

# **Pantheon Acceptable Use Policy**

(Updated on February 16, 2024)

This Acceptable Use Policy ("AUP") applies to any use of the services provided by Pantheon Systems, Inc. ("Pantheon," "we," "us," or "our") to you the user ("Subscriber" or "you"). Subscriber has separately entered a services agreement ("Agreement") with Pantheon, and this AUP is deemed "Supplemental Terms" within the meaning of the Agreement. These Supplemental Terms take effect on the earlier of (i) the last date a party signs, (ii) when you click an "Accept" button or (iii) by your use of any of the Services (the "Effective Date"). All capitalized terms are as defined in the Agreement except as set out herein. If you suspect or have knowledge of any activity in violation of this AUP or the Agreement, please promptly report such matters to abuse@pantheon.io.

## 1. Guiding Principles

The framework for developing this AUP is to both comply with local laws and regulations as well as aspire to the objectives in the <u>United Nations Sustainable Development Goals</u> ("UNSDG") and <u>United Nations Guiding Principles on Business and Human Rights</u> ("UNBHR").

As ratified by 194 countries around the globe, the UNBHR principles require that businesses:

- (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; and
- (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

#### Furthermore:

(It is) the responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work.

The UN Universal Declaration of Human Rights includes, among others:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Regarding personal liberties and freedoms, our guiding principles include <u>UN World Health Organization's Human Rights</u>, which includes the "freedoms ... to control one's health and body ... and to be free from interference."

Finally, this AUP provides a strong foundation toward a future environmental, social, and governance ("ESG") policy. This standard reflects what we as a business need to be doing to address several areas, including climate change, health & safety, human capital, social opportunity, and business ethics, among others.







| Environmental pillar                 |                            |                                  |                                   | Social pillar                |                                |                        |                                     | Governance pillar    |                              |
|--------------------------------------|----------------------------|----------------------------------|-----------------------------------|------------------------------|--------------------------------|------------------------|-------------------------------------|----------------------|------------------------------|
| Climate change                       | Natural resources          | Pollution<br>& waste             | Environment opportunity           | Human<br>Capital             | Product<br>liability           | Stakeholder opposition | Social opportunity                  | Corporate governance | Corporate behaviour          |
| Carbon<br>emissions                  | Water<br>stress            | Toxic emission<br>& waste        | Opportunities in clean tech       | Labour<br>management         | Product safety<br>& quality    | Controversial sourcing | Access to communication             | Board<br>diversity   | Business<br>ethics           |
| Product carbon footprint             | Biodiversity<br>& land use | Packaging<br>material &<br>waste | Opportunities in green building   | Health & safety              | Chemical safety                |                        | Access to finance                   | Executive pay        | Anti-competitive practices   |
| Financing<br>environmental<br>impact | Raw material sourcing      | Electronic waste                 | Opportunities in renewable energy | Human capital<br>development | Financial<br>product<br>safety |                        | Access to health care               | Ownership            | Corruption & instability     |
| Climate<br>change<br>vulnerability   |                            |                                  |                                   | Supply chain labor standards | Privacy & data security        |                        | Opportunities in nutrition & health | Accounting           | Financial system instability |
|                                      |                            |                                  |                                   |                              | Responsible investment         |                        |                                     |                      | Tax<br>transparency          |

# 2. Customer Expectations

#### You agree that you will:

- a) Comply with all applicable laws, including, without limitation, privacy laws, intellectual property laws, antispam laws, export control laws, tax laws, and regulatory requirements;
- b) Provide accurate contact information to us and keep it updated;
- c) Use the Services in a professional manner;
- d) Be at least 13 years of age, or 16 years of age if you are an individual within the European Union, or of the legal age in your jurisdiction, and
- e) Possess the legal authority, right, and freedom to enter into a binding agreement for yourself or on behalf of the person, organization, or entity you represent.

