

Aruba Code of Conduct for the SMS sending service with personalised sender ("Alias")

1. Subject and purpose

This document constitutes the Code of Conduct of Aruba S.p.A. for the supply of a SMS sending service with personalised sender ('Alias'), drafted in accordance with article 5.4 of resolution n. 42/13/CIR, as amended by resolution n. 131/14/CIR of 10 December 2014, and in accordance with resolution 306/20/CIR of 16 September 2020, published on 29 September 2020 (hereinafter, 'Code of Conduct').

The service is provided by Aruba S.p.A. through its commercial partners.

The Code of Conduct is aimed at identifying the criteria for the registration and use of Alias in the provision of SMS services in order to protect the users of such services.

This document is published on the website of Aruba S.p.A. at the following address: https://hosting.aruba.it/documents/tc-files/it/18_smscodicedicondottaarubaspa.pdf.

2. Definitions

The following definitions are referred to, pursuant to Article 1 of Resolution No. 42/13/CIR:

- a) **User**: any natural or legal person using or requesting to use a publicly available electronic communications service;
- b) **End User**: the natural or legal person using or requesting to use a publicly available electronic communications service for purposes not related to the work, business or professional activity carried out;
- c) **Corporate messaging**: communications of the SMS/MMS and data transmission type directed, in single or bulk mode, to end users by non-consumers, such as Companies or Entities, for social, informative and advertising purposes, as well as to receive SMS/MMS or data transmissions from end users to provide services of the same nature;
- d) **Corporate messaging service**: an electronic communications service enabling corporate messaging;
- e) **CLI - Calling Line Identification**: identification of the calling line by means of the number defined by ITU-T Recommendation E.164 associated to the same line;
- f) **Alias**: string of alphanumeric characters transmitted in the field provided for sending the CLI in SMS/MMS communications and data transmission;
- g) **Code**: Electronic Communications Code contained in Legislative Decree No. 259 of 1 August 2003 and subsequent amendments.

3. Rules for the Registration of Alias

The use of the service is only allowed to users who have logged in to the Aruba SMS Customer Area.

The Alias is an alphanumeric code (maximum 11 characters), which is displayed by the users as the sender of the message only and exclusively if the sender is registered.

According to resolution no. 42/13/CIR of the AGCOM (Italian Communications Regulator), in order to allow the subscribers of the mobile communication services to be able to trace the actual sender of the SMS, the use of Alias is only allowed to non-consumers (subjects identified as a company, business, freelance professional, etc.), i.e:

- Subjects in possession of a VAT number;
- Subjects in possession of a numeric Tax Code.

To register for the Alias creation service, the following data must be provided:

- **Sender**: the Alias code whose registration is to be requested;
- **Contact person**: name and surname of the company contact person;
- **Company Name**: Company/Name/Association requesting registration;
- **Registered Office**: Address of the head office of the company that is applying for registration of the alias;
- **VAT Number**: the VAT number of the company applying for registration of the alias;

- **Tax code:** the tax code of the company requesting registration of the alias;
- **PEC:** the PEC address of the company requesting registration of the alias;
- **Preferred contact:** a reference contact address to be chosen from a fixed/company telephone number, fax, standard email/PEC and web address.

When creating Alias, the following rules must be followed:

- The Alias must be constituted in such a way as to make it as easy as possible for the addressee of the messages to identify the party responsible for the content of the communication or the good or service offered by the same, reducing, at the same time, the possibility of inducing false identification, therefore it must be constituted in such a way as to be distinctive of the sender, the good or service, not damaging to the rights of others (by way of example only, it must comply with the regulations in force relating to trademarks and other distinctive signs) and not misleading for the addressee;
- the use of Alias referring to Bodies and Institutions (e.g. Ministry) is expressly reserved for direct use by such Bodies/Institutions;
- **the Alias cannot be composed exclusively of numeric characters;**
- the Alias cannot be composed exclusively of numeric characters or alphanumeric characters that may simulate a number in national or international format (e.g. with a string composed of the character +, numbers and spaces)
- the Alias shall be determined in compliance with the applicable rules on trade marks, distinctive signs and appellations of origin.

Alias not suitable for identifying the sender such as:

- **simple personal names** (e.g. Raffaella);
- **simple surnames or first names and surnames that do not correspond to the company name** and in any case do not identify the profession carried out, which may be identified by titles or acronyms (e.g. lawyer, doctor, etc.);
- **generic names in common use** (e.g. 'event' 'mother', 'dry cleaner', etc.);
- **simple city names** (e.g. 'Tarquinia' instead of 'Comune di Tarquinia') names of public offices not accompanied or replaced by the name of the entity to which they belong (e.g. 'Anagrafe' instead of 'Anagrafe del Comune di Roma');
- **names that directly convey a content** (e.g. 'Best Wishes') instead of the identity of the sender;
- **the Alias is case sensitive:** it distinguishes two identical words on the basis of the use of upper or lower case letters;
- **the Alias can contain all the letters of the international alphabet** in both lower and upper case and all the digits from 0 to 9;
- **the Alias may contain the accented lowercase letters** present in the Italian keyboard;
- **the Alias may contain space and the common punctuation, currency, mathematical and internet signs** (the mathematical minus symbol (-) and the characters space () and dot (.) must not be preceded by an additional space)
- Alias may not begin or end with a space character.

Aruba and/or the commercial partner through which the service is provided takes the utmost diligence in order to avoid the use of Alias already used for other customers, as well as Alias which differ from Alias already used in an insignificant manner.

4. Management of Alias

Aruba and/or the commercial partner through which the service is provided, will make a list containing for each Alias at least the following: i) Alias, ii) the associated E.164 number; iii) the name of the subject to whom the Alias is given; iv) the relevant Tax Code; v) the VAT number; vi) the method for contacting this subject and in particular: vi.1) address, vi.2) telephone number, if any, in order of preference of customer service and switchboard, vi.3) fax, vi.4) e-mail, vi.5) PEC, vi.6) website address, if any; vii) date on which it is given for use; viii) date of termination, when no longer in use.

5. Protection of the End User

The End User who receives an SMS message with Alias whose sender is considered to be misleading and/or whose content is considered to be spam or malicious, may contact the Aruba Customer Service to request the appropriate checks.