

## INTUITIVE MACHINES PRIVACY POLICY,

Updated September 12, 2022

At Intuitive Machines (also referred to as "us" or "we" in this Privacy Policy), your personal privacy is important to us, and this Privacy Policy has been created to demonstrate our firm commitment to privacy. This Privacy Policy discloses Intuitive Machines' information gathering and dissemination practices for our website, social media platforms, apps, online services, and direct sales, as well as other form of consumer contact. This Privacy Policy is not a contract, but is intended to comply with applicable data privacy laws. The following Privacy Policy describes the practices that we have adopted.

Please review this Privacy Policy, which governs the information collected through use by you (collectively sometimes referred to herein as "you" or "your") of the Website, or information collected in any other manner. Each time you access, use, or browse the Website, you signify your acceptance of the then-current Privacy Policy. If at any time you do not accept this Privacy Policy, then you are not authorized to access, browse or use the Website and you must discontinue use of the Website immediately.

### **NOTICE AT COLLECTION**

#### **Our Collection and Use of Your Personally Identifiable Information**

As part of the normal operation of the Website, we may collect and, in some cases, use or disclose personally identifiable information (referred to herein as "personal information or "PI") about you where we reasonably believe it will help us administer our business or provide products, services or other opportunities to you as described below.

For your convenience, we are listing the categories of PI that we collect below and have collected within the past 12 months:

<b>Category</b>	<b>What We May Collect</b>	<b>How Collected</b>	<b>Reason for Collection*</b>
Identifiers.	A real name, alias, postal address, unique personal identifier, Internet Protocol address, online identifier, email address.	Through the website, in-person, through publicly available databases, through marketing partners and service providers, through referral services, written in a completed form, application or other written correspondence, e-mail and/or by telephone.	To provide products and services to you, and manage relationships; to facilitate your employment application; to provide you with our marketing materials; facilitating social sharing, and administering promotions; to maintain and improve the functionality of our online services; and to meet our legal, regulatory and contractual obligations.
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, address, telephone number, physical characteristics or description, education, employment and employment history.	Through the website, in-person, through publicly available databases, through marketing partners and service providers, through referral services, written in a completed form, application or other written correspondence, e-mail and/or by telephone.	To provide products and services to you, and manage relationships; to facilitate your employment application; to provide you with our marketing materials; facilitating social sharing, and administering promotions; to maintain and improve the functionality of our online services; and to meet our legal, regulatory and contractual obligations.
Protected classification characteristics under California or federal law.	Race, national origin, marital status, gender, sexual orientation, veteran or military status.	Through the website, in-person, through publicly available databases, through marketing partners and	To provide products and services to you, and manage relationships; to facilitate your employment application; to provide you with our marketing materials; facilitating social sharing, and administering promotions; to

		service providers, through referral services, written in a completed form, application or other written correspondence, e-mail and/or by telephone.	maintain and improve the functionality of our online services; and to meet our legal, regulatory and contractual obligations.
Internet or other electronic network activity information.	Browsing history, search history, and information regarding a consumer's interaction with an Internet website.	Through your browser or device, use of an app, or through the use of cookies	To provide products and services to you, and manage relationships; to provide you with our marketing materials; facilitating social sharing, and administering promotions; to maintain and improve the functionality of our online services; and to meet our legal, regulatory and contractual obligations.
Professional or employment related information.	Current or past job history or performance evaluations.	Through the website, in-person, through publicly available databases, through marketing partners and service providers, through referral services, written in a completed form, application or other written correspondence, e-mail and/or by telephone.	To provide products and services to you, and manage relationships; to facilitate your employment application; to provide you with our marketing materials; facilitating social sharing, and administering promotions; to maintain and improve the functionality of our online services; and to meet our legal, regulatory and contractual obligations.
Sensitive Personal Information.	Racial or ethnic origin.	Through the website, in-person, through publicly available databases, through marketing partners and service providers, through referral services, written in a completed form, application or other written correspondence, e-mail and/or by telephone.	To provide products and services to you, and manage relationships; to facilitate your employment application; to provide you with our marketing materials; facilitating social sharing, and administering promotions; to maintain and improve the functionality of our online services; and to meet our legal, regulatory and contractual obligations.