### 3. Prohibited Use and Activities

You agree that you will NOT use the Services for:

- a) Unauthorized Access. Provide or permit access to the Services other than by the authorized End User, or attempt to breach Pantheon's security or authentication measures, whether by passive or intrusive techniques or otherwise remove or circumvent any form of protection designed to prevent or inhibit unauthorized use or copying of the Services (i.e., using the Services to harm Pantheon);
- b) **Competing with Pantheon.** Reverse engineer, copy or replicate code, or otherwise use, mimic, publish, compete, or substitute for the Services or any part thereof;
- c) **Embargoed or Sanctioned Activities.** This includes any organization on a sanctions list, including but not limited to the U.S. Specially Designated Nationals and Blocked Persons List, including organizations that have a 50% or more, directly or indirectly and in aggregate, ownership by a sanctioned party;
- d) Export Controlled Data. Process or store any data that is export controlled under International Traffic Arms
  Regulations or otherwise controlled by the U.S. Department of Commerce, except with the appropriate
  authorizations and licenses;

- e) **Nuclear, Air Traffic Control, or Life Support systems.** Operate nuclear facilities, air traffic control, or life support systems, or other uses where the use or failure of the Services could lead to death, personal injury, or environmental damage;
- f) **Telecom Services.** Operate or enable any telecommunications service or allow End Users to place calls or to receive calls from any public switched telephone network;
- g) **Malware.** Introduce any computer programming routine, robot, spider, or other automatic device, program, script, algorithm, methodology, or engine that is intended to access, acquire, copy, monitor, damage, detrimentally interfere with, surreptitiously intercept, or expropriate any system, data, materials, documents, services, or information on Pantheon, its customers, or third parties;
- h) Phishing. Using the Services to acquire sensitive data through a fraudulent email or website;
- i) Spam. Sending bulk emails, texts, or messages to parties that you're not authorized to communicate with;
- j) **Benchmark Testing or Monitoring.** Publish any performance or benchmark tests or analyses relating to the Services, or the use thereof, without our prior authorization;
- k) **Highly Secure Data.** Use the Services to process or store Restricted Data as set out in the Agreement and in all cases requiring a standard of protection more stringent or specific than reasonable technical, physical, and procedural safeguards against disclosure;
- I) **Disrupting Pantheons Products & Operations.** Attempt to interrupt service to any site or degrade Pantheon itself through denial of service or any other means; or
- m) **Crypto Mining**. Creating, or attempting to create, cryptocurrencies, including through the validation of cryptocurrency transactions or generating security hashes.

### 4. Prohibited Customers

Companies, entities, organizations, groups, or others ("organization") are prohibited from using Pantheon's Services if your organization is primarily focused on, engaged in, or supporting:

- Criminal behavior and activity
- Organized hate
- Voter fraud or disinformation

- Climate change disinformation
- Fake news organizations
- A combination of the above

As organizations may change or evolve over time, this test is based on activities and actions over the past 5 years. No organization or individual is exempt from these standards regardless of position or public office. Should a customer fail these standards, you will either not be offered a contract, or, if you are a customer, be given a reasonable period to migrate your site to another provider.

Decisions on whether a site is prohibited will be made at the primary domain level (e.g., university.edu rather than lawschool.university.edu/professor\_opinion), and we will review both the content on the site as well as information from external sources (e.g., social media, speaking engagements, events, legal filings/cases, etc.).

### 5. Prohibited Content

Customers are prohibited from including content on your site that is:

- Risk to personal or public safety
- Personal harm
- Violent, graphic or sexual content
- Impersonating people, groups, or entities
- Theft or misuse of intellectual property

# 6. Criminal Behavior and Activity

Criminal organization is defined as any person, organization, entity, group, or other association who, as evidenced by its content or actions, is primarily engaged in:

- Engaged in or threatens to engage in criminal activity;
- Promoting or publicizing violent crime, theft, and/or fraud;
- Depicting criminal activity or admit to crimes they or their associates have committed;
- Facilitating or coordinating future criminal activity, including acts of physical harm against people;
- Sites that praise any of the above organizations or individuals or any acts committed by them.

We do allow people to debate or advocate for the legality of criminalizing activities, address them in a rhetorical or satirical way, or draw attention to harmful activity, including crimes they've witnessed or experienced.

## 7. Organized Hate

A hate organization is defined as any person, organization, entity, group, or other association who, as evidenced by its content or actions, is primarily or substantially engaged in:

- Attacking, restricting, subjugating, marginalizing, or otherwise bringing harm to individuals based on characteristics, including race, religious affiliation, nationality, ethnicity, gender, sex, sexual orientation, serious disease or disability, or other criteria as defined as fundamental human rights by the United Nations;
- Restricting human rights as defined in the guiding principles;
- Engaging in hate speech, which we define as a direct attack in violent or dehumanizing speech, statements
  of inferiority, or calls for exclusion or segregation of people based on protected characteristics as defined
  in the United Nations guiding principles, such as race, ethnicity, national origin, religious affiliation, sexual
  orientation, caste, sex, gender, gender identity, serious disease or disability, or immigration status or
- A site that praises or supports the above organizations or individuals or any acts committed by them.

