

LABORATORY OF APPLIED PHARMACOKINETICS, USC Keck School of Medicine
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ACADEMIC SOFTWARE LICENSE AGREEMENT (Version 05/28/2010)

This Agreement is made between _____,

("Researcher") and the University of Southern California ("University"), University Park, Los Angeles, California 90089, with respect to computer software developed under the direction of Roger W. Jelliffe, M.D., and Michael Neely, M.D., both U.S.C. faculty members, for use in studying drug behavior and calculating probable drug dosage and infusion requirements for patients and supporting documentation (both of which are herein referred to as "Software"). The University has the sole right to license use of the Software, and is willing to grant a royalty-free license to the Researcher to use the Software for clinical pharmacokinetic and/or clinical research purposes under the following terms. The Researcher realizes that the Software may be of significant commercial value to the University, and Researcher desires to evaluate, test and use the Software listed at the bottom of this document for the above research purposes only.

1. This License is limited to use of the Software for academic and the above research purposes by the researcher within the institution designated below, and will not be disclosed, given or sold to anyone outside of the institution. Duplication of the Software for any purposes other than the above use, and for back-up protection, is prohibited. The Software may not be used for any commercial purpose without the express written agreement of the University. Researcher will return Software and destroy all other copies immediately upon request.

2. Researcher further acknowledges that this agreement will also apply to all subsequent Software s/he may receive from Dr. Jelliffe and Dr. Neely unless another written agreement is concluded. All Software is and will remain the property of the University.

3. Researcher acknowledges that the Software is directed to pharmacokinetic analysis and the optimal management of drug dosage regimens. Researcher understands that the University makes no warranties, either express or implied, as to any matter concerning this Software, including the condition of the Software, its usability, or fitness for any particular purpose. Researcher agrees to hold the University, its officers, employees and agents, including but not limited to all individual developers of the Software, harmless for any and all damages, expenses, claims or other liability suffered as a result of Researcher's use of the Software. Researcher agrees that s/he alone is responsible for whatever dosage regimen s/he or his/her groups order for or administer to any patient.

4. This Agreement constitutes the entire Agreement between the parties concerning the Software. No amendment or assignment shall be binding on the parties unless mutually agreed to and executed in writing by each of the parties. This Agreement shall be interpreted in accordance with the laws of the United States and of the State of California. Jurisdiction and venue shall lie with any competent court within the County of Los Angeles, California. In the event litigation or arbitration is commenced to enforce any of the terms of this Agreement, the prevailing party shall have the right to recover its reasonable attorneys' fees and costs of such litigation or arbitration from the other party.

SOFTWARE: 1. (The USC*PACK Clinical Collection) MM-USCPACK: To individualize doses of: GENT, TOB, AMIK, DIGOXIN, CBZ+DPH (Adults, SS), CBZ+PHENO (Adults, SS), CBZ SR (Adults, SS), CBZ (Adults, SS) VAL (children), VAL (Adults), VAL SR (adults), Vancomycin	2. (The USC*PACK Modeling Collection) PASTRX. BigWinPops Big Monte Carlo Simulator View Pop Results View Patient Data, Creatinine Clearance BOXES (create PK/PD Model) Assay error polynomial
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Researcher (Please print or type): _____

Institution: _____

Address: _____

City, _____ State _____ ZipCode: _____ Country: _____

Phone: _____ Fax: _____ Email: _____

Type of User: Please check: Hospital or Academic _____ (Suggested donation \$595) Industrial _____ (\$895)

Signature _____ Date _____