

METALS CONSULTING INTERNATIONAL LIMITED

TERMS AND CONDITIONS OF USE WAP STEEL INDUSTRY NEWS REPORTING SERVICE

PLEASE READ THIS AGREEMENT CAREFULLY BEFORE USING THE SERVICE. BY ACCESSING THE SERVICE, YOU AGREE TO BE BOUND BY THE TERMS AND CONDITIONS OUTLINED BELOW. IF YOU DO NOT WISH TO BE BOUND BY THESE TERMS AND CONDITIONS, YOU SHOULD NOT ACCESS THE SERVICE

§1

The Company

Metals Consulting International (“MCI”, “the Company”) is a business incorporated under the 1985 Companies Act, as a Limited Company registered in England and Wales (registered number 4938719). MCI’s registered office is at 22 Nesta Road, Woodford Green, Essex IG8 9RG, United Kingdom.

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The Service

Metals Consulting International MCI provides a steel industry news reporting service for wireless electronic devices such as cell / mobile phones and personal digital assistants (PDAs), collectively known as ‘WAP’ (Wireless Application Protocol) devices. The news service itself is compiled by and publicly displayed on the steel industry news and information portal <http://www.steelonthenet.com> where headlines and news excerpts are freely available for viewing on standard personal computers and laptops. The service provided by MCI (“WAP steel industry news reporting service”) is the provision of this information in a WAP-accessible form. This service from MCI is also free (see also Section §7).

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Normal Service Operation

Operation of the WAP news reporting service requires a WAP-enabled cell/mobile phone, or PDA device. The reporting service offers access to approx. 5 current steel industry headlines plus associated news excerpts¹. Access to this information typically involves ~15kb of data transfer, with a typical GPRS² access charge of approx. US \$0.05-\$0.10/visit. Access charges may however vary – users are advised to contact their GPRS service provider for operating cost advice prior to using this service (see also Section §7). Operation cannot be guaranteed on all wireless devices

Optimal viewing requires a screen size ranging from 128x160 pixels (e.g. Samsung X460) to 176x220 pixels (e.g. Motorola V547). All headlines and news excerpts displayed on the wireless service remain available for viewing (free, and in full) to all visitors to www.steelonthenet.com/news.php.

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User Names and Password Access

Access to the WAP steel news service is fully open and without restriction. User names and/or passwords are not required.

¹ A maximum of approx. 5 news stories was chosen as a compromise between the depth of news coverage and maximum data loading times (usually ~15 seconds).

² General Packet Radio Service (GPRS) is a data service available to users of GSM mobile phones. It is often described as 2.5G, that is, a technology that is in between the second (2G) and third (3G) generations of mobile telephones. GPRS provides moderate speed data transfer, sufficient for example for transmission of short text passages and news excerpts.

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Warranties and Guarantees

The WAP news provided by this service originates with third parties for whose performance MCI cannot be held responsible. MCI provides this information in excerpt form to users of cell/mobile phones and other WAP devices, acting as a passive conduit only, and without responsibility for accuracy of content. Because of the rapidly changing nature of this information (i) MCI further make no warranty or guarantee concerning the reliability of the news content (ii) users of the news reporting service are urged to seek independent verification of any reports that may appear, prior to acting upon them. News reports are provided by MCI on an 'as is' and 'as available' basis. MCI make no representations or warranties of any kind, express or implied, as to the operation of the WAP news reporting service, or the facts, opinions, information, and other content therein.

MCI shall not furthermore be liable for any indirect, special, incidental, or consequential loss, injury, claim or damage relating to the WAP service, or that arising out of the subject matter of this Agreement.

§6

Service Disruption and Digital Virus Warning

The WAP steel industry news reporting service may be impaired by geographic, atmospheric or other conditions: MCI cannot and does not warrant that the service will be uninterrupted or error free for these or other reasons. The Company reserves the right to suspend or discontinue this service at any time. MCI does not warrant that any information, software or other material available or accessible through the service is free of digital viruses, worms, Trojan horses or other harmful components.

§7

Service Fees

MCI currently make the full version of the WAP news service available without charge. However, MCI reserves the right to introduce a fee for this service at any time.

Users should note the distinction between MCI's fees, which are currently not levied for the WAP steel industry news service but which may be introduced in the future (see above), and the fees charged by users' GPRS/WAP service providers. The latter charges are made for data transmission to wireless devices, and are typically charged per megabyte of data transfer.

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Copyright Issues and Copyright Infringement

Operation of this service is based on the principles of 'fair use' and is therefore considered by MCI not to involve infringement of copyright. Original sources are quoted below each news item. Users of the service are reminded that the rights, title and interest in all original works (including copyright and other intellectual property rights) belong to 3rd parties – and that users of the WAP service do not acquire any proprietary interest in these materials.

If, as an author or publisher, you believe that your work has been copied and is accessible via our news reporting service in a manner that actually or potentially constitutes copyright infringement, please contact MCI@steelonthenet.com and we will endeavour to correct the infringement or remove the news excerpt as soon as practicable.

§9

Health and Safety Considerations

Please consult your cell/mobile phone or PDA user manual concerning restrictions as to how and where your wireless device should be used. MCI draws users' attention to the restrictions concerning the use of wireless devices on board aircraft, in hospitals, at refuelling points, and whilst driving - and to the need for users who have a cardiac pacemaker fitted to consult a doctor prior to using the service.

Uses and Disclosure of Information

We would advise you that www.steelonthenet.com collects personalised contact information for e-mail, SMS and other steel-related marketing campaigns, which may be run by 3rd parties. However, site visitors to www.steelonthenet.com are required to [actively] opt in, in order that their personal information can be used by 3rd parties in this way. In the ordinary course of business and unless otherwise required by law, the *personalised contact information* of visitors to www.steelonthenet.com (including users of the WAP news reporting service) *is not and will not be disclosed* to 3rd parties *unless site visitors actively request this*. If you have any doubts about this, please contact privacy@steelonthenet.com for clarification of your position and/or deletion or amendment of your personal data.

www.steelonthenet.com is registered under the UK 1998 Data Protection Act for the processing of data for advertising, marketing and public relations; for the keeping of accounts and records; for the provision of advice for consultancy and advisory services; for trading/sharing of personal information; and for research purposes.

Legal Jurisdiction

The MCI WAP news reporting service is run from England, United Kingdom. As such, the Laws of England and Wales will govern these Terms and Conditions of Use.

MCI reserves the right to make changes to these Terms and Conditions (which may be accessed at <http://www.steelonthenet.com/wap/terms.pdf>) at its sole discretion at any time. Users irrevocably and unconditionally consent to submit to the exclusive jurisdiction of Law of England and Wales for any litigation arising out of or relating to the use of this service and/or these Terms.

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