We consult third party trusted resources and groups to help us identify hate groups and keep hateful material off our platform. These include but are not limited to hate groups identified by:

- Southern Poverty Law Center
- Anti-Defamation League
- Canadian Anti-Hate Network

In addition to the analysis of the organization's content and external activities, as discussed in Section 4 above, we will also look for indicators of <a href="https://hate.symbols.org/hate.nc/">https://hate.symbols</a> as identified by the Anti-Defamation League.

We do allow humor and social commentary related to these topics. In addition, we believe that people are more responsible when they share this kind of commentary using their authentic identity.

### 8. Voter Fraud or Disinformation

Voter fraud and disinformation sites are defined as any person, organization, entity, group, or other association who, as evidenced by its content or actions, is primarily or substantially engaged in:

- Voter suppression, defined as misrepresentation of the dates, locations, and times, and methods for voting, voter registration, or the unsubstantiated fairness or accuracy of elections;
- Misrepresentation of who can vote, qualifications for voting, whether a vote will be counted, and what information and/or materials must be provided to vote;

- Promoting conspiracy theories to undermine confidence in election results;
- Convicted of or settled lawsuits for voter fraud or other voter disinformation identified here;
- Supporting the actions of January 6, 2020, insurrectionists; or
- Other misrepresentations related to voting in an official election.

## 9. Climate Change Disinformation

Climate change disinformation sites are defined as any person, organization, entity, group, or other association who, as evidenced by its content or actions, is primarily or substantially engaged in:

- Denying the existence of current climate change;
- Undermining and questioning the scientific consensus of climate change;
- Highlighting scientific uncertainty and demanding certainty as a condition for climate action;
- Attacking individual scientists to undermine their credibility;
- Undermining institutions generally, such as peer review;
- Denying the cause of current climate change from human actions and the burning of fossil fuels;
- Projecting pseudoscientific alternatives; or
- Other misrepresentations or disinformation related to climate change.

Evidence of this includes, but is not limited to, being on Greenpeace's <u>Client Denial Front Groups</u>, the <u>Energy and Policy Institute's Front Group</u> list, <u>Public Citizen</u>'s list of climate deniers or disinformation groups, or being on the Toxic Ten List of climate change denial by the Center for Countering Digital Hate.

## 10. Fake News Organizations

We understand that policies such as these can be leveraged by groups opposing journalists and legitimate news organizations, even when their reporting is generally accurate and fact-based but reflects a healthy tension or debate on a topic. To ensure no chilling effect to a free press, journalistic efforts are exempted from the considerations outlined in this policy. Legitimate news organizations can cover any topic they deem newsworthy. We will not interfere with their editorial independence.

However, Fake News Organizations are Prohibited Customers. For this purpose, an organization will be deemed a Fake News Organization if it:

- Is listed on the Media Bias / Fact Check (MBFC) Questionable Sources list
- Is listed on the MBFC Conspiracy-Pseudoscience list and
  - o Has a MBFC Credibility Rating of Low or Very Low, or
  - o Has a MBFC Factual Reporting rating of Low or Very Low, or
  - o Has a MBFC Conspiracy level of Strong or higher, or
  - o Has a MBFC Pseudoscience level of Strong or higher, or
  - o Is noted in the MBFC analysis as a Questionable Source or is noted in the Questionable Reasoning section as promoting some combination of the following:
    - Propaganda
    - Conspiracy theories
    - Pseudoscience (excluding "Mild Pseudoscience")
    - The use of poor or inferior sources
    - Unproven claims
    - Numerous false claims or
    - Numerous failed fact checks (excluding "Mixed" sources)
- Within the last ten years, has been convicted of or settled lawsuits with an award or damage of more than \$25 million related to any of the criteria for a Prohibited Organization or a Fake News Organization.

