

Boost Family Guard Service

Boost Family Guard is an optional app for your Device designed to provide parental controls, such as content filtering, screen time limits and location services. The program is NOT administered by us or our affiliates, but is provided by a third party called Smith Micro Software, Inc. We are not responsible for the performance (or non-performance) of Boost Family Guard and we disclaim all liability with regard to your use of Boost Family Guard and make no representations or warranties as to its functionality or ability to meet your needs or intended purpose. As Smith Micro Software, Inc. is the sole and exclusive owner of the software underlying Boost Family Guard (and the intellectual property rights therein) your license to use Boost Family Guard is provided to you by Smith Micro Software, Inc. and the terms of service for Boost Family Guard are between you and Smith Micro Software, Inc. Boost Mobile is not part of your agreement with Smith Micro Software, Inc. Therefore, any dispute you have relating to or in connection with your use of Boost Family Guard is between you and Smith Micro Software, Inc. and you agree that you will look solely to Smith Micro Software, Inc. to arbitrate, litigate or otherwise resolve any such dispute.

Boost Family Guard and the location services provided by Smith Micro Software, Inc. (i) are not guaranteed to be precise or accurate, (ii) certain features may be limited if you are outside of your wireless coverage area, and (iii) objectionable content is subjective and there is no guarantee that all content that you may find objectionable or that you otherwise want to be blocked by the parental controls features will be blocked.

WAIVER OF LIABILITY. IN NO EVENT SHALL SMITH MICRO SOFTWARE, INC. OR BOOST MOBILE BE LIABLE TO YOU FOR ANY INCIDENTAL, CONSEQUENTIAL, EXEMPLARY, INDIRECT, SPECIAL, OR PUNITIVE DAMAGES arising out of, from, or related to the purchase of Your Device regardless of the form of action (including, but not limited to, negligence) and regardless as to whether Smith Micro Software, Inc. or Boost Mobile has been advised of the possibility of any such loss or damage. In the event a court of competent jurisdiction strikes this Section, You agree that the extent of Smith Micro Software, Inc. or Boost Mobile's liability shall be no more than One Hundred Dollars (\$100.00).

To use the Boost Family Guard service, you must download the Boost Family Guard Parent App on the parent's or guardian's device and download the Boost Family Guard Companion App on the Companion's device. The Boost Family Guard service is available to Boost Mobile customers and their families, including customers served by the Boost Mobile and other DISH Wireless brands. The primary account holder needs to be a Boost Mobile customer.

Install the Boost Family Guard Companion App on your Companion's device and pair it with the Parent App on your device. Pairing is required to access all features. Only authorized users have permission to use the App to locate a family member's device. The Accessibility Service API is required to help parents prevent their child from uninstalling the Boost Family Guard Companion app without their permission and potentially disabling parental control features.