

SYBASE

SECTION 1: SYBASE SOFTWARE LICENSE

Allscripts Healthcare, LLC hereby grants to Customer a non-exclusive, non-transferable perpetual right to use the Sybase Software on the designated number of CPUs, servers, standalone seats or concurrent users. Any use of the Sybase software in excess of the designated usage, as reflected in the pricing set forth in the Customer's agreement with Allscripts Healthcare, LLC, shall be subject to additional fees.

SECTION 2: USE RESTRICTIONS (FOR EMBEDDED RUNTIME LICENSES ONLY)

Notwithstanding the provisions of Section 1 above, the Allscripts Healthcare, LLC Software includes a Sybase Software Embedded Runtime Version license only, which allows Allscripts Healthcare, LLC Software to control and use that data. Customer, for data integrity purposes, is not permitted to alter the database in the Allscripts Healthcare, LLC Software and Customer cannot write applications, including applications written with a Sybase Full Use License, that insert, delete, update or otherwise modify data in the Allscripts Healthcare, LLC Software database. All Allscripts Healthcare, LLC Software provides a documented audit trails when data changes. If Customer makes changes to an Allscripts Healthcare, LLC Software database, there may not be an audit trail and performance could be jeopardized. Customer is permitted to and has the capability to extract data from the Allscripts Healthcare, LLC database and use it in any Customer build application. If data is uploaded, inserted, updated to or deleted from Allscripts Healthcare, LLC Software databases or Allscripts Healthcare, LLC Software databases are modified by a Customer-written application, all applicable Allscripts Healthcare, LLC Software warranties shall be null and void.

Customer has no right to use the Sybase Software other than as an embedded runtime version to be used in conjunction with the Allscripts Healthcare, LLC Software applications. An embedded runtime version shall mean a version of the Sybase Software limited to or embedded in Allscripts Healthcare, LLC's software application code.

The embedded runtime version license allows the use of the Sybase Software with the Allscripts Healthcare, LLC Software solely to:

- query the database;
- create and alter stored procedures, triggers, rules, data types and defaults in conjunction with Allscripts Healthcare, LLC application(s);
- change the database in support of Allscripts Healthcare, LLC application(s).

SECTION 3: LIABILITY

Sybase and its licensors shall not be responsible for any direct, indirect, incidental, special and consequential damages.