\*In addition to the reasons for collection described above, we may, in our sole discretion, retain original and updated PI as part of our records for reasons such as technical constraints, legal obligations, dispute resolution, trouble-shooting and agreement enforcement.

In addition to the PI listed above, we may also collect the following "Non-PI":

- Instructions, comments, and opinions you provide when you contact us directly by email, chat, online forms, telephone, or mail;
- Your opinions and information via surveys we send to you regarding our products and services, potential new products and service, our Online Services, or other matters;
- Information necessary for you to participate in our contests; and
- Information that you choose to provide to us when you interact with us.

We may also collect, aggregate, and share "Non-PI" which is information that is aggregated, anonymized, de-identified and is unable to be readily identified to you.

This Privacy Policy only addresses the use and disclosure of PI and other information we may collect from you, or about you from third party sources.

**Intuitive Machines collects information from our users at several different points, including, but not limited to, the following:**

### **Personally Identifiable Information You Provide to Us**

Any personal information that we may collect about you is voluntarily provided to us by you. We receive and may store the information you provide to us. As you navigate through the Website, there are several online forms which you can use to request information about us. In order for us to respond to your request, we ask that you provide to us, among other things, your first and last name, mailing address, telephone number, and email address on the online form. Other information may be identified as optional, and you may choose whether or not to provide it. The use of these online forms is completely voluntary. We may use your first and last name, email address, mailing address and telephone number to contact you from time to time. In addition, we may use that information internally for assessing our business and how the Website is used. Visitors to the Website may navigate the entire Website without using any of these features or providing any information.

### **Correspondence**

If you correspond with us, we may retain such information and PI included as part of the correspondence. In addition, where we have sent an email to you, we may receive confirmation that you have opened it. If you want to unsubscribe from an Intuitive Machines email list, please let us know by following the “Unsubscribe” instructions that are included in each promotional email from us. Please note that such requests may take up to ten (10) days to become effective.

### **Cookies and Other Tracking Methods**

Like many websites, we use cookies and similar technologies to collect additional website usage data. A cookie is a small piece of text sent to your browser by a website you visit. It helps the website to remember information about your visit, like your preferred language and other settings. That can make your next visit easier and the site more useful to you. Cookies do not contain personally identifiable information; however, once you choose to furnish a site with personally identifiable information, this information may be linked to the data stored in the cookie. When you access our Website, we look into the cookie to fill out some fields you would otherwise have to re-enter (but never passwords or any financial information) and customize our Website to be more relevant to you. There are products commercially available that are designed to help you disable cookies. You may delete and/or decline our cookies by selecting the appropriate settings on your browser, but some parts of our Website may not work properly if you do so and this may affect your ability to use the full functionality of the Website. Also, most browsers have incorporated certain “do not track” (DNT) features. Most of these features, when turned on, send a signal or preference to the website that a user visits, indicating that the user does not wish to be tracked. At this time, our Website does not respond to browser “do not track” (DNT) signals or other “opt out” settings or features that may be offered by your browser or similar devices, however, we reserve the right to adopt a DNT standard in the future.

### **Google Analytics**

Our Website uses Google Analytics, a web analytics service provided by Google. Google Analytics uses cookies and similar technologies to collect and store anonymous information about you, which may include the non-personal information described above. You can read information about how Google Analytics may use your data at <http://www.google.com/policies/privacy/partners/>, Google’s Privacy Policy at <http://www.google.com/intl/en/policies/privacy/>, and Google Analytics Terms of Use at <http://www.google.com/analytics/terms/us.html>. Our Website may use certain features of Google Analytics, including:

(a) “Demographics and Interest Reporting” to analyze information regarding the interests and demographics of users of the Website. We use such non-personal information in the same manner as we use other non-personal information as described in this Privacy Policy.

