



## PRODUCT SPECIFIC LICENSE TERMS

### Adaptive Server® Enterprise Cluster Edition v15.5.x (all platforms) ("Program")

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.

The Program may contain or be provided with component software products from both Sybase and third parties. Except as set forth below, use of all components is limited to use in the same manner and capacity for which the Program as a whole is licensed. Additional licenses for Sybase components may be available from Sybase for a fee.

**I. Sybase Developer Components/Distributable Components/Sample Code.** The Program contains or is provided with the Developer Components identified below. The Developer Components are licensed without further charge for Use by one Standalone Seat for development purposes only. Use and distribution of the Developer Components and/or the Distributable Components of the Program (as specified in and subject to the limitations in the Documentation) is permitted without charge. You may use and modify the source code version of those portions of the Program and/or the Developer Components that are provided as sample code (if any) for your internal use only.

Developer Components
Software Developers Kit v15.5
InfoMaker® v11.5
PowerDesigner® Physical Modeling v15.2

**II. Terms Applicable to Multi-core Eligible License Types and Machines.** For multi-core eligible license types and Machines, the List Price shall be determined by applying the Multi-core Scaling Coefficient to the License and Support price.

**III. Free Download Components.** The Program, including any Developer Components and Restricted Use Components provided with it, may include certain third party open source and other free download components ("Free Download Components"). You may have additional rights in the Free Download Components that are provided by the third party licensors of those components. The Free Download Components and any such third party licenses and third party-required notices for the Program are identified at <http://www.sybase.com/thirdpartylegal> (third party licenses and notices for Free Download Components included as part of the Developer Components and Restricted Use Components are identified under the names of those products). Any obligations undertaken by Sybase in the Agreement relating to the Free Download Components as part of the Program are provided by Sybase alone, and not by the third party licensors of the Free Download Components. **A. FURTHER DISCLAIMER OF WARRANTIES AND LIABILITIES.** The Free Download Components are provided "AS IS" by the third party licensors, who disclaim all liabilities, damages (even if they have been advised of the possibility of such damages), warranties, indemnities and other obligations of any kind, express or implied, with regard to the Free Download Components. Nothing in the foregoing affects any performance warranty provided by Sybase with regard to the Program as a whole. **B. DISCLAIMER OF INDEMNITIES.** The Free Download Components are excluded from any indemnity provided by Sybase or its subsidiaries in the Agreement.

**IV.** Customer agrees to apply and/or install any notes, corrections, patches, service packs and other software updates for Adaptive Server® Enterprise Cluster Edition v15.5.x as soon as reasonably possible after they have been provided by Sybase or SAP in its sole discretion and to follow any advice given by Sybase or SAP with respect to the operation of the software.