



Funmobile* Compliance Requirements for Partners and Network Affiliates

Version 3.5 (hereinafter referred to as these "Requirements")

**As used in these Requirements, the term "Funmobile" refers to Funmobile (Holdings) Co. Ltd. and all of its affiliates, including Mobilefunster Inc., CSW Group Limited and Funspire Interactive Limited.*

Version Update

Version	Changes
3.5	<i>Prohibition of adult content being used for promotion and traffic sources generated by adult content (see “General Requirements”)</i>
3.4	Traffic generated through quiz flow is prohibited in US area
3.3	Updated “Search Engine Marketing” and “Email Advertisements” requirements: The using of word “Free” in any kind of ad texts or any way including the URL is strictly prohibited. Additional requirements of search engine marketing regarding the ad placements and sources of traffic.
3.2	Quiz Traffic is strictly prohibited among United Kingdom offers
3.1	New requirements to jump pages --- limitation of carrier jump pages and other new requirements.
3.03	Updated “Search Engine Marketing” and “Email Advertisements” requirements: The use of word “Free” in search engine or email ad texts is now acceptable when pricing information is prominently displayed in close proximity, e.g. “Free Ringtone with \$9.99/month”.
3.02	Ringtone program available to Alltel users. Removal of Alltel restriction on jump-pages.

***** IMPORTANT to ALL Affiliates *****

Please read these Requirements carefully before promoting Funmobile or ANY Funmobile offers, products or services. Failure to comply with these Requirements may result in **immediate termination/suspension from Funmobile's affiliate programs and forfeiture of all commissions and other payments.**

Overview

- Funmobile strives to establish a win-win relationship with its partners and their network affiliates (e.g., third parties authorized by such partners to display advertisements or other promotional content on websites owned and operated by such third parties, or in emails or applications distributed by such third parties) by working together to achieve the best affiliate program in the market with the best conversion rates, sales, profits and customer satisfaction.
- To fulfill the interest of all parties and ensure the best user experiences, all offers and promotions for services offered by Funmobile, including those provided on Funmobile.com, Ringtoneviva.com, Ringtonetimes.com, Top-Logo-Ringtone.com, MobileFunster.com, Ringtonetop.com, MySMSChat.com and corresponding private label sites (such services, "Funmobile Services"), must comply with certain regulations and rules.
- All Funmobile partners and affiliates must comply with these Requirements. Failure to do so may result in immediate termination/suspension from Funmobile's affiliate programs, forfeiture of payments from Funmobile (including payments based on impressions, clickthroughs, sales or leads), and/or contractual or other legal liability, as applicable.
- Funmobile performs continuous and intensive audits to ensure the compliance of all partners and their network affiliates with these Requirements.
- These Requirements are subject to change by Funmobile without prior notice. Any such changes will be effective when posted at <http://www.funspire.com/compliance.pdf>. It is the responsibility of all Funmobile partners and affiliates to check these Requirements frequently or request from their affiliate network account managers any changes to these Requirements.

General Requirements - All Regions

The following rules apply to **ALL** advertisements and other promotional materials (including, without limitation, all banner, contextual, pop-up and pop-under advertisements, and all jump pages, emails and applications) that promote any Funmobile Services or directly or indirectly link to any Funmobile offers, landing pages or other web pages:

- **Do not promote in ANY KIND of adult websites or use ANY KIND of adult contents or materials to generate traffic.**
- **Do not use “Free”, or any of its synonyms such as “No Charge”, “No Cost”, “Zero Cost”, or “Gratis,” in any languages.**
- **Do not use “100%” or any similar designation, whether alone or with any other words (e.g., “100% Complimentary” or “100% Bonus), in any languages.**
- **Do not use any advertisements or other promotional materials (including, without limitation, any banner, contextual, pop-up or pop-under advertisements, or any jump pages, emails or applications) that were not provided by Funmobile, unless Funmobile has given its prior approval of the design and content of such advertisements or promotional materials.**
- **Do not use any type of profile posting (or similar technique) on any social networks (e.g. Myspace or Facebook).**
- Do not use the names or images of any celebrities or other third parties without their prior approval.
- Do not use any songs or other copyrighted content of any third parties without prior approval of all applicable copyright owners.
- All descriptions of Funmobile Services must be accurate. For example, a ringtone subscription service must be described as a ringtone subscription service and may not be described as a horoscope subscription service, a survey, an IQ quiz, etc.
- Do not use any adware, spyware, or any other kind of software in any advertisements or other promotional materials that promote the Funmobile Services without Funmobile's prior approval.
- Whenever any user or traffic originating from a network affiliate of any partner is redirected to a Funmobile website, the ID of such network affiliate must be passed to Funmobile through the tracking URL.