(b) “Remarketing with Google Analytics” to place ads on other sites directed to people who have visited the Website.

(c) “Google Display Network Impression Reporting” to report how people’s interactions with our ads relate to their visits to the Website.

You can opt-out of Google Analytics for Display Advertising and customize Google Display Network ads by changing the ad settings at <https://support.google.com/ads/answer/2662856>. You also can opt-out from being tracked by Google Analytics in the future by downloading and installing Google Analytics Opt-out Browser Add-on for your current web browser at <https://tools.google.com/dlpage/gaoptout/>.

### **Behavioral Advertising**

As described above, we use your PI to provide you with targeted advertisements or marketing communications we believe may be of interest to you. For more information about how targeted advertising works, you can visit the Network Advertising Initiative’s (“NAI”) educational page at <http://www.networkadvertising.org/understanding-online-advertising/how-does-it-work>.

You can opt out of targeted advertising by using the links below:

- Facebook: <https://www.facebook.com/settings/?tab=ads>
- Google: <https://www.google.com/settings/ads/anonymous>
- Bing: <https://advertise.bingads.microsoft.com/en-us/resources/policies/personalized-ads>
- Amazon: <https://www.amazon.com/b?ie=UTF8&node=5160028011>

Additionally, you can opt out of some of these services by visiting the Digital Advertising Alliance’s opt-out portal at <http://optout.aboutads.info/>.

### **Surveys**

From time-to-time, our Website may request information from you via surveys or contests. Participation in these surveys or contests is completely voluntary and you may choose whether or not to disclose this information. PI and other information requested may include, but is not limited to, contact information (such as name, telephone number, email and mailing address), and demographic information (such as zip code, age level, interests).

### **Personally Identifiable Information and Information from Other Sources**

We may receive PI and information about you from other sources, such as our agents, vendors, contractors and service providers and from publicly available sources. For example, sometimes we receive updated address information from third parties that we may use to update our records.

### **Disclosing Personally Identifiable Information To Third Parties**

We do not sell or rent your personally identifiable information for monetary consideration. We may, however, share your PI with third parties (including any agents, vendors, contractors, service providers and any affiliate or subsidiary we may have), under the following circumstances:

- (1) The PI is provided to help promote or otherwise market a service or product to you or complete a transaction for you.
- (2) The PI is provided to our agents, vendors or service providers who perform functions on our behalf. These agents, vendors, contractors or service providers only receive PI if such information is needed to perform their function(s) or services, and they are not authorized to use any PI for any purpose(s) other than the purpose(s) set forth by us. Our agents, vendors, contractors and service providers are prohibited from using your PI except to provide these services to us, and they are required to maintain the confidentiality of your PI.
- (3) The PI is provided to comply with applicable law, regulation or governmental request, enforce our Terms of Use or other agreements we have with you, or to protect our rights, property or safety, or the rights, property or safety of our users or others.
- (4) The disclosure of PI is done as part of a purchase, sale or transfer of services or assets (for example, if substantially all of our assets are acquired by another party, your PI may be one of the transferred assets). We may also transfer such PI in the course of corporate divestitures, mergers, dissolution, joint ventures or reorganization.

We may store PI in locations outside our direct control (for instance, on servers or databases co-located with hosting providers).

For your convenience, you may consult the chart below to see what information we disclose and what categories of information we have disclosed in the prior 12 months.

