

# OlyPen

## Open Internet Disclosure

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Pursuant to the Federal Communications Commission's enacted Open Internet Rules found in Part 8 of Title 47 of the Code of Federal Regulations, OlyPen, Inc. (hereafter "OlyPen") policies regarding network management practices, performance characteristics, and commercial terms are provided so that OlyPen's current customers, prospective customers, third-party content providers and other interested parties can make informed choices regarding the broadband Internet access services offered by OlyPen and the extent OlyPen's network management practices may affect those services.

OlyPen reserves the right to modify this disclosure statement at any time by posting changes online. An online version of this disclosure statement, as so changed from time to time, will be accessible at [www.olypen.com](http://www.olypen.com) or another online location designated by OlyPen, or can be obtained by calling OlyPen Customer Service (see contact information below).

### Network Practices

#### Congestion Management

OlyPen manages its network with one goal: to deliver the best possible broadband Internet experience to all of its customers.

The technique is "protocol-agnostic," which means that the system does not manage congestion based on the applications being used by customers. It is also content neutral, so it does not depend on the type of content that is generating traffic congestion. Said another way, customer traffic is congestion-managed not based on the applications or content being used, but based on current bandwidth product the customer purchases.

#### Application-Specific Behavior

OlyPen does not make use of any application-specific network management practices. OlyPen does not favor, modify, inhibit, rate control or block any specific protocols, protocol ports or fields, or any applications or classes of applications.

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### Device Attachment Rules

In order for a device to be approved for use in connection with the OlyPen network, the device must conform to publicly available industry standards and be non-harmful to the OlyPen network.

### Security

OlyPen offers its customers unrestricted access to all of the lawful content, services, and applications available on the Internet. OlyPen uses industry standard tools and best practices and policies to protect our customers from spam, phishing, and other unwanted or harmful on-line content and activities. In the instances where these tools and policies identify on-line content as harmful or unwanted, the content may be prevented from reaching customers, or customers may be permitted to identify or inspect content to determine if it is harmful or unwanted.

### Performance Characteristics

#### Service Description

The advertised speed of OlyPen's Internet service is the maximum speed achievable with the technology utilized by OlyPen. While the maximum advertised speed is attainable for end users, several factors may affect the actual speed of OlyPen's Internet service offerings, including, but not limited to: the end user's computer, modem or router, activity during peak usage periods, and other Internet traffic.

**OlyPen Internet service is provided on an "as is" and "as available" basis without warranties of any kind, either express or implied, including but not limited to warranties of title, noninfringement, implied warranties of merchantability or fitness for a particular purpose or any warranties arising from course of dealing or usage of trade, no advice or information given by OlyPen, its affiliates, its licensors, its contractors or their respective employees shall create a warranty. Neither OlyPen nor its affiliates, its licensors, its contractors or their respective employees warrants that the service will be uninterrupted or error free.**

Additional information can be found in the OlyPen Terms of Service Agreement, posted on the OlyPen web site: <http://startpage.olyphen.com/customercare/tos.php>

### Impact of Specialized Services

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OlyPen does not offer any specialized services.

### Commercial Terms

#### Pricing

In order to meet the usage and budgetary needs of all our customers, OlyPen offers a wide selection of broadband Internet access plan options, including promotional offerings, bundled service choices, and A'la carte alternatives.

To see OlyPen's current promotions and pricing on broadband Internet access service, please visit our website <http://www.olypen.com> or call 360-683-1456.

OlyPen's Internet service is priced on a flat-fee basis (plus taxes). OlyPen does not charge end users a usage-based fee for Internet service. For additional information on OlyPen's fee schedule for additional network services, visit the OlyPen website at <http://www.olypen.com> or call 360-683-1456.

#### Privacy Policies

OlyPen affords full access to all lawful content, services and applications available on the Internet and does not routinely monitor, inspect or store the network activity and traffic of its Internet service users. However, OlyPen reserves the right to monitor bandwidth, usage, transmissions and content for purpose of protecting the integrity of the network and OlyPen's Internet access service through reasonable network management practices.

OlyPen may collect equipment information to identify the equipment customer is using on the network, including, but not limited to: equipment type, serial number, settings, configuration and software. OlyPen may also collect performance information to examine the operation of the equipment, services and applications the customer may use on the network, URLs, data transmission rates and latencies, location information, security characteristics, and information about the amount of bandwidth and other network resources customer is using in connection with uploading, downloading or streaming data to and from the Internet.

Network traffic, activity, performance information, and equipment information monitored or collected by OlyPen is done for the sole purpose of reasonable network management purposes.

OlyPen is required to comply with relevant laws, regulations and judicial orders. Information covered under this Privacy Policy, as well as other categories of information,

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may be disclosed to third parties if OlyPen determines, in its sole discretion, that such a disclosure is necessary or required. OlyPen may also disclose this information if, in its sole discretion, such a disclosure is necessary or required to protect our interests or the interests of our customers.

The OlyPen network management practices as discussed herein are intended solely to provide the best on-line experience possible for our customers by safeguarding our network and its users from spam, viruses, phishing, and other unwanted or harmful on-line content and activities. OlyPen's network management practices are not intended, nor implemented, to block consumers from accessing the content and applications of their choice, deprive consumers of their entitlement to competition, or discriminate against or in favor of certain network traffic.

For more information on OlyPen privacy policies, please see our Privacy Policy page: <http://startpage.olyphen.com/customer-care/opp.php>.

### Redress Options

If you have questions regarding OlyPen's Network Management Practices Policy or would like to file a complaint with OlyPen regarding its network management practices, please contact OlyPen at:

OlyPen, Inc.  
245 East Washington St.  
Sequim, WA 98382

Phone: 360-683-1456  
Fax: 360-683-3159  
Email: [info@olyphen.com](mailto:info@olyphen.com)

### Disclaimers

The Open Internet Rules, as adopted, and OlyPen's Network Management Practices Policy are not intended to affect, alter or otherwise supersede the legal status of cooperative efforts by broadband Internet Access Service Providers and other service providers that are designed to curtail infringement in response to information provided by rights holders in a manner that is timely, effective, and accommodates the legitimate interests of OlyPen, rights holders, and end users.

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Furthermore, the Open Internet Rules, as adopted, and OlyPen's Network Management Practices Policy do not prohibit OlyPen from making reasonable efforts to address the transfer of unlawful content or unlawful transfers of content.

### Terms of Service and other Policies

As a condition of service, all OlyPen Subscribers must agree to the then current OlyPen Terms of Service Agreement as posted on the OlyPen website (link provided below) and must agree to comply with the then current OlyPen Acceptable Use Policy (link provided below).

OlyPen Terms of Service Agreement:

<http://startpage.olyphen.com/customer-care/tos.php>

OlyPen Acceptable Use Policy:

<http://startpage.olyphen.com/customer-care/aup.php>

OlyPen Privacy Policy:

<http://startpage.olyphen.com/customer-care/opp.php>