

# Rules for the Use of Computer Equipment and Access to the Internet

## A. Purpose and Area of Application

These rules apply to the use of computer equipment and access to the internet by attendees (hereafter "**Attendees**") of Carl Duisberg Centren gemeinnützige GmbH, Carl Duisberg Centren Intertraining & Consult GmbH, Carl Duisberg Centrum für Fremdsprachen GmbH and Carl Duisberg Medien GmbH, Hansaring 49-51, 50670 Köln (collectively "**Carl Duisberg Centren**").

The objective of these rules is to explain the conditions of use for Attendees and the procedures for IT security, to protect the individual rights of Attendees, and to safeguard personal data.

## B. General Rules of Use

### 1. User Access

The Attendee (Attendee in the context of these rules is any person who makes use of the services of Carl Duisberg Centren) will receive a user ID and a password with which he/she can log onto the Carl Duisberg Centren computer network or alternatively, if provided and available, W-LAN and/or Hotspot (hereafter "**User Access**"). Before use the User Access must be activated. Work on PC's and internet access are not permitted without a password. After completion of his/her work the Attendee must log off.

The Attendee is accountable for all activities taking place under his/her user ID unless they are not within his/her sphere of responsibility. The password must be kept confidential and must not be divulged to third parties. Work using another person's password is forbidden. Anyone discovering someone else's password is required to inform Carl Duisberg Centren.

### 2. Protection of Equipment

The use of computer equipment belonging to Carl Duisberg Centren, including both hardware and software, must be in accordance with the instructions of Carl Duisberg Centren. Breakdown or damage must be reported to Carl Duisberg Centren immediately. The Attendee must make amends for any damage to Carl Duisberg Centren's computer equipment for which he/she is responsible.

Computer keyboards are particularly susceptible to damage by dirt and liquids. Consequently, food and drink are not allowed at computer work stations when using Carl Duisberg Centren's computer equipment.

### **3. Changes to the Hardware and Software Setup**

Alteration of the installation and configuration of computer equipment and of the network, including manipulation of the hardware infrastructure of Carl Duisberg Centren, is strictly forbidden and only permitted with the express agreement of Carl Duisberg Centren.

Unauthorised equipment may not be connected to the computer or network of Carl Duisberg Centren without explicit approval, which in any event must be obtained prior to connection of said equipment. This includes remote operation software (such as DHCP Server, Proxy Server etc.) which permits manipulation.

Excessive data traffic caused by the downloading and sending of large data files (e.g. pictures) should be avoided.

### **4. Intended Purpose and Acceptable Use of Internet Access**

Internet access should in principle only be used in connection with activities supported by Carl Duisberg Centren. It is envisaged such activities would include electronic information exchange that is consistent with the particular activity of Carl Duisberg Centren with which the Attendee is associated in respect of its content and of the target audience.

Carl Duisberg Centren is not responsible for the content of third party internet sites accessible through their system.

Attendees must always observe legal regulations particularly in respect of criminal law, copyright law and legislation relating to the protection of young persons.

### **5. Prohibited Use of Internet Access**

**Any use of internet access which is not in accordance with applicable laws, or with the requirements of these rules of use, is prohibited. Due to their particular importance, Carl Duisberg Centren draws special attention to the following examples of prohibited uses:**

**It is especially forbidden to access, forward or make publicly available via Attendees' User Access, content which is pornographic, racist or which glorifies violence. Should such content be accessed inadvertently, the application should be closed immediately.**

**The Attendee is also expressly forbidden either to download or to upload copyrighted material on behalf of third parties. For precautionary reasons so-called Peer-to-Peer file sharing (hereafter "File Sharing") over the internet (e.g. eMule, BitTorrent, etc.) is not allowed. Other services which are used for exchanging or procuring material which is protected by copyright law, e.g. RapidShare, Usenet, etc., are also banned. Carl Duisberg Centren particularly warns Attendees that File Sharing and other services, through which copyrighted material (such as Cinema- / Movie- or TV-films, and music) is disseminated, exchanged or is otherwise made accessible, are monitored by copyright holders and infringements are pursued under criminal or civil law with the help of the**

**respective service provider's IP-address.**

**Information may not be broadcast over the internet in the name of Carl Duisberg Centren. It is also prohibited to use the name of Carl Duisberg Centren to enter into any contractual arrangement over the internet, or without permission to subscribe to internet services for which a fee is payable.**

**The Attendee is also expressly forbidden to operate a DHCP-Server in combination with the use of internet access or Hotspot.**

## **6. IT Security and Procedures**

In order to safeguard the IT- and system-security, Carl Duisberg Centren logs data traffic over the Carl Duisberg Centren network. The data in question is used exclusively for the verification of system security; for checking IT and internet use according to these rules of use, for optimisation and regulation of the system; for fault analysis and correction; and for cost accounting purposes. In order to monitor the provisions of these rules of use, the user name, log in and log out, as well as the volume of data generated, will be recorded and kept for a maximum of 6 months before deletion; apart from the aforementioned data, no further personal information will be recorded.

Access to these functions is limited to technical administration staff who are bound by § 5 BDSG (data protection legislation) and § 88 TKG (telecommunication privacy legislation). Carl Duisberg Centren observes the requirements of the applicable data protection laws in all cases and respects the confidentiality of telecommunications.

## **7. Legal Consequences of Violations**

Carl Duisberg Centren reserves the right to bar internet access on an individual basis where there has been an infringement of these rules of use.

Furthermore, an infringement may result in unlimited liability for damages under civil law, e.g. in case of illegitimate use of fee-based internet sites.

An infringement of these rules of use may have repercussions in civil law, as well as implications in criminal law.

**If Carl Duisberg Centren is sued for a wrong doing that has been committed by an Attendee using Carl Duisberg Centren's network (see especially Clause 5 above concerning prohibited uses), the Attendee will release Carl Duisberg Centren from all third party claims; will share all information necessary for Carl Duisberg Centren's legal defence; and will authorise Carl Duisberg Werke to disclose the identity of the Attendee to claimants and/or the state prosecutor's office.**

## **C. Additional Rules for Rented Accommodation**

The provisions of these rules of use apply equally to the use of internet access provided within the scope of rented accommodation, when this has been made available to Attendees by Carl Duisberg Centren. The Attendee must particularly refrain from any prohibited use of internet access referred to in Clause 5 of these rules.

In addition, the Attendee must comply with any conditions made by the owner of the accommodation, particularly any separate requirements for the handling of passwords to gain internet access in the rented accommodation (e.g. W-LAN access etc.).

Attendees cannot insist upon an entitlement to internet access in connection with the aforementioned rented accommodation.