Category	What We May Disclose	To Whom PI is Disclosed	Reason for Disclosure*
Identifiers.	A real name, alias, postal address, unique personal identifier, Internet Protocol address, online identifier, email address.	Our employees and third parties including any agents, vendors, service providers and any affiliate or subsidiary we may have.	To market a service or product to you or complete a transaction for you; or for agents, vendors or service providers who perform functions on our behalf.
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, address, telephone number, physical characteristics or description, education, employment and employment history.	Our employees and third parties including any agents, vendors, service providers and any affiliate or subsidiary we may have.	To market a service or product to you or complete a transaction for you; or for agents, vendors or service providers who perform functions on our behalf.
Protected classification characteristics under California or federal law.	Race, national origin, marital status, gender, sexual orientation, veteran or military status.	Our employees and third parties including any agents, vendors, service providers and any affiliate or subsidiary we may have.	To market a service or product to you or complete a transaction for you; or for agents, vendors or service providers who perform functions on our behalf.
Internet or other electronic network activity information.	Browsing history, search history, and information regarding a consumer's interaction with an Internet website.	Our employees and third parties including any agents, vendors, service providers and any affiliate or subsidiary we may have.	To market a service or product to you or complete a transaction for you; or for agents, vendors or service providers who perform functions on our behalf.
Professional or employment related information.	Current or past job history or performance evaluations.	Our employees and third parties including any agents, vendors, service providers and any affiliate or subsidiary we may have.	To market a service or product to you or complete a transaction for you; or for agents, vendors or service providers who perform functions on our behalf.
Sensitive Personal Information.	Racial or ethnic origin.	Our employees and third parties including any agents, vendors, service providers and any affiliate or subsidiary we may have.	To market a service or product to you or complete a transaction for you; or for agents, vendors or service providers who perform functions on our behalf.

\*In addition to the reasons for disclosure described above, we may, in our sole discretion, disclose original and updated PI to comply with applicable law, regulation or governmental request, to enforce our Terms of Use or other agreements we have with you, or to protect our rights, property or safety, or the rights, property or safety of our users or others.

We may also gather aggregated data about you and disclose the results of such aggregated information (but not PI) to third parties for marketing, promotional or other purposes.

### Sale of Personally Identifiable Information

In the preceding twelve (12) months, we have not sold PI for monetary consideration.

## **Inapplicability of Privacy Policies of Any Linked Websites or Other Third Parties**

Our Website contains links to or integrations with other sites, whose information practices may be different than ours. Visitors should consult the other sites' privacy notices as we have no control over information that is submitted to, or collected by, these third parties.

This Privacy Policy only addresses Intuitive Machines' use and disclosure of your personally identifiable information. We are not responsible for the privacy practices of any third parties or the content of linked websites, although we encourage you to read any applicable privacy policies of such parties or websites.

## **Sharing Your Personal Information**

We share your PI with third parties to help us use your PI, as described above. For example, we use Shopify to power our online store--you can read more about how Shopify uses your Personal Information here: <https://www.shopify.com/legal/privacy>.

Finally, we may also share your PI to comply with applicable laws and regulations, to respond to a subpoena, search warrant or other lawful request for information we receive, or to otherwise protect our rights.

## **Protection of Personally Identifiable Information**

We have put in place appropriate physical, electronic and managerial procedures to safeguard against foreseeable risks, such as unauthorized access. While no security program can fully protect PI (Personally Identifiable Information) from unauthorized disclosure, we have implemented internal policies and technical measures to protect PI from loss, accidental destruction, misuse or disclosure. Such internal policies and technical measures include:

- The use of pseudonymization and encryption of personal data where appropriate;
- Procedures and controls to ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and platforms;
- Procedures for regularly testing, assessing and evaluating the effectiveness of technical and organizational measures for ensuring the security of the processing;
- Procedures to ensure that data is not accessed, except by individuals in the proper performance of their duties;
- The use of contractual language requiring our service providers and other third parties to whom we disclose PI to comply with applicable data privacy laws and to protect the confidentiality of the information; and
- Training all of our employees who handle PI on how to properly handle and protect PI.

Please be aware that the Website and data storage are run on software, hardware and networks, any component of which may, from time to time, require maintenance or experience problems or breaches of security beyond our control. We are not responsible for the acts and omissions of any third parties.

