Crusoe Website Privacy Notice

Introduction

We are excited you have decided to join us in aligning the future of computing with the future of climate. Whether you are an existing customer of our products and services or interested in learning more, we appreciate you trusting Crusoe with your personal information. With this Crusoe Website Privacy Notice (“**Website Privacy Notice**”), we intend to provide clear information about how we use the personal information you’ve given us and how we process personal information in general.

Scope of this Notice

This Website Privacy Notice describes how we collect and process your personal information when you interact with us on our web properties (such as https://crusoe.ai, collectively “**Websites**”) or through other online channels (for example, by communicating with us through our Websites or attending one of our events);

This Website Privacy Notice does not apply to the information we collect or process through:

- the Crusoe Cloud Platform, including support channels and payment processing, which is covered under our Crusoe Cloud Platform Privacy Notice;
- other products and services that we may offer; or
- Crusoe’s recruitment and hiring processes, which is covered under our Recruiting Privacy Notice.

Terms Used in This Notice

First things first - if there are any capitalized or defined terms in this Website Privacy Notice that are not defined here, then those terms will have the same definition used in our Website Terms of Use. If you have a different agreement with us, such as one covering your access to and use of the Crusoe Cloud Platform, we’ll use that agreement’s definitions.

When we refer to "**Crusoe**" throughout this document, or to “**we**” or “**us**”, we’re referring to Crusoe Energy Systems LLC, a Delaware limited liability company located at 255 Fillmore Street, Suite 400, Denver, Colorado 80206, US (DE File Num. 7027808), along with its Affiliates. "**Affiliates**" means any entity that directly or indirectly Controls, is Controlled by, or is under common Control with a party. And "**Control**" means control of greater than 50 percent of the voting rights or equity interests of a party.

When we use the term “**personal information**” in this Website Privacy Notice, we’re talking about a broad range of information. Data protection laws around the world define this concept in different ways, but in general, we mean information that relates to an identifiable, living individual person. This definition does not include aggregated or deidentified data that is maintained in a form that is not reasonably capable of being associated with or linked to you. If we use deidentified data, we will maintain it in deidentified form, and will not attempt to reidentify it. For example, the name and email address you provide on a ‘Contact Us’ form on our website is personal information, but your company name by itself is not, as it does not relate to an individual person.

Crusoe is responsible for making decisions about how the personal information we collect on our Websites is processed. This makes us a controller of the data we process in this notice.

We update this Website Privacy Notice from time to time and we encourage you to review this document periodically. If you have any questions about this Website Privacy Notice or to exercise the privacy rights and choices we offer please contact us at privacy@crusoe.ai.

What Information We Collect and How We Use It

We may collect information a few different ways when you visit one of our Websites:

Information Shared Directly with Crusoe

We collect personal information from you when you submit web forms on our Websites, for example by filling out our 'Contact Us' form, requesting access to Crusoe Cloud, signing up for updates from our blog, or registering for events. We may ask for your email address, first and last name, company name, job title, and other similar business information.

We use the information you share directly with Crusoe on our Website to market and promote our products and services, and remind you of events you signed up for. For example, we use your personal information, like your email or physical address, to send you information which we think may be of interest to you and send you marketing communications relating to our business.

If we use the personal information you share with us for other purposes, we will describe them at the time of data collection.

You may opt out of receiving this promotional content by following the instructions contained in each communication that we send to you or by contacting us at the email address provided in the introduction of this notice. If you unsubscribe from our marketing lists, we will continue to contact you regarding administrative matters, and to respond to your requests.

We may also reach out to you via telephone to ask about Crusoe products or services you may be interested in. If you have a call scheduled with a Crusoe representative, we may record and transcribe the call. You will be notified prior to the call that the call is being recorded, and you will be offered an opportunity to opt-out of having the call recorded.

Where required by law, we will only send marketing communications with your consent. You are free to explore some of our Websites without providing any personal information about yourself.

