

TERMS AND CONDITIONS

1 DEFINITIONS

- 1.1 "User(s)" shall mean the subscriber on a wireless telecommunications network that sends or receives SMS messages via a wireless Device. The User is the consumer of the messaging services provided by Vanso and the Customer.
- 1.2 "Carrier(s)" shall mean Vanso's pre-approved paging and mobile networks, and other networks which may subsequently be approved; the number of said Carriers shall be at Vanso's discretion. A list of the current pre-approved Carriers providing the Services can be found in the Appendices within the proposal document.
- 1.3 "Services" shall mean Vanso's Wireless Messaging services used by Customer including SMS mobile originated and mobile terminated messaging for text and binary, message routing, short code provisioning, long code provisioning, premium billing, preview messaging lookups, handset data subscriptions, and other such services Vanso may offer.
- 1.4 "Software" shall mean the object code version of Vanso's client Software Development Kit ("SDK"), HTML code, application programming interfaces (APIs), related documentation and other client software or code which Vanso provides to Customer, including updates, to enable Vanso to provide the Services to Customer. Unless otherwise specified, Software shall not include any source code. The Software is proprietary to Vanso and is licensed to Customer under a separate SDK License Agreement at the time of installation.
- 1.5 "Transaction(s)" shall mean information related to the origination or termination of a Wireless Message request by Customer and transmission and routing of same to the appropriate Carrier with requests for further delivery.

- 1.6 "Wireless Message(s) (Messaging)" shall mean the transmissions of Customer's instructions, and as converted and routed by Vanso and delivered to the gateway of the Carrier, together with a request that the Carrier deliver said messages to the wireless Devices designated by Customer.
- 1.7 "SMS (Short Message Service)" shall mean a short message service text or binary message consisting of 160 characters of text or 140 bytes of binary data, or other length of text or binary data per the Carrier's network's support for such length of data.
- 1.8 "Short Code" means the unique 5-digit code. Customer is assigned a digit code by a specific carrier, either in Nigeria or another country that enables the Vanso Network to identify that Customer is the intended recipient of a Message and is used to route the Message to the Customer.
- 1.9 "Content" means data, text, audio, music, ringtones, graphics, photographs, artwork and other materials in digital electronic form.
- 1.10 "Device(s)" shall mean any hardware capable of receiving or sending Wireless Messages to or from a Carrier.
- 1.11 "SMSC" shall mean a short messaging service center server operated by a Carrier that manages the distribution of Messages to/from Vanso, to/from Users and/or Devices.
- 1.12 "SMPP Connection" shall mean a direct connection to an SMSC using the short message peer-to-peer protocol.
- 1.13 "Vanso Network" shall mean Vanso's telecommunications network, including without limitation Vanso's SMSC, the Vanso Carriers, Vanso's routing system, and the technical connectivity used to send/receive Wireless Messages.
- 1.14 "Wireless Number Portability" shall mean the ability for a User to keep a mobile number originally owned by one Carrier to a new Carrier.

- 1.15 "Premium SMS" shall mean the charging of Users for a specific use of SMS messaging with the use of Short Codes for a per event charge in addition to their already prescribed monthly service plan or standard rate message fee.
- 1.16 "Standard Rate SMS" shall mean the transmission of an SMS message without a Premium SMS fee applied that is charged to the Customer by Vanso and where the user may still be charged a fee by the carrier for the termination or origination of the SMS message.
- 1.17 "Mobile Originated (MO)" shall mean the origination of an SMS by a User on their Device that is sent into the Carrier's SMSC and subsequently transmitted to Vanso's SMSC for delivery to the Customer.
- 1.18 "Mobile Terminated (MT)" shall mean an SMS that is sent by the Customer to Vanso's SMSC and subsequently transmitted to the Carrier's SMSC for delivery to the User.
- 1.19 "Customer Service" shall mean the application, service, Content, or information that the Customer is making available to the User via wireless Messaging