Jump Page Requirements – All Regions

***** IMPORTANT !!! *****

Please read if you have created ANY Web Pages !!!

ALL carrier selection pages and other jump pages (i.e., pages that serve as intermediaries between the marketing efforts of partners and their network affiliates on one hand, and Funmobile web pages on the other hand) created by affiliates **MUST be reported** to Funmobile URL Approval System at <http://uas.funspire.com> or your account manager for approval by Funmobile. In addition, all carrier selection pages and other jump pages must comply with the following requirements in the USA:

- **All carrier jump pages** must:
 - **Only** display Funmobile's logos or Funmobile's name
 - **Only** link to Funmobile offers
 - **Only** display Funmobile's Terms and Conditions. The then-current Terms and Conditions can be found on the landing page for such offer.
 - Affiliates who are unable to comply with captioned requirements must send traffic directly to Funmobile's landing page.
- **Do not use "Free", or any of its synonyms such as "No Charge", "No Cost", "Zero Cost", or "Gratis," in any languages**, within any jump pages. The only term that can be used to describe ringtones or any other mobile content or services that are provided without charge is "Complimentary."
- **Do not use "100%" or any similar designation, whether alone or with any other words (e.g., "100% Complimentary" or "100% Bonus), in any languages.**
- Each jump page **MUST** contain (1) prominent pricing information, (2) disclosure of the nature of the subscription and the types of content, and (3) Funmobile's then-current Terms and Conditions of the corresponding offer:
 - Pricing information (\$9.99 / month) must be disclosed with a minimum font size of 12 point, and must be displayed no farther than 125 pixels in any direction from the main offer description (e.g. Complimentary Ringtones).
 - Other services (e.g., Text Service) must be disclosed no farther than 20 pixels from the main offer description (e.g. Complimentary Ringtone). Each such disclosure must have a minimum font size of 20 point or 50% of the font size of the main offer description, whichever is greater.
 - Suggested ad-text: "Complimentary Ringtones or cool text services with paid subscription from \$9.99/ month"
 - Age description must be displayed above the Terms and Conditions with a minimum 12 point font size.
 - At least 3 lines of the Terms and Conditions must be visible above the fold. **Do not place Terms and Conditions in any separate scroll-box.**
 - All the elements stated above **MUST** be shown above the fold without scrolling (585 pixels height from the top of the page).
 - W3C Color Contrast standard (as set forth in Checkpoint 2.2 of the "WC3 Techniques For Accessibility Evaluation And Repair Tools," W3C Working Draft, 26 April 2000; see <http://www.w3.org/TR/AERT#color-contrast>) must be met (i.e., the color brightness difference is at least 125).
- **Do not display any Nextel, Boost, Sprint or Alltel logo or other designation on any ringtone jump pages to Funmobile.**
- See Appendix A for examples of acceptable and unacceptable jump pages.

- Do not engage in any dynamic insertion or pre-population without Funmobile's prior approval.
- Any web page that frames (e.g., by using a Frame or iFrame) any Funmobile landing page MUST be reported to Funmobile and approved in advance by Funmobile as a jump page.

Search Engine Marketing Requirements - All Regions

The following rules apply to all advertising placements with search engine marketing (SEM) placements:

- ***Do not advertise on any web site or web pages that contains the word "Free"***, it is your responsibility to add all the "free" wordings into your media buying's negative keyword list or URL list to prohibit your ads to be shown on any web sites or web pages that contains the word free, including the URL.
- ***Do not use "Free", or any of its synonyms such as "No Charge", "No Cost", "Zero Cost", or "Gratis," in any languages***, within any text, titles, descriptions, display URLs, or destination URLs used in connection with any SEM placements.
- ***Do not use "100%" or any similar designation, whether alone or with any other words (e.g., "100% Complimentary" or "100% Bonus), in any languages***, within any text, titles, descriptions, display URLs, or destination URLs used in connection with any SEM placements.
- Do not link directly or indirectly to Funmobile web pages from any SEM placements. Instead, use a jump page as an intermediary between the SEM placement and the Funmobile web page.
- See Appendix B for examples of acceptable and unacceptable advertising text.
- Do not purchase any keywords that include any trademarks, service marks or brand names of Funmobile or any of its third party advertisers, or any derivatives of any such trademarks, service marks or brand names.

