

# Fangage - Fair use policy

Version 2.0 | This privacy- and cookie statement was most recently revised on 6 November 2020.

If a service offered by us does not include any limits on the capacity available to the customer (e.g. the amount of data traffic, processing capacity, memory, storage or power), our fair use policy will apply to the pricing. According to our fair use policy, each customer may use a maximum of twice the capacity that other customers who purchase the same or similar services from us under similar circumstances use. The actual customer average is determined by us on a monthly basis based on the capacity usage by similar customers. A calculation example is included below.

If the fair use policy is exceeded, we will inform the customer. If a customer exceeds the fair use policy several times (more than once), we may adjust the pricing for future months on a pro rata basis, whereby the adjustment will take place in all reasonableness. If we decide to adjust the pricing applicable to the customer, we will inform the customer in the month prior to the change.

Changes in pricing on these grounds do not give a customer the right to terminate the contract. However, should the customer have any objections to the change made, they can notify us of this in writing or by e-mail. We will then enter into discussion with the customer in order to reach a solution and possibly reconsider the change. If we do not come to a suitable solution even then, the customer obtains the right to terminate the agreement by the time the change takes effect, unless we decide not to implement the change. If we do not implement the change in pricing, we are entitled (after notification to the customer) to limit or reduce the use of the services to the permitted capacity.

If a customer has exceeded the customer average three times or more, we may immediately charge the excess (calculated from three times the customer average) and also make adjustments for subsequent calendar months.

## Calculation example

If, during a certain month, we store a total of e.g. 50 GB of data on behalf of 40 customers, the average data storage per customer is 1,25 GB. As it is allowed under our fair use policy to use twice (2x) the average amount of capacity usage, a customer may store a total of 2,50 GB of data in that month.