No transmission of data over the internet is guaranteed to be completely secure. We cannot guarantee the security of the information on and sent from the Website. It may be possible for third parties not under our control to intercept or access transmissions or private communications unlawfully. While we strive to protect your PI, we cannot ensure or warrant the security of any information you transmit to us over the internet. Any such transmission is done at your own risk.

## **Length of PI Retention**

We retain personal information for as long as needed or permitted in light of the purposes for which it was obtained and consistent with applicable law. The criteria used to determine our retention periods include:

- The length of time we have an ongoing relationship with you and provide our products and services to you (for example, for as long as you have an account with us or keep using our products and services);
- Whether there is a legal obligation to which we are subject (for example, certain laws require us to keep records of your transaction or communications for a certain period of time before we can delete them); and
- Whether retention is advisable in light of our legal rights (such as in regard to applicable statutes of limitations, litigation or regulatory investigations).

## **Compromise of Personally Identifiable Information**

In the event that PI is compromised as a result of a breach of security, we will promptly notify those persons whose PI has been compromised, as required by applicable law.

## **Information from Children**

Because of the nature of our business, our products and services are directed to persons 18 years of age or older and are not designed to appeal to minors. If you provide information to us through the Website, you represent and warrant to us that you are 18 years of age or older. We do not knowingly collect, use, sell, share, disclose, attempt to solicit or receive any personal information from children under the age of 18. Specifically, the Website is not intended or designed to attract children under the age of 13. If you are 13 -17 years of age, you may visit, browse and use the information on the Website, but you may not intentionally submit any personal information to the Website, and you represent and warrant that you have permission of your parent or guardian to use the Website, who agrees to this Privacy Policy and the Terms of Use on your behalf. If you are a parent and believe that we may have inadvertently collected personal information from your child, please notify us immediately by sending an email, including the Website to which your request pertains, to [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com).

## **Conditions of Use, Notices and Changes to Our Privacy Policy**

By using the Website you agree to the terms and conditions in this Privacy Policy and the Intuitive Machines Terms of Use (the terms and conditions of which are hereby incorporated by reference). In the event of any conflict between the terms and conditions of this Privacy Policy and the Terms of Use, then the Terms of Use shall control. If you do not agree to any of these terms and conditions you should not access, browse or use the Website.

You agree that any dispute over privacy or the terms contained in this Privacy Policy, our Terms of Use, or any other agreement we have with you will be governed by the law of the State of Texas.

As our business changes from time to time, this Privacy Policy and the Terms of Use are subject to change at any time. We reserve the right to amend the Privacy Policy and Terms of Use at any time, for any reason, without notice to you, other than the posting of the amended Privacy Policy and/or Terms of Use to the Website and changing the version number and date of the Terms of Use and Privacy Policy which is noted just below the first line of text that is the title of these documents. The use of your information is subject to the Privacy Policy and Terms of Use in effect at the most recent time of use. The policies and procedures described herein replace all previous policies and procedures regarding this subject. We encourage you to periodically check back and review the policies and procedures so that you always will know what PI and other information we collect, how we use it, and with whom we share it.

## **Governing Law**

This Privacy Policy shall be governed by, and will be construed under, the laws of the State of Texas, U.S.A., without regard to choice of law principles. Those who choose to access the Website from locations outside of the United States do so on their own initiative, and are responsible for compliance with local laws if and to the extent local laws are applicable, including, without limitation, all applicable laws, rules and regulations regarding the transmission of data exported from the United States or the country in which you reside.

## **Notice of Privacy Rights of California Residents**

### Personal Information Shared for Direct Marketing Purposes

If you are a California resident and have provided personal information to us, you are entitled by law to request certain information about the personal information we shared, if any, with other businesses for their own direct marketing uses. To make such a request, send an email to [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com) with "Request for California Privacy Information" on the subject line and in the body of your message, include the website or line of business to which your request pertains. We will provide the requested information to you at your e-mail address in response. Please allow thirty (30) days for a response. We are required to respond to only one request per customer each year, and we are not required to respond to requests made by means other than through the above email address.

