounts, or penetrate security measures on, related to, or accessed through the Registry System. This includes, but is not limited to, accessing data not intended for such user, logging into a server or account that such user is not expressly authorised to access, falsifying a username or password, probing the security of other networks, and executing any form of network monitoring which will intercept data not intended for such user. Further, no party shall affect any security breach or disrupt any Internet communications including, but not limited to, accessing data of which such user is not an

intended recipient or logging onto a server or account which such user is not expressly authorised to access.

For the purposes of this section, "disruption" includes, but is not limited to, port scans, ping floods, packet spoofing, forged routing information, deliberate attempts to overload a service, and attempts to "crash" a host. Finally, no party may utilise the Registry System in connection with the use of any program, script, command, or sending of messages, designed to interfere with a user's terminal session, by any means, locally or by the Internet.

5.4. Enforcement

The .aeDA may, in its sole discretion, suspend or terminate a user's service(s) for any violation of this Policy at any time and without warning. However, the .aeDA attempts to work with users to resolve violations and to ensure that there is no re-occurrence of the violation prior to terminating service.

5.5. Limitation of Liability

In no event shall the .aeDA be liable to any user of the Registry Systems, any customer, nor any third party for any direct, indirect, special or consequential damages for actions taken pursuant to this Policy, including, but not limited to, any lost profits, business interruption, loss of programs or other data, or otherwise, even if the .aeDA was advised of the possibility of such damages.

5.6. Control

The .aeDA will work with all users of the Registry System to ensure this Policy is adhered to. This will be achieved by monitoring the number and type of transactions performed by users of the Registry System. Users who unreasonably exceed acceptable limits may, at the sole discretion of the Registry operator, have access to the Registry System temporarily suspended, restricted or withdrawn. Accredited Registrars who fail to comply with this Policy may also be issued with a notice of material breach outlined in the Registry-Registrar Agreement.

6. Policy Review

The .aeDA may update this Policy at any time in its complete discretion, including for the purpose of clarification.