SYBASE®

PRODUCT SPECIFIC LICENSE TERMS
Cold Standby and Warm Standby Licenses

IN ADDITION TO THE LICENSE TERMS SET OUT IN THE SYBASE LICENSE AGREEMENT, THE FOLLOWING ADDITIONAL OR DIFFERENT RIGHTS AND ACCOMPANYING OBLIGATIONS AND RESTRICTIONS SHALL APPLY TO THE PROGRAM FOR WHICH YOU HAVE PURCHASED A LICENSE.

1.   **Cold Stand-by Programs**. The following Programs, when designated as "Stand-by" on an Exhibit A signed by Customer and Sybase, are Cold Stand-by Programs and are subject to the restrictions below: Enterprise Connect Data Access Integrated Product Set, ECDA Option for AS/400, ECDA Option for DTM, ECDA Option for Informix, ECDA Option for MS SQL Server, ECDA Option for ODBC, ECDA Option for Oracle, ECDA Option for UDB, IAWS Advanced Edition, IAWS Enterprise Edition, IAWS SAP R/3 Deployment Enterprise Edition, Open Server, Open Switch, SQL Anywhere Studio, Sybase Adaptive Server Enterprise, Sybase Adaptive Server Enterprise - Enterprise Edition Linux, Sybase Adaptive Server Enterprise - Enterprise Edition Mac OS X, Sybase Adaptive Server Enterprise Non-Royalty Options - Content Management Package, Sybase Adaptive Server Enterprise Non-Royalty Options - Distributed Transactions Option, Sybase Adaptive Server Enterprise Non-Royalty Options - eBusiness Package, Sybase Adaptive Server Enterprise Non-Royalty Options - Java Option, Sybase Adaptive Server Enterprise Non-Royalty Options - Security & Directory Services Package, Sybase Adaptive Server Enterprise Non-Royalty Options - Security Option, Sybase Adaptive Server Enterprise Non-Royalty Options – Encryption Option, Sybase Adaptive Server Enterprise Non-Royalty Options - Small Business Edition - Content Management Package, Sybase Adaptive Server Enterprise Non-Royalty Options - Small Business Edition - Security & Directory Services Option, Sybase Adaptive Server Enterprise Non-Royalty Options - Small Business Edition - XML Management Package, Sybase Real Time Data Services, Sybase Enterprise Portal - Application Edition, Sybase Enterprise Portal, Sybase Enterprise Portal - Information Edition, Sybase Enterprise Portal - Localized, Sybase IQ Enterprise Edition, Sybase IQ Workgroup Edition, Sybase Unwired Accelerator and Sybase Risk Analytics Platform.

        Cold Stand-by Restrictions. The use of each Program designated as a Cold Stand-by Program shall be restricted as follows: Each Cold Stand-by Program specified on an order shall be limited to the Machine running the operating system shown on the order, at a site shown on the order. A Cold Stand-by Program is a copy of a Program that is loaded, together with any corresponding data, onto a Machine in order to provide a Cold Stand-by for another copy of such Program then in use on another Machine (the "Production Copy"), where such data is replicated by Customer occasionally, and where the Cold Stand-by Program is not being accessed or used in production by Customer at the same time as the Production Copy. In the event of a failure of the Production Copy, Customer may access the data from the Cold Stand-by Program. The Cold Stand-by Program must be licensed for the same number of Servers, Seats, Concurrent Users or Connections, as applicable, as the Production Copy.

2.   **Warm Stand-by Programs**. The following Programs, when designated as "Stand-by" on an Exhibit A signed by Customer and Sybase, are Warm Stand-by Programs and are subject to the restrictions below: e-Biz 2000 Bridge, e-Biz 2000 DataMapper, e-Biz 2000 DataStreams, e-Biz 2000 Enterprise Edition, e-Biz for Impact, e-Biz Integrator, EC Gateway, ECRTP, New Era of Networks Adapter for Components, New Era of Networks Adapter for Databases, New Era of Networks Adapter for EDI, New Era of Networks Adapter for E-mail, New Era of Networks Adapter for Flat Files, New Era of Networks Adapter for PeopleSoft, New Era of Networks Adapter for Protocols, New Era of Networks Adapter for SAP R/3, New Era of Networks Adapter for Siebel, New Era of Networks Adapter for XML, New Era of Networks Adapter Suite for EDI, New Era of Networks Adapters for Application Servers - Adapter for PeopleSoft, New Era of Networks Adapters for Application Servers - Adapter for SAP R/3, New Era of Networks Adapters for Application Servers - Adapter for Siebel e-Business Applications, New Era of Networks Adapters for Application Servers Development Kit, New Era of Networks e-Adapter Development Kit, New Era of Networks EDI Server, New Era of Networks HIPAA Adapter Suite, Replication Server, Sybase Adapter for OS/390, Sybase Adaptive Server Enterprise Non-Royalty Option Disaster Recovery Package, Sybase BizTracker, Sybase BizTracker Dashboard, Sybase BPI Suite, Sybase BPI Suite for Healthcare, Sybase PATRIOTcompliance Starter Kit, Sybase RepConnector, Sybase RepConnector Lite, Sybase Unwired Orchestrator,

Sybase Web Services Integrator Suite, and Tightlink.

Warm Stand-by Restrictions. The use of each Program designated as a Warm Stand-by Program shall be restricted as follows: Each Warm Stand-by Program specified on an order shall be limited to the Machine running the operating system shown on the order, at a site shown on the order. A Warm Stand-by Program is a copy of a Program (i) that is loaded, together with any corresponding data, onto a Machine in order to provide a Warm Stand-by for another copy of a version of such Program then in use on another Machine ("Production Copy"), (ii) that automatically replicates data from the production Machine on a continuous basis, and (iii) that is not being accessed or used in production by Customer at the same time as the Production Copy. In the event of a failure of the Production Copy, Customer may access the data from the Warm Stand-by Program. The Warm Stand-by Program must be licensed for the same number of Servers, Seats, Concurrent Users or Connections, as applicable, as the Production Copy.