

Fluence Energy, LLC Website Privacy Policy

Last modified: 22 May 2018

Introduction

Fluence Energy, LLC and our global subsidiaries and affiliates (“Fluence”, “Company”, “us” or “we”) respect your privacy and are committed to protecting it through our compliance with this policy.

This policy describes the types of information we may collect from you or that you may provide when you visit the website www.fluenceenergy.com (our “Website”) and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect on or through this Website. It does not apply to information collected by:

- us offline or through any other means, including on any other website operated by any third party; or
- any third party, including through any application or content (including advertising) that may link to the Website.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy policy. This policy may change from time to time. Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

Children Under the Age of 13

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any information to the Website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this Website. If we learn we have collected or received personal information from a child under 13, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at 4300 Wilson Blvd., Suite 900, Arlington, VA 22203 USA, Attention: General Counsel.

Information We Collect About You and How We Collect It

We collect several types of information from and about users of our Website, including information:

- by which you may be personally identified, such as name, postal address, e-mail address, telephone number and job title (“personal information”);
- that is about you but individually does not identify you, such as your employer’s name and location; and/or
- about your internet connection, the equipment you use to access our Website and usage details.

We collect this information:

- Directly from you, when you provide it to us; and
- Automatically, as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies.

Information You Provide to Us.

The information we collect on or through our Website may include:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of requesting further information or services.
- Records and copies of your correspondence (including email addresses), if you contact us based on the contact information we provide on our Website.

Information We Collect Through Automatic Data Collection Technologies.

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions and patterns, details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website. We also may collect information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically is statistical data and does not include personal information, but we may maintain it or associate it with personal information we collect in other ways or receive from third parties. The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting

on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.

- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- **Web Beacons.** Pages of our Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).
- **Log Files.** There is information about your computer hardware and software that is automatically collected by us. This information can include: your IP address, browser type, domain names, internet service provider (ISP), the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system, clickstream data, access times and referring website addresses.

We do not collect personal information automatically, but we may tie the aforementioned statistical information to personal information about you that we collect from other sources or you provide to us.

Third-Party Use of Cookies and Other Tracking Technologies.

Some content or applications on the Website are served by third-parties, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

How We Use Your Information

We use information that we collect about you or that you provide to us, including any personal information:

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To fulfill any other purpose for which you provide it.

- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our Website or any products or services we offer or provide through it.
- To allow you to participate in interactive features on our Website.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

Disclosure of Your Information

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Fluence Energy, LLC's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Fluence Energy, LLC about our Website users is among the assets transferred.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce any contracts or other agreements that you enter into with us, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Fluence Energy, LLC, our customers, or others.

Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- Tracking Technologies and Advertising. You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- Promotional Offers from the Company. If you do not wish to have your email address/contact information used by the Company to promote our own or third parties' products or services, you can opt-out by sending us an email stating your request to brian.perusse@fluenceenergy.com. If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions. This opt out does not apply to information provided to the Company as a result of a direct request for information by you, a product or service purchase, or other transactions.
- We do not control third parties' collection or use of your information to serve interest-based advertising. However these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.

Accessing and Correcting Your Information

You may send us an email at brian.perusse@fluenceenergy.com to request access to, correct or delete any personal information that you have provided to us. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

Your California Privacy Rights

We do not disclose personal information to third parties for direct marketing purposes. Nevertheless, California Civil Code Section 1798.83 permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to frank.fuselier@fluenceenergy.com or write us at: 4300 Wilson Blvd., Suite 900, Arlington, VA 22203, USA, Attention: General Counsel.

Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' personal information, we will notify you through a notice on the Website home page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for periodically visiting our Website and this privacy policy to check for any changes.

Contact Information

To ask questions or comment about this website privacy policy and our privacy practices, contact us at 4300 Wilson Blvd., Suite 900, Arlington, VA 22201 USA, Attention: General Counsel.