We will not share your personal information with third parties for their direct marketing purposes if you request that we do not do so. You may make such a request by sending us an email at [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com) or mailing your request to Intuitive Machines, 3700 Bay Area Blvd., Sixth Floor-Suite 600, Houston, TX 77058, Attn: Privacy Team. When contacting us, please indicate your name, address, email address, which website or line of business to which your request pertains, and what personal information you do not want us to share with third parties for their direct marketing purposes. Please note that there is no charge for controlling the sharing of your personal information or for processing this request.

### California Do Not Track Disclosures

California Business & Professions Code Section 22575(b) (as amended effective January 1, 2014) provides that California residents are entitled to know how a website operator responds to "Do Not Track" (DNT) browser settings. DNT is a feature offered by some browsers which, when enabled, sends a signal to websites to request that your browsing is not tracked, such as by third party ad networks, social networks and analytic companies. We do not currently take actions to respond to DNT signals because a uniform technological standard has not yet been developed. We continue to review new technologies and may adopt a DNT standard once one is created. For information about DNT, please visit: [www.allaboutdnt.org](http://www.allaboutdnt.org).

### California Residents: Your Request Rights

This privacy notice for California residents supplements the information contained in the previous portions of this Privacy Policy and applies solely to all visitors, users, and others who reside in the State of California ("consumers" or "you"). We adopt this notice to comply with the California Consumer Privacy Act of 2018 ("CCPA"), as may be amended or supplemented, and any terms defined in the CCPA have the same meaning when used in this notice.

You have the right under the California Consumer Privacy Act of 2018 (CCPA), as amended and expanded by the California Privacy Rights Act of 2020 (CPRA), and certain other privacy and data protection laws, as applicable, to exercise free of charge, the following:

#### **Disclosure of Personal Information We Collect About You.** You have the right to know:

- The categories of personal information we have collected about you, including sensitive personal information;
- The categories of sources from which the personal information is collected;
- Our business or commercial purpose for collecting, selling, or sharing personal information;
- The categories of third parties with whom we share personal information, if any; and
- The specific pieces of personal information we have collected about you.

Please note that we are not required to:

- Retain any personal information about you if, in the ordinary course of business, that information about you is not retained;
- Reidentify or otherwise link any data that, in the ordinary course of business, is not maintained in a manner that would be considered personal information; or
- Provide the personal information to you more than twice in a 12-month period.



We do not knowingly collect, use, share or disclose personal information from children under the age of 18.

**Disclosure of Personal Information Sold, Shared, or Disclosed for a Business Purpose.** In connection with any personal information we may sell, share, or disclose to a third party for a business purpose, you have the right to know:

- The categories of personal information about you that we have sold or shared and the categories of third parties to whom the personal information was sold or shared; and
- The categories of personal information that we have disclosed about you for a business purpose and the categories of persons to whom the personal information was disclosed for a business purpose.

**Right to Opt-Out of the Sale or Sharing of Personal Information.** You have the right to opt-out of the sale or sharing of your personal information.

You have the right to direct us to not sell or share your personal information at any time (the "right to opt-out"). To exercise the right to opt-out, you (or your authorized representative) may submit a request to us by visiting the following Internet Web page link:

[Do Not Sell or Share My Personal Information](#)

You do not need to create an account with us to exercise your opt-out rights. We will only use personal information provided in an opt-out request to review and comply with the request.

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize personal information sales. However, you may change your mind and opt back in to personal information sales at any time by e-mailing us at [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com).

**Right to Limit Use and Disclosure of Sensitive Personal Information.** You have the right to opt-out of the use and disclosure of your sensitive personal information for anything other than supplying requested goods or services.

You have the right to direct to limit the use and disclosure of your sensitive personal information at any time (the "right to opt-out"). To exercise the right to limit the use and disclosure, you (or your authorized representative) may submit a request to us by visiting the following Internet Web page link:

[Limit Use and Disclosure of My Sensitive Personal Information](#)

You do not need to create an account with us to exercise your limit use and disclosure rights. We will only use personal information provided in a limit use request to review and comply with the request.