Email Advertisements Requirements – All Regions

The following rules apply to all emails that promote any Funmobile Services or directly or indirectly link to any Funmobile offers, landing pages or other web pages:

- All emails must comply with all applicable laws, rules and regulations, including the CAN-SPAM Act of 2003, if applicable.
- ***Do not use "Free", or any of its synonyms such as "No Charge", "No Cost", "Zero Cost", or "Gratis," in any languages***
- ***Do not use "100%" or any similar designation, whether alone or with any other words (e.g., "100% Complimentary" or "100% Bonus), in any languages.***

Funmobile Trademark Requirements - All Regions

The following rules apply to all uses of trademarks, service marks, logos, trade names and other marks of Funmobile ("Funmobile Marks"):

- An appropriate trademark indicator (“™” or “®”) must be included with the first prominent use of each Funmobile Mark. In addition, the following legend must be included on each page on which the Funmobile Mark appears: “[Funmobile Mark] is a [registered] trademark of [Funmobile/Funmobile affiliate] and is being used with permission.”
- Do not challenge the validity of any Funmobile Marks, Funmobile’s ownership of any Funmobile Marks, or the enforceability of any of Funmobile’s rights therein.
- Do not register any Funmobile Marks without Funmobile’s express prior written consent. Funmobile will retain the exclusive right to apply for and obtain registrations for the Funmobile Marks throughout the world.
- Do not use any service mark, service name, trade name, trademark, design or logo that is confusingly similar to (i) any Funmobile Mark or any mark, word or design that incorporates the name of Funmobile or any of its affiliates, or any mark, word or design confusingly similar to any of the foregoing, or (ii) any other service mark, service name, trade name, trademark, design, or logo of Funmobile or any of its affiliates.
- Funmobile will have the right to monitor all use of Funmobile Marks. Samples of any materials bearing any Funmobile Materials or Funmobile Marks must be submitted to Funmobile upon request. Any use of Funmobile Marks that is unsatisfactory to Funmobile must be immediately corrected.

Carrier Trademarks Requirements – USA

- Do not use any logo of AT&T in any materials. Use plain text “AT&T” (in all capital letters) instead.
- Do not use the word “Verizon” to describe Verizon Wireless in any materials. Use the words “Verizon Wireless” instead.
- When referring to the carrier U.S. Cellular, use “U.S. Cellular” and not “US Cellular” or “U.S Cellular”.
- Do not display any Nextel or Boost logo or other designation on any ringtone jump pages to Funmobile.

Other Prohibited Marketing Tactics (Country-specific)

- For all United Kingdom offers: All kind of traffic generated or referred by Quiz, questionnaire or game with misleading nature are strictly prohibited.
- Traffic generated through Quiz flow (including but not limited to IQ quiz, celebrity quiz, movie quiz and death quiz) is prohibited in US area.

Appendix A –Jump Page Examples

✓ Acceptable

Prominent Pricing
Disclosure of
Subscription Nature

Complimentary Ringtones

or Cool Text Services in just 3 Steps!






With Paid Subscription from \$9.99/month

Discover what
ringtones are
available!

Get Ringtones
with nothing you
didn't want!

Correct disclosure
of AT&T in capital
letter

Please Select Your Carrier

AT&T		
		
Other Carriers		

No Nextel/
Boost/
logos

*** TERMS OF SERVICE**
By entering my cell phone number and the PIN Code that was sent to the cell phone supplied by you on this website and clicking the "Submit" button, I acknowledge that I am subscribing to CSW's Poly Ringtone subscription service. I am also confirming that I have read and understood the [Terms of Service](#), and I agree to be legally bound by the [Terms of Service](#). I represent that (1) I am at least eighteen (18) years of age AND (2) I am of legal age to agree to the [Terms of Service](#), or I have my parents permission to use and register on this website. Please note that you must be 18 or older in the State of Florida to participate in this offer. I understand that: (1) I understand that all service fees will be billed to my mobile phone bill, and I confirm that I hold the account corresponding to the mobile phone number I have entered, or that I have the account holders permission to use this service and incur this fee. Unused credits will not be rolled over to next month. Normal carrier charges (e.g., WAP, GPRS, SMS and MMS) will apply. Games, Monophonic Ringtones, Operator Logos, and Picture Messages are not available to T-Mobile users. Normal carrier charges will apply.

