

Dental Allies No-SPAM Policy

This policy further defines some of the prohibited actions as found in Dental Allies' Acceptable Use Policy, a part of the Agreement You executed when You subscribed to Dental Allies' Services and which outlines the acceptable and prohibited actions on Your hosted account.

You are responsible for the complaints and consequences arising from Your use of the Services.

Upon discovery and notification of these Service abuses, Dental Allies will investigate and, without prior notice to You, may disable Your account in order to protect the security, integrity and usability of the Services and the Dental Allies servers and shared network.

REPORTING SPAM.

Dental Allies defines SPAM, also known as Unsolicited Commercial Email ("UCE") or Unsolicited Bulk Email ("UBE"), as any email message the recipient considers unsolicited and of a commercial nature or email sent in bulk.

Dental Allies and/or Dental Allies Parties' expressly prohibit the sending of SPAM through its network and servers.

If You believe that You have received SPAM (as defined above) from Dental Allies' network, please send a signed complaint along with the message(s) You received, including its complete email headers, to abuse@dentalallies.com.

Dental Allies does not investigate or take action based on anonymous SPAM complaints.

PROHIBITED EMAIL ACTIVITIES.

Sending UCE/UBE, also known as SPAM:

Defined as the sending of email to recipients who consider the message unsolicited email of a commercial nature or the sending of email in bulk to recipients who consider the message unsolicited email of any nature.

It is one of the most serious abuses of the Services.

UCE or SPAM Response Collection:

Defined as the collection of responses, directly or indirectly, from UCE or UBE sent by You or UBE sent on Your behalf.

Website Advertising via UCE or UBE, also known as SPAMvertising:

1. is UCE or UBE as defined above; and
2. contains direct or indirect links or references to one or more websites.

This also includes the use of third-party email accounts, servers or services to SPAMvertise the site(s).

Mail Bombing:

Defined as sending of an unreasonably large number of electronic mail messages to a single system, person or email address.

Mail Harassment:

Defined as sending email in a manner or with content that is perceived as threatening or harassing by the intended or actual recipient.

Letter Bombing:

Defined as sending email with content that will or could potentially harm the recipient's computer.

PROHIBITED MAILING LIST ACTIVITY AND MAILING LIST AND ADDRESS LIST MINIMUM REQUIREMENTS.

The following is a list of minimum requirements for the permitted use of mailing lists by way of Dental Allies' Services and networks. ***They are guidelines to minimize the probability of complaints. However, You will still be responsible for any complaints received in relation to Your Account despite having implemented all of the requirements.***

If You send out bulk email, Your email will be conclusively labeled as SPAM unless You implement all of the following requirements, either under Option A or Option B below.

Option A. Listserv-style email lists:

(All members add themselves to the list by sending a subscribe email from their email address to the list owner.)

1. In the initial message to the member,
 - a. there is clear and conspicuous notice that the member is signing up for a mailing or address list; and
 - b. there is a simple, effective method of list removal outlined in the message; and
 - c. a non-Internet method of contacting the list owner is provided (phone number and/or street address will suffice); and
 - d. terms and conditions of email address use by the list are provided.
2. Prior to any subsequent mailing to the list, list owners must remove all addresses for list members who have chosen to be removed from the list and all addresses from which emails have bounced back as undeliverable.

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3. Lists are not used for purposes or in a manner which is harassing, abusive, illegal, and/or will create liability for You, Dental Allies, Dental Allies Parties, or third parties.
4. Email to the list members is only from the entity with which the member signed up and only on the topic for which the recipient agreed to receive information.

Emailing to a list which contains members of a list which was purchased, rented, leased, or lent to You is prohibited. Email to list members on a subject which is not on the topic or product for which the member agreed to receive messages is SPAM and is prohibited.

Option B. General Mailing and Address Lists:

(Members added by means other than member sending a subscribe email from their email address to the list owner.)

1. Provide clear and conspicuous notice that the prospective member is signing up for a mailing or address list and such notice must appear near the email address collection point.
2. Require prospective members of the list to take some non-passive action to request signup for the list.
3. Provide conspicuous, comprehensive terms and conditions of address use that are posted or linked near the email collection point and available to the list members to print or download after signup.

Include subject matter of the list and anticipated mailing frequency, sharing/trading/selling of the address.

4. An address is added to the list using only Double Opt-in Procedures, with the address confirmed and permission-to-email verified before mailings begin.

An Opt-in Procedure is defined as a list signup process where:

- a. potential mailing list members are given a clear, conspicuous choice as to whether they wanted to receive such emails or not; and
- b. if the potential member chooses to receive such emails, they express this choice by undertaking some non-passive action.

