

1 Introduction

This Fair Use Policy governs how Alpha Customers who may wish to accept invitations from Alpha to experience new and emerging technology and enhanced product offerings from Alpha from time to time, must conduct their use on the AlphaHub so that there is no impact to the overall performance or integrity of the AlphaHub platform, or any related Services provided through the AlphaHub for other Alpha Customers.

2 Definitions

In this Policy, the following words have the following meaning:

Alpha means Alpha Payments Cloud Pte Ltd and Alpha Group Member means each wholly owned subsidiary and related bodies corporate.

Alpha Customer means any person or entity that has signed an AlphaHub User Agreement with Alpha.

AlphaHub means our software including all processing components, user interfaces and transaction engines which enable configuration functions including but not limited to orchestration definition, Third Party product enrolment, transaction reporting, process submission and connectivity using a single dynamic API interface, supporting multiple technologies which are owned or licensed by Alpha.

AlphaHub User Agreement means a document between a Customer and Alpha that sets out the terms and conditions for access to and use of the AlphaHub which refers to this Fair Use Policy.

Services means any proprietary Alpha product including the Alpha payment gateway, Alpha fraud management system and the Alpha parcel, shipping and logistics module accessed by an Alpha Customer via the AlphaHub and includes any Third Party product or service that may be offered on a similar basis from time to time.

Third Party means any person that is not an Alpha Customer or an Alpha Group Member.

3 Why is this Fair Use Policy required?

Alpha wants all Alpha Customers to be able to equally share and experience innovation through new AlphaHub product offerings (including Third Party products and services) that may be offered on a trial basis from time to time. This Policy is designed for Alpha Customers to understand that they are not permitted to use any service offered as a trial through the AlphaHub in a way that is outside the spirit of the trial offer including using the AlphaHub, a Third Party service or otherwise related Alpha Service in an excessive manner, an unreasonable way or through the performance of a fraudulent activity.

This Policy ensures that Alpha can continue to provide the same consistent service to all Alpha Customers while also engaging in opportunities for innovation that does not impact the operation of the AlphaHub or the quality of any Services via the AlphaHub.

4 What is Fair Use and What is Unreasonable Use?

All use permitted under a signed AlphaHub User Agreement for access to and use of the AlphaHub and related Services that are used for a lawful, disclosed and intended purpose will be considered to be Fair Use by Alpha and not be a breach of this Policy.

Unreasonable use however, can take many forms. An example of unreasonable use would be a situation where an Alpha Customer agrees to participate in a trial offer to circumvent or avoid the incurring of, or payment of a fee for a similar Service that is provided under an existing AlphaHub User Agreement. Another example is engaging in an activity that unreasonably disrupts the operation of the AlphaHub or a related Service, including but not limited to the experience of any other Alpha Customer by processing excessive transaction volumes, processing transactions that do not relate or appear to relate to legitimate transaction types such as selling products or services listed on our Prohibited Goods and Services List which forms part of the terms and conditions of an AlphaHub User Agreement.

5 A breach of this Fair Use Policy

If an Alpha Customer is in breach of this Policy, Alpha will let the Alpha Customer know in writing. Alpha will determine in its sole and absolute discretion if an Alpha Customer's conduct falls outside of the meaning of Fair Use under this Policy and is therefore a breach of this Policy.

If conduct is determined to be a breach under this Policy, Alpha may take such steps as it considers appropriate which include but are not limited to immediately suspending, or terminating the Alpha Customer's access to the subject service as well as take any other steps it may be entitled to under an AlphaHub User Agreement. Alpha wants to continue building great products and making innovation available to all Alpha Customers and believes that this Policy will ensure all Alpha Customers can enjoy the benefits of being an AlphaHub user.