Please note that Intuitive Machines can use sensitive personal information for the following purposes, and you do not have the right to limit the use and disclosure of sensitive personal information being used in the following ways:

- (1) To perform the services or provide the goods reasonably expected by an average consumer who requests those goods or services.
- (2) To detect security incidents that compromise the availability, authenticity, integrity, and confidentiality of stored or transmitted personal information, provided that the use of the consumer's personal information is reasonably necessary and proportionate for this purpose.
- (3) To resist malicious, deceptive, fraudulent, or illegal actions directed at the business and to prosecute those responsible for those actions, provided that the use of the consumer's personal information is reasonably necessary and proportionate for this purpose.
- (4) To ensure the physical safety of natural persons, provided that the use of the consumer's personal information is reasonably necessary and proportionate for this purpose.

- (5) For short-term, transient use, including, but not limited to, non personalized advertising shown as part of a consumer's current interaction with the business, provided that the personal information is not disclosed to another third party and is not used to build a profile about the consumer or otherwise alter the consumer's experience outside the current interaction with the business.
- (6) To perform services on behalf of the business, such as maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of the business.
- (7) To verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by the business, and to improve, upgrade, or enhance the service or device that is owned, manufactured by, manufactured for, or controlled by the business.

**Right to Deletion.** Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:

- Delete your personal information from our records;
- Direct any service providers to delete your personal information from their records; and
- Direct third parties to whom the business has sold or shared your personal information to delete your personal information unless this proves impossible or involves disproportionate effort.

Please note that we may not delete your personal information if it is necessary to:

- Complete the transaction for which the personal information was collected, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us;
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity;
- Debug to identify and repair errors that impair existing intended functionality;
- Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law;
- Comply with the California Electronic Communications Privacy Act;
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent;
- Enable solely internal uses that are reasonably aligned with your expectations based on the your relationship with us;
- Comply with an existing legal obligation; or
- Otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.

**Right to Correction.** You have the right to request correction of inaccurate personal information maintained by us about you. Upon receipt of a verifiable request from you, we will use commercially reasonable efforts to correct the inaccurate personal information.

**Protection Against Discrimination.** You have the right to not be discriminated against by us because you exercised any of your rights under the CCPA and CPRA. This means we cannot, among other things:

- Deny goods or services to you;
- Charge different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties;

- Provide a different level or quality of goods or services to you; or
- Suggest that you will receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

### **How to Exercise Your Rights.**

If you would like to exercise any of your rights as described in this Privacy Policy, please:

- Complete a consumer request form [available here](#)
- Contact us at [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com).

Please note that you may only make a data access or data portability disclosure request twice within a 12-month period.

If you choose to contact us directly, you will need to provide us with:

- Enough information to identify you (e.g., your full name, address and customer or matter reference number); and
- A description of what right you want to exercise and the information to which your request relates.

We are not obligated to make a data access, correction, deletion or data portability disclosure if we cannot verify that the person making the request is the person about whom we collected information or is someone authorized to act on such person's behalf.

Any personal information we collect from you to verify your identity in connection with your request will be used solely for the purposes of verification.

The verification we may request will reflect personal information that you have previously provided to us.

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information.

You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. These requests are free, though we reserve the right to implement a reasonable fee for excessive or complex requests you may submit. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Before responding to a request by you, we will ask you to verify your identity using personal information you have previously provided to us, in order to protect your privacy. The manner in which we do so will vary on how you make a request and what is being requested. For example, if you submit an inquiry via email, we will respond with an email requesting verification. Otherwise, we may ask you verbally if you make this request over the phone (or in person). We may not be able to oblige all requests, as we are prohibited from disclosing some information.