If information about a possible news organization is unavailable on MBFC, MBFC stops regularly updating the site, or MBFC significantly changes its classifications or reporting, the organization will be evaluated using similar criteria to those listed above including whether the site contains some combination of the following:

- o Propaganda
- o Conspiracy theories
- o Pseudoscience
- o The use of poor or inferior sources
- o Unproven claims
- o Numerous false claims or
- Numerous failed fact checks

## 11. Risk to Personal or Public Safety

We aim to prevent potential real-world harm that may be related to sites or content hosted on Pantheon. We understand that people commonly express disdain or disagreement by threatening or calling for violence in facetious and non-serious ways. That's why we try to consider the language, context, and details to distinguish casual statements from content on sites that constitute a credible threat to public or personal safety. In determining whether a threat is credible, we may also consider additional information like a targeted person's public visibility and vulnerability. We will disable accounts, remove content, and/or work with law enforcement when we believe there is a genuine risk of physical harm or direct threats to public safety, including but not limited to the following threats:

- Credible statements of intent to commit violence against any person, groups of people, or place. We
  assess credibility based upon the information available to us and generally consider statements credible if
  the following are present:
  - o A target (person, group of people, or place) and
  - o Bounty/demand for payment, or o Mention or image of specific weapon, or
  - Sales offer or ask to purchase weapon, or o Spelled-out address or named building, or
  - A target and two or more of the following details (can be two of the same detail):
    - Location
    - Timing
    - Method
  - Any statement of intent to commit violence against a vulnerable person (identified by name, title, image, or other reference) or vulnerable group, including (but not limited to) heads-of-state, witnesses and confidential informants, activists, journalists, and other vulnerable groups identified by the United Nations Universal Declaration on Human Rights
  - Calls for violence or statements advocating violence against the following targets (identified by name, title, image, or other reference)
    - Any vulnerable person or group including (but not limited to) heads of state, national elected officials, witnesses and confidential informants, activists, and journalists
    - Public individuals, if credible as defined above
    - Groups of people or unnamed specific person(s), if credible
    - Places, if credible
    - If no target is specified, a symbol of the target or a visual of weapons is included o
  - Aspirational and conditional statements of violence against
    - Any vulnerable groups
    - Public individuals, if credible (unless the individual is convicted of certain crimes or is a member of a dangerous organization)
    - Vulnerable person(s), if credible
    - Groups of people or unnamed specific person(s), if credible
    - Places, if credible
- Instructions on how to make or use weapons if the goal is to injure or kill people as may be evident from:

- o Language explicitly stating that goal, or
- o Imagery that shows or simulates the end result (serious injury or death) as part of the instruction
- The exception for the above is if there is clear context that the content is for an alternative purpose (for example, shared as part of recreational self-defense activities, training by a country's military, commercial video games, or news coverage):
- Instructions on how to make or use explosives, unless there is clear context that the content is for a nonviolent purpose (for example, clear scientific/educational purpose use or fireworks)
- Any content containing statements of intent, calls for action, representation, support or advocating for violence due to voting, voter registration, or the outcome of an election
- Misinformation that contributes to imminent violence or physical harm

### 12. Personal Harm

People need to feel safe to build community. We are committed to removing content that encourages real-world harm including, but not limited to, the following:

#### Suicide and self-injury

To promote a safe environment on Pantheon, we remove content that encourages suicide or self-injury, including depictions that might lead others to engage in similar behavior. Self-injury is defined as the intentional and direct injuring of the body, including self-mutilation, and eating disorders.

We remove any content that identifies and negatively targets victims or survivors of self-injury or suicide seriously, humorously, or rhetorically. People can, however, share information about self-injury and suicide to draw attention to the issue and allow for discussion so long as they do not promote or encourage self-injury or suicide.

#### **Public outing**

Any content created for the express purpose of:

- Outing an individual as a member of a designated and recognizable at-risk group as defined by the United Nations in our guiding principles; or
- Exposing vulnerable individuals' identities without their permission.

#### Sexual exploitation of adults

We recognize the importance of Pantheon as a place to discuss and draw attention to sexual violence and exploitation. We believe this is an important part of building common understanding and community. To create space for this conversation while promoting a safe environment, we remove content that depicts, threatens, or promotes sexual violence, sexual assault, or sexual exploitation, while also allowing space for victims to share their experiences. We remove content that displays, advocates for, or coordinates sexual acts with non-consenting parties or commercial sexual services, such as prostitution and escort services. We do this to avoid facilitating transactions that may involve trafficking, coercion, and non-consensual sexual acts.

#### Harassment

We do not tolerate harassment on Pantheon. We want people to feel safe to engage and connect with their community. Our harassment policy applies to both public and private individuals because we want to prevent unwanted or malicious contact on the platform. Context and intent matter, and we allow people to share content if something was shared to condemn or draw attention to harassment.