A Double Opt-in Procedure is defined as an Opt-in Procedure where:

- a. the potential mailing list members request an invitation to join the mailing list or address list;
- b. prior to receiving any other mailing from the mailing list or address list, the potential member

receives an invitation email address to the email account that will receive the mailings;

- c. to be added to the mailing list, the potential member must reply or click a link contained in the invitation email address; and

(if replies constitute a request to receive email, then You are responsible for reading the replies and taking appropriate action [i.e., if the reply says "do not email me"], then the address must be removed from the list owner's databases).

- d. if an invitation email is not replied to or confirmed by the link, that email address is not added to the mailing list and no further email is sent to that email address.

5. The list removal method must be simple, effective, and conspicuously displayed in all messages including the invitation email message.
6. There must be both an automated and non-automated means of removal from the list.
7. The list must provide a non-Internet method of contacting the list owner.
8. Prior to any subsequent mailing to the list, list owners must remove all addresses from which emails have bounced back as undeliverable and all addresses for list members who have chosen to be removed from the list.
9. Lists are not used for purposes which are harassing, abusive, or illegal or for the purposes or in a manner which will create liability for You, Dental Allies, Dental Allies Parties or third parties.
10. Email to the list members is only from the entity with which the member signed up and only on the topic for which the recipient agreed to receive information.

Email to a list which contains members of a list was purchased, rented, leased, or lent to You are prohibited. Email to list members concerning a subject which is not concerning the topic or product for which the member agreed to receive messages is prohibited.

PROHIBITED NEWSGROUP ACTIVITIES.

Newsgroup SPAMMING

Defined as posting content or messages which:

1. email to the list members is only from the entity with which the member signed up and only on the topic for which the same or similar information;

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2. violates the rules of the newsgroup in which the posting is made;
3. is off the topic of the newsgroup and is not the topic of the current discussion in the group; and/or
4. is a commercial posting unless the newsgroup rules expressly permit commercial posting.

Dental Allies Complaint Processing

Dental Allies prohibits SPAMMING, defined as the sending of UCE and UBE, in order to protect the integrity of the Dental Allies or Dental Allies Parties' shared server and network resources. Please review Dental Allies' No-SPAM Policy, below, for the full definitions of SPAM, UCE and UBE, in addition to other email guidelines.

Complaints of UCE and UBE, regardless of whether the email is actually solicited or not, are what trigger the blacklisting of Dental Allies or Dental Allies Parties' network and services. Therefore, the sending of email which results in UCE/UBE complaints is conclusively a SPAMMING activity in violation of Dental Allies' No-SPAM Policy.

IT IS YOUR RESPONSIBILITY TO PREVENT ALL SPAM COMPLAINTS RESULTING FROM EMAIL ACTIVITIES ON YOUR DENTAL ALLIES HOSTED ACCOUNT.

PROCESSING OF REPORTS OF SPAM ACTIVITY AND SPAM COMPLAINTS.

Dental Allies processes reports of SPAM activity and SPAM complaints in the manner described below.

1. If the email activity associated with Your hosted Dental Allies account poses an immediate threat to Dental Allies or Dental Allies Parties' servers or network, Dental Allies reserves the right to immediately disable Your Account and send email notice to Your Account Contact. An immediate threat includes Dental Allies' and/or Dental Allies Parties' receipt of ten or more SPAM complaints in a seventy-two (72) hour period.
2. Absent an immediate threat to the servers or network, Dental Allies will follow the steps outlined below for SPAM processing.
 - a. **First UCE/UBE Event.** Dental Allies sends a "complaint received" message to the complainants and sends the complaints and **first warning** to Your Account Contact.
 - b. **Second UCE/UBE Event.** Dental Allies sends a "complaint received" message to the complainants and sends the complaints and **second and final warning** to Your Account Contact.

- c. **Third UCE/UBE Event.** Dental Allies **immediately and permanently disables** the email capabilities of Your Services and then sends notices to Your Account Contact of this permanent email disablement.

A UCE/UBE Event is defined as either of the following:

- a. Dental Allies and/or Dental Allies Parties' receipt in any seventy-two (72) hour period of three (3) or more complaints or notices of activity on Your Account that violates Dental Allies' No-SPAM Policy; or
- b. Dental Allies and/or Dental Allies Parties' receipt in any thirty (30) day period of six (6) or more complaints or notices of activity on Your Account that violates Dental Allies' No-SPAM Policy.

Customer Signature

Date

Printed Name

Title

Company