

## Using the Law to Address Illegal Activity on the Internet

While the vast majority of content on the internet is from honest sources and honest businesses, the fact anyone can develop an online presence without identification or by using a credit card that hasn't been reported stolen provides an opportunity for abuses. Fortunately, there are procedures that can be followed when problems are identified.

Aplus.Net is required to fully comply with a variety of regulations in order to maintain our presence in the community of Domain Name Registrars. These rules are part of the regulations developed by the **Internet Corporation for Assigned Names and Numbers (ICANN)** in conjunction with the **United States Department of Commerce**. Information about this organization is available at [www.icann.org](http://www.icann.org). This web page outlines how Aplus.Net will fully comply with these regulations as they relate to domain name ownership and use.

Aplus.Net is required by many different lawmaking bodies to maintain and abide by an **Acceptable Use Policy (AUP)** for all of our products and services. This AUP covers a variety of activities under the basic premise that no customer may use products and services from Aplus.Net to engage in illegal activity, or what may be identified as detrimental activity, such as excessive *spam* mail, abnormally compute-intensive applications, or other activities that can adversely impact our physical operations. Our AUP can be viewed in detail at <http://www.aplus.net/acceptable.html>.

### **Here is a step-by-step guide for addressing issues involving Domain Names:**

If you either suspect, or have direct experience that a particular website exists for an illegal purpose, you are entitled to information that may help you identify that business and pursue an appropriate course of action. As an ICANN Accredited Registrar, Aplus.Net must provide free access to a database of information regarding the owner and/or the business associated with the domain name. The link to this database is:

<http://domainnews.aplus.net/dn/Whois>. If it is brought to our attention the information in the database is purposely inaccurate, or is no longer current and the domain owner does not respond to our requests to update that information, the domain can be deleted.

1. Use the link above or use any "whois" database to identify and contact the business or appropriate legal authorities with regard to your complaint.
2. If you find the contact information is not accurate, send the following information to the Registrar for the Domain Name:
  - Domain name in question
  - Brief description of the alleged illegal activity.
  - Brief description of the contact attempted and apparent reason(s) the contact was unsuccessful.
  - Your correct contact name, address, telephone number and e-mail address.

- A statement that under penalty of perjury, you certify the information you are providing to be true and correct.

If the Registrar is Aplus.Net, send the information via post or by express courier to:

Vice President and General Counsel  
Aplus.Net Internet Services  
7500 W 110<sup>th</sup> St., Suite 400  
Overland Park, KS 66210  
Tel: 913 890 7766

3. After we receive this material, Aplus.Net is required to request the contact information be corrected or updated within 15 days. If the information is not provided, the domain can be deleted.

***Here is a step-by-step guide for issues involving Websites:***

Aplus.Net may not have been the domain name registrar, but we may be the business hosting a website you believe to be or have direct experience with in terms of illegal activity.

The most efficient way to have these websites eliminated is to follow the procedure for Domain Names (above). If for whatever reason that effort proves unsuccessful, you may elect to follow these steps to have the website disabled on the grounds the website violates Aplus.Net's AUP.

Include the following information in a document sent to Aplus.Net via post or express courier:

1. Identify the website and/or elements within a specific website you believe to be illegal. Provide sufficient information so that we may readily locate the content without possible confusion.
2. Provide a brief description of the alleged illegal activity.
3. Your correct contact name, address, telephone number and e-mail address.
4. A statement that under penalty of perjury, you certify the information you are providing to be true and correct.

Send the information via post or by express courier to:

Vice President and General Counsel  
Aplus.Net Internet Services  
7500 W 110<sup>th</sup> St., Suite 400  
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5. After we receive this material. Aplus.Net will review the website for apparent illegal activity in violation of our AUP. If we find the website to be in violation, we will disable access to the website and/or close the account.

***Aplus.Net's Legal Obligations and Corporate Policy***

Aplus.Net will follow all relevant regulations and obligations encompassed in the ICANN Registrar Accreditation Agreement (2001-2006) involving the registration of domain names. These involve maintaining contact information for each registered domain and eliminating those registered domains for which the information is inaccurate.

Aplus.Net will maintain and adhere to an Acceptable Use Policy (AUP) that does not allow our services to be used for illegal activity. Being neither Judges nor Attorneys, we cannot address matters where we are required to weigh evidence regarding illegality. We will investigate all matters brought to our attention for apparent illegal activity and act in a reasonable manner with respect to what we are able to identify.

Reviewing a website against the AUP is neither the appropriate tool nor a means to involve Aplus.Net in disputes between customers and businesses. If our investigation of a complaint involving AUP does not identify apparent illegal activity and our contact with that business shows evidence of a viable business concern, complainants will be referred to appropriate law enforcement agencies or the jurisdictionally appropriate court system to pursue their grievance.