Information We Generate or Collect Automatically

When you visit and interact with our Websites, we and our service providers acting on our behalf automatically collect metadata about you. We collect this both through normal interaction with our Websites and through technologies like cookies and web beacons. This information includes your IP address, pages you view, your referring address, the device and kind of browser you're using, the date and time of your visit, and any errors that may occur during your visit. We may associate this information with your activity when using our products and services. We use this information to help us understand how visitors use our website and later interact with our products and services, to track performance, and to maintain security. We also use this information to analyze the effectiveness of our marketing campaigns, and deliver advertising to you about Crusoe's products that may be more relevant to you.

Please see our section on Cookies for more information.

Information We Collect From Third Parties

We may also collect information about you through co-marketing partnerships. For example, you may sign up to a webinar or download a white paper published by Crusoe and a Crusoe co-marketing partner. For more information about how we share data with our partners, review the "How We Share Your Personal Information With Others" provision of this privacy policy.

We may combine the personal information we collect from you with personal information we receive from other sources, such as third party providers of business information and publicly available sources (like social media platforms). This may include physical mail addresses, job titles, email addresses, phone numbers, IP addresses, and social media profiles. This helps us to update and improve our records, identify new customers, create more personalized advertising, suggest products and services that may interest you, and deliver personalized communications and promote events. The collection of your personal information by these other third party providers is governed by the provider's privacy policy.

Buttons and Content From Other Companies

Our Websites may include features and widgets (such as the share and/or "like" button or interactive mini-programs) that run on our Websites. These features may collect your IP address, which page you are visiting on our sites, and may set a cookie to enable the feature to function properly. These features and widgets are either hosted by a third party or hosted directly on our Websites. This Website Privacy Notice does not apply to these features. Your interactions with these features are governed by the privacy policy and other policies of the companies providing them.

How We Share Your Personal Information With Others

Service Providers

We may share personal information with our service providers to support our Websites. For example, we use service providers for data hosting, marketing, and sales support. We may need to share your information with service providers to provide information you request about our products or services to you. Examples may include removing repetitive information from prospect lists, analyzing data or performing statistical analysis on your use of or interactions with our Websites, providing marketing assistance, and supplementing the information you provide us in order to provide you with better service. These service providers are prohibited from using your personal information except for these purposes, and they are required to maintain the confidentiality of your information. In all cases where we share your information in this way, we explicitly require the third party service providers to acknowledge and adhere to our privacy and data protection policies and standards.

Partners

We may share data with trusted Crusoe partners to contact you based on your request to receive such communications, help us perform statistical analysis, provide sales support, or provide customer support. Partners are prohibited from using your personal information except for these purposes, and they are required to maintain the confidentiality of your data.

We also may partner with trusted third parties to provide you with co-marketing content that we think may be relevant to you. When you engage with these co-marketing partners, we will tell you who we are sharing data with, and provide a link to the co-marketing partner's privacy policy so you can learn more about how to opt-out of the partner's communications. These co-marketing partners are required to adhere to our privacy and data protection policies.

Corporate Events

If Crusoe is involved in a reorganization, merger, acquisition, or sale of assets, we'll continue to ensure the confidentiality of your personal information and give affected users notice before their personal information becomes subject to a different privacy policy.

Legal Reasons

We may share personal information collected through our Websites outside of Crusoe if we have a good-faith belief that access to, or use, preservation, or disclosure of the information is reasonably necessary to:

- comply with applicable law, regulation, legal process, or enforceable governmental request;
- enforce applicable agreements, including investigation of potential violations;
- detect, prevent, or otherwise address fraud, security, or technical issues; or
- protect against harm to the rights, property or safety of Crusoe, our customers, users, and the public as required or permitted by law.

Where possible, we object to legal requests for personal information that we do not believe were issued properly, and if possible we will notify you about such disclosure.

Sale of Personal Information

We use third party analytics and advertising technologies, such as Google Analytics, Marketo Engage, and Marketo Measure, on our Websites. These technologies use cookies and other trackers to collect data like your contact information, IP address, device type, and interactions with our Websites (such as pages viewed or forms submitted). This data helps us analyze our web traffic, and product/services usage, measure the effectiveness of our advertising campaigns, provide you with more relevant marketing content, and advertise our products and services to you on non-Crusoe owned websites.