### 13. Violent, Graphic or Sexual Content

We remove content that glorifies violence or celebrates the suffering or humiliation of others because it may create an environment that discourages participation. We allow graphic content (with some limitations) to help people raise awareness about issues. We know that people value the ability to discuss important issues like human rights abuses or acts of terrorism. We also know that people have different sensitivities regarding graphic and violent content. Do not post imagery of violence committed against real people or animals with comments or captions by the poster that contain:

- Enjoyment of or pleasure from suffering or humiliation
- Remarks that speak positively of the violence; or
- Videos of dying, wounded, or dead people if they contain
  - o Dismemberment unless in a medical setting
  - Visible internal organs
  - Charred or burning people
  - Victims of cannibalism
- Videos that show child abuse, which is defined as
  - o Repeated kicking, beating, slapping, or stepping on by an adult or animal
  - Strangling or suffocating by an adult or animal
  - o Drowning by an adult or animal
  - o Biting through skin by an adult or animal
  - o Poisoning by an adult
  - o Forcible restraint by an adult
  - o Inflicting of burn or cut wounds by an adult
  - Forcible smoking
  - o Tossing, rotating, or shaking of an infant (too young to stand) by their limbs or neck

Pantheon does not allow sites with videos or images that contain explicit depictions of nudity or sexual acts (in most cases), nor do we allow videos that seem primarily focused on sexual stimulation. Sexually explicit content like pornography is not allowed. In most cases, violent, graphic, or humiliating fetishes are not allowed. We also don't allow videos designed to advertise goods and services of an erotic nature.

Of course, Pantheon respects creative expression above all else. That's why we allow depictions of nudity and sexuality that serve a clear creative, artistic, aesthetic, or narrative purpose, as well as non-sexual nudity, including naturalistic and documentary depictions of human bodies.

# 14. Impersonating People, Groups or Entities

Pantheon prohibits the impersonation of others by:

- Using their images with the explicit aim to deceive people
- Creating a site assuming the persona of or speaking for another person or entity
- Posting imagery that is likely to deceive the public as to the content's origin, if:
  - o The entity or an authorized representative, objects to the content, and
  - Can establish a risk of harm to members of the public.
- Engage in inauthentic behavior, which includes creating, managing, or otherwise perpetuating
  - o Fake sites, brands, personalities, businesses, or people
  - Mislead people about the origin of content
  - Mislead people about the destination of links on the site (for example, providing a display URL that does not match the destination URL)
  - Mislead people to encourage shares, likes, or clicks

We do allow humor, satire, and social commentary related to these topics. In addition, we believe that people are more responsible when they share this kind of commentary using their authentic identity.

## 15. Theft or Misuse of Intellectual Property

Pantheon takes intellectual property rights seriously and believes they are important to promoting expression, creativity, and innovation in our community. You must own or license the content and information on your website. We ask that you respect other people's copyrights, trademarks, and other legal rights. We are committed to helping people and organizations promote and protect their intellectual property rights. Pantheon's Terms and Conditions do not allow people to use content on their site that violates someone else's intellectual property rights, including copyright and trademark.

Upon receipt of a report from a rights holder or an authorized representative, we will remove or restrict content that engages in copyright or trademark infringement.

#### 16. Internal Review and Remediation

Notifications of potential AUP violations, including emails sent to <a href="mailto:abuse@pantheon.io">abuse@pantheon.io</a>, will be first reviewed by the head of Customer Success Engineering, who will investigate the complaint. This research and information will be compared to this policy to decide whether the site complies with this AUP. If there is uncertainty, or if a decision is appealed, this will then be escalated to the company's General Counsel.

Content that is deemed to be Prohibited Content will be removed as soon as possible.

Sites that meet the criteria of Prohibited Customers and are existing customers, whether directly or through a partner, will be immediately notified of the need to find an alternate provider. We commit to giving any customer affected by this policy a reasonable period to migrate to another provider and, if appropriate, a prorated refund of prepaid fees. If you do not migrate off the platform within the specified period, we have the right to terminate the Agreement and all related hosting with no further liability.

Potential customers that meet the criteria of Prohibited Customers will not be offered a contract.

### 17. General Terms

If a court with authority over this AUP finds any part of it unenforceable, you and we agree that the court should modify the terms to make that part enforceable while still achieving its intent. If the court cannot do that, you and we agree to ask the court to remove that unenforceable part and still enforce the rest of this AUP.

This version of the AUP supersedes all prior versions.

You agree that the only way to provide us legal notice regarding this AUP is at the email addresses provided in Section 16 and as stated in the Agreement.