The complimentary ringtone offer is subject to the [Complimentary Ringtone Offer Terms and Conditions](#). The complimentary ringtone is only available for compatible handsets on AT&T, Verizon Wireless, T-Mobile, Sprint PCS, Centennial Wireless, UNICEL and Cricket. To cancel your subscription, text the word "stop" to 71769 at anytime. For customer support, please send e-mail to csr@csconlines.com or call 1877 225 1199.

[Privacy Policy](#) | [Contact Us](#) | [unsubscribe](#) [Mailings](#)

Accurate Terms of Services

✘ NOT Acceptable

No Pricing and subscription disclosure - NOT ALLOWED

Representing AT&T in small letter - NOT ALLOWED

Complimentary Ringtones

Select Your Carrier

Please Select Your Carrier

at&t	verizon wireless	Sprint
CELLULARONE	T-Mobile	NEXTEL
alltel	boost mobile	Other Carriers

Display Nextel or Boost logo and linking to Funmobile - NOT ALLOWED

First 3 lines of general terms of services below the fold - NOT ALLOWED

tonetunes4u.com would like to help you choose and download ringtones to your cell phone using our website.

Your first step is of course to click on your carrier which may be Sprint, Verizon Wireless, Cingular, T-Mobile, CellularOne, or Dobson. In some cases your carrier may not be listed on our site and in that case choose the option "Other Carriers". Once you click your cellular provider you will be asked to enter your cell phone number. When you enter your number you will see a screen to enter a PIN and you will also be sent a text message with your PIN number. Enter the PIN number and download your ringtones. It's that simple and you'll be on your way to having the coolest ringtones of all your friends.

Cell phones manufactured by Sony, Ericsson, Seimens, Samsung, Sharp, Helio, Motorola, LG, Nokia, or Sanyo will usually always accept downloads of ringtones, but it does depend on the age of the phone. Other cell phone manufacturers include NEC, Qualcomm, Panasonic, Acer, Alcatel, Audiovox, and Kyocera. As the cell phone industry always seems to be in a somewhat rapid state of change, cell phones themselves, cell phone service, and cell phone rates always seem to be changing as well. Cell phone providers are now facing a lot more competition so they are forced to do things like offering bonus ringtones to their customers in order to keep them as customers. While there are certain types of older cell phones that are not compatible with ringtones you may want to check and see if your phone accepts ringtones. We provide links to a subscription ringtones service reserved for Cingular, Sprint, Verizon Wireless, T-Mobile, CellularOne, Dobson, and some other cellular providers.

Of course, there is much more to know about ringtones as there are several types of ringtones available ranging from very simple to much more complex. Three main types of ringtones are monophonic, polyphonic, and musical ringtones. Your phone should support all of these ringtone types, but you may want to check in order to be sure. Now, to define what these different types of ringtones mean. A monophonic ringtone is composed of simple tones played one at a time. A polyphonic ringtone has a much more pleasing sound because it is more complex and sounds like there are multiple tones happening at the same time. Full music ringtones are far and away the most impressive ringtones available. Also known as real music ringtones, true tones, mp3 tones, or voice tones, they provide the highest quality sounds for your ringtones matching the music better than any other type of ringtone. These high quality music ringtones can be found in several different formats including MP3, AMR, QCP, or WAV.

Ringtones are available for just about any song, sound or artist so go ahead and start downloading your ringtones right away!

Appendix B – Advertising Text Examples

✓ Acceptable

[Ringtones to Your Cell](#) "Complimentary" with prominent pricing
Hottest Ringtone to Your Cell
Complimentary from \$9.99/month
www.Funmobile.com

"Complimentary" with prominent pricing

[Complimentary Ringtones](#)
From \$9.99/month, 1000s of choices
Support most carriers - Get it Now!
www.Funmobile.com

✗ NOT Acceptable

[Ringtones to Your Cell](#) "100%" is NOT ALLOWED
100% Complimentary Ringtones.
1000s of choices - Get it Now!
www.Funmobile.com No Prominent Pricing, NOT ALLOWED

[Bonus Ringtones](#) "Bonus" & "100%" are NOT ALLOWED
100% Complimentary. All Carriers.
1000s of choices - Act Now!
www.Funmobile.com No Prominent Pricing, NOT ALLOWED