Under some U.S. state privacy laws, including the CCPA, allowing third parties to collect this information through our website to advertise to you on non-Crusoe websites could be considered a "sale" or "sharing" of personal information.

To opt out of this practice, you can click on the "Do Not Sell or Share My Personal Information" link in the footer of our website. In addition, you can opt out by installing the Google Analytics Opt-Out Browser Add-on. We provide more information on our sale and sharing of personal information on our Do Not Sell page.

If you want to opt out of our sale/sharing for targeted advertising disclosures that are not cookie based, please email us at privacy@crusoe.ai.

See below for more information about our use of cookies.

Affiliates

We share personal information across our subsidiaries, affiliates and related companies, especially where access to your data is needed to market and sell our products and services. Our affiliates will only use your personal information as described in this Website Privacy Notice.

Consent

We may disclose personal information about an individual to certain other third parties or publicly with their consent or direction.

Your Privacy Rights and Choices

Personal Information Requests

You have rights with respect to your personal information we collect when you interact with our Websites, including the right to access the information we have about you, to correct inaccurate information, to receive a copy of your data, to restrict the use of your data, and to delete your data.

If you want to exercise these rights, please contact us at the email address provided in the introduction of this notice. Please note that to protect personal information, we may verify your identity by a method appropriate to the type of request you are making. Depending on where you reside, you may be entitled to empower an “authorized agent” to submit requests on your behalf. We will require authorized agents to confirm their identity and authority, in accordance with applicable laws. You are entitled to exercise the rights described above free from discrimination.

We will respond to your request to change, correct, or delete your data within a reasonable timeframe and notify you of the action we have taken. In some instances, your rights may be limited, such as where fulfilling your request would impair the rights of others, our ability to provide a service you have requested, or our ability to comply with our legal obligations and enforce our legal rights.

Unsubscribe From Our Communications

You may unsubscribe from our marketing communications by clicking on the "unsubscribe" link located on the bottom of our emails. Crusoe customers cannot opt out of receiving transactional emails related to their account with us, contracts they may have with us, or the Crusoe Cloud Platform.

Data Retention

We retain personal information for as long as necessary to provide you the information you requested, maintain a customer relationship with you, comply with our legal obligations, resolve disputes, enforce our agreements, and carry out other legitimate and lawful business purposes. Because these needs can vary for different data types in the context of different services, actual retention periods can vary significantly based on criteria such as your consent, the sensitivity of the data, and our legal obligations.

Cookies and Tracking Technologies

Crusoe uses common information-gathering tools such as cookies, web beacons, pixels and other similar tracking technologies to automatically collect information as you navigate our Websites, use our product or services, or when you interact with emails we send you. A cookie is a small piece of data, which often includes a unique identifier, that is sent from a website and stored on your computer’s hard drive. Cookies allow Crusoe to identify your device as you navigate our Websites and use our products or services, to

remember your preferences, to identify your device for security purposes, and to maintain statistical reports. They also help you navigate and interact with our Websites more efficiently.

The cookies on our website fall into four categories:

- **necessary cookies** that are required to use our website, like a login session cookie;
- **functional cookies** that make our website easier to use, like a preferences cookie;
- **analytics cookies** that track your visit to our website and your use of our products and services so that we can better understand how you interact with our Website and how you interact with those products and services; and
- **advertising or tracking cookies**. These cookies may be used for marketing and advertising purposes. They may be set by Crusoe or third party providers to:
    - **Help us understand the effectiveness of our marketing efforts** by connecting your activity on our Websites to our different marketing channels (a practice known as marketing attribution).
    - **Deliver targeted Crusoe ads to you on other websites** based on your previous interaction with our Websites.
    - **Combine your browsing data with other information you provide us**, such as when you fill out a 'Contact Us' form, request a whitepaper, sign up for a webinar, or attend one of our events, to create a complete record of your interest in our products and services.
    - **Perform advertising related tracking and performance management on our website traffic and user behavior** so that we can better identify individuals and market our products and services to them. Examples include cookies from Google Analytics, Marketo Measure, or Marketo Engage.

