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:


   **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.

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.