

TIBCO SPOTFIRE

THIRD PARTY TERMS

Unless specifically set out in a mutually executed Order Form, Customer shall not market, sell, sublicense or distribute TIBCO Spotfire products in the Global Research Market ("GRM") and the Clinical Research Market ("CRM").

GRM means the global market for scientific research and development applications which shall specifically include the following: (i) the analysis of data for the purposes of biology; chemistry; the discovery and/or characterization of drugs, and diagnostics in the fields of life sciences, biotechnology, translational medicine, and diagnostics (except as related to clinical development applications); (ii) analysis of data for chemical and material research and discovery in the field of petrochemicals; and (iii) analysis of data from all procedures undertaken to ensure the identity and purity of a particular chemical, food ingredient or pharmaceutical, ranging from a chemical experiment to screen for and identify substances to complex pharmacopeia monographs, in the fields of chemicals, foods, consumer product goods, pharmaceutical, life science, and biotechnology. Further, analysis of data (i) directly related to the provision of healthcare, and (ii) for oil, mineral and natural gas exploration in the field of petrochemicals, are not included in the GRM.

CRM means the global market for clinical research and development applications, including but not limited to, the testing (clinical trials, studies and research) of human populations to determine the safety and efficacy of medications, devices, diagnostic products and treatment regimens. Further, pre-approval (phases 1-3) and post-approval (phase 4) clinical trials, operational data on trial execution, safety risk monitoring (pre and post marketing pharmacovigilance), and adverse event tracking are specifically included in the CRM, while outcomes research, health economics, and management of clinical operations are specifically excluded from the CRM."

For avoidance of doubt, Customer may distribute TIBCO Spotfire Products to a Provider who conducts business in the GRM and CRM market for the distribution/sublicense of such TIBCO Spotfire Products outside of the GRM and CRM restrictions.