A web beacon is a small, single-pixel clear image contained within a website or email. When your browser loads the image, the server hosting that image is able to log information about your device and set and read its own cookies. Crusoe may use web beacons on some of our pages, and we sometimes use web beacons in emails that we send you.

Managing Cookie Preferences

You can manage cookie preferences in the consent manager on our website, through tools in your browser, and in the following ways:

- **Do Not Track (DNT)** is a signal that some browsers can send that requests that a website disable tracking activity.
- Browser extensions provided by third parties can manage and block cookies based on your preferences.
- You may also visit third party opt-out tools such as the Network Advertising Initiative, the Digital Advertising Alliance, and the European Interactive Digital Advertising Alliance. These opt-out tools are not provided by Crusoe and we cannot assist with them.

Note that you cannot opt out of necessary cookies and if you opt out of functional cookies, your ability to use our Websites may be impaired.

Global Privacy Compliance and International Transfers

Crusoe is a global company with customers and operations all over the world. As such, our approach to privacy compliance is global.

Regions Requiring a Legal Basis for Processing Personal Information

If you are from a region that requires a legal basis for processing personal information (such as the EEA or the UK), our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it.

However, we will normally collect personal information from you only where we need that personal information to perform a contract with you, where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms, or where we have your consent to do so. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person, such as in the case where we request personal information from you to respond to a request from law enforcement.

Typically, when we use personal information to further our legitimate interests, it is for these limited purposes:

- to understand who the visitors to our Websites are, why they may be interested in our products and services, and how they use our products and services;
- to manage our relationships with our customers;
- to respond to inquiries, requests for information, and
- to conduct sales motions; to detect, prevent, or investigate security incidents, fraud and other crimes.

Cross Border Data Transfers and Onward Transfers

Crusoe is based in the United States and we process personal information in the United States. We also use service providers around the world. This means we may transfer, store and process your personal information outside of the jurisdiction where you live. When we do transfer your personal information, we maintain the same standard of data protection regardless of where the information originates and where it is processed.

When we transfer personal information from the EEA, the UK, or from Switzerland, we rely on data transfer mechanisms such as the Standard Contractual Clauses and the International Data Transfer Agreement. You may obtain a copy of these agreements by contacting us.

When we transfer personal information from countries other than the EEA, the UK, or Switzerland, we strive to comply with those countries' data protection and data transfer laws, such as by cooperating with that country's data protection authority or providing a written agreement.

Information About Children

We don't direct our products and services to children. If we discover that someone under 16 has sent us their personal information through our Websites, we will take reasonable steps to remove that information from our records.

U.S. State-specific Privacy Information

If you are a U.S. resident, we process your personal information in accordance with applicable U.S. state data privacy laws. We don't discriminate or change our practices based on where you live; all of the visitors to our Websites have the same rights, and that won't change how we offer you products or services.

You have the right to request that we (i) provide details about the categories of personal information we collect, use, disclose, share, and sell; (ii) provide access to, and a copy of, the personal information we collect about you; (iii) correct any inaccurate personal information we have about you; (iv) restrict the use and disclosure of your sensitive information; (v) delete your personal information; and (vi) opt you out of future "sharing" of personal information for targeted advertising purposes.

We provide this information in this Website Privacy Notice, and our section on Your Privacy Rights and Choices offers steps on exercising these rights.

For California residents, we share your personal information as we describe above, for our business purposes. Please contact us if you would like more specific information.

Resolving Disputes

We aim to resolve any disputes over our data protection practices by working with you to understand your concerns and correct any issues. If something isn't right or you have any questions, please contact us and we promise to be helpful. If after engaging with us you still are not satisfied, you may have the right to lodge a complaint with your local data protection or privacy agency or supervisory authority. For your local data protection authority's contact information, please see the EDPB's website. Crusoe is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission. In the event that you have a dispute over an agreement you have with us, please see that agreement regarding how those disputes will be resolved.