In the event that you are using an authorized agent to request a disclosure, correction or the deletion of your information, we may ask you to send us a signed letter, including your name, email, your agent's name, and your agent's email, authorizing your agent. We may then ask you to verify your identity with us by email before responding

to a request by your agent. Alternatively, you may directly confirm with us that the agent is authorized to submit the request.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

#### *Response Timing and Format*

We endeavor to respond to a verifiable consumer request for access, correction or deletion within forty-five (45) days of its receipt, and a verifiable opt-out or limit use request within fifteen (15) days from receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt, or after January 1, 2022 – as directed by you. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

#### *Personal Information Sales Opt-Out and Opt-In Rights*

If you are 16 years of age or older, you have the right to opt-out and direct us to not sell your personal information at any time. We do not sell the personal information of consumers we actually know are less than 16 years of age, unless we receive affirmative authorization (the "right to opt-in") from either the consumer who is between 13 and 16 years of age, or the parent or guardian of a consumer less than 13 years of age. Consumers who opt-in to personal information sales may opt-out of future sales at any time.

#### **Privacy Rights for Nevada Residents**

Nevada residents have the right to direct us not to sell certain personally identifiable information that we collect about you on our Websites or other online services by emailing us at [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com). This information includes: your first name or first initial and last name in combination with your social security number; driver's license number, driver authorization card number or identification card number; account number, credit card number or debit card number, in combination with any required security code, access code or password that would permit access to your financial account; medical identification number or a health insurance identification number; user name, unique identifier or electronic email address in combination with a password, access code or security question and answer that would permit access to an online account.

Additionally, you may review and request that we change the personally identifiable information that we collect about you on our Online Services by emailing us at [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com).

Our service providers and other third parties may collect personally identifiable information about your online activities over time and across different internet websites or online services when you use our Online Services.

#### **Privacy Rights for EU and Swiss Residents**

If you are resident in the European Economic Area or Switzerland, under European or Swiss law you have the following additional rights in respect of your Personal Information that we hold:

- Right of access. You have the right to obtain confirmation of whether, and where, we are processing your Personal Information; information about the categories of Personal Information we are processing; the purposes for which we process your Personal Information and information as to how we determine applicable retention periods; information about the categories of recipients with whom we may share your Personal Information; and a copy of the Personal Information we hold about you.
- Right of portability. You have the right, in certain circumstances, to receive a copy of the Personal Information you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal data to another person.
- Right to rectification. You have the right to obtain rectification of any inaccurate or incomplete Personal Information we hold about you without undue delay.
- Right to erasure. You have the right, in some circumstances, to require us to erase your Personal Information without undue delay if the continued processing of that Personal Information is not justified.

- Right to restriction. You have the right, in some circumstances, to require us to limit the purposes for which we process your Personal Information if the continued processing of the Personal Information in this way is not justified, such as where the accuracy of the Personal Information is contested by you.
- Right to object. You have a right to object to any processing based on our legitimate interests where there are grounds relating to your particular situation. There may be compelling reasons for continuing to process your Personal Information, and we will assess and inform you if that is the case. You can object to marketing activities for any reason.
- If you are resident in France, you also have the right to set guidelines for the retention and communication of your Personal Information after your death.

If you wish to exercise one of these rights, please contact us at [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com) or at Intuitive Machines, 3700 Bay Area Blvd., Sixth Floor-Suite 600, Houston, TX 77058; Attn: Privacy Team.

EU residents also have the right to lodge a complaint to your local data protection authority. Further information about how to contact your local data protection authority is available at: [http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm). Swiss residents have the right to lodge a complaint with the Swiss Federal Data Protection and Information Commissioner at: <https://www.edoeb.admin.ch/?lang=en>

### **Questions Regarding This Privacy Policy**

If you have any questions about our Privacy Policy, or would like to remove your stored information, please contact us at [privacy@intuitivemachines.com](mailto:privacy@intuitivemachines.com) or you can write to us at Intuitive Machines, 3700 Bay Area Blvd., Sixth Floor-Suite 600, Houston, TX 77058, Attn: Privacy Team.