

Deed of amendment of the articles of association

On the @ day of @ two thousand twenty-one, appeared before me, Jan-Mathijs Petrus Hermans, civil-law notary in Amsterdam, the Netherlands:

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The said individual declared as follows:

- A. the articles of association of Photon Energy N.V., a public company ('naamloze vennootschap'), with its statutory seat in Amsterdam (office address: 1083 HN Amsterdam, Barbara Strozziilaan 201) and registered with the Trade Register held by the Chamber of Commerce for the Netherlands under number 51447126 (the **Company**), were most recently amended by a deed dated the seventh day of December two thousand twenty, executed before Mr. A.J. Wiggers, civil-law notary in Amsterdam, the Netherlands,
- B. on the @ day of @ two thousand twenty-one the general meeting of the Company resolved to partially amend the articles of association, and
- C. the said individual furthermore was authorised to have the deed of amendment of the articles of association executed and signed.

The said individual, acting as aforesaid, subsequently declared to partially amend the articles of association of the Company as follows:

Paragraph 3 of article 7 is hereby amended and will read as follows:

- 7.3 Pre-emption rights may be limited or excluded by resolution of the general meeting. The proposal to that effect shall include a written explanation of the reasons for such proposal and the determination of the intended issue price. Pre-emption rights may, however, be limited or excluded by the management board if it was designated by resolution of the general meeting for a specified period of not more than five years as competent to limit or exclude pre-emption rights. Such a designation may only be made if the management board previously was designated as competent to issue shares or is simultaneously designated as such. The designation may at any time be extended for a period of not more than five years. Unless provided otherwise upon the designation, it may not be revoked. The designation shall terminate in any event if the designation of the management board as competent to issue shares terminates. A resolution of the general meeting to limit or exclude pre-emption rights or to designate the management board competent to limit or exclude pre-emption rights shall require a majority of at least eighty percent (80%) of the votes cast (such majority: the **Qualified majority to limit or exclude pre-emptive rights or to designate the board of management**). Within eight days after the resolution, the company shall deposit a

complete text thereof at the offices of the trade register.

Paragraph 1 of article 34 is hereby amended and will read as follows:

34.1 A resolution to amend the articles of association, enter into a merger or division within the meaning of title 2.7 of the Civil Code or dissolve the company may only be adopted by the general meeting on the proposal of the management board. Notwithstanding the aforementioned a resolution to amend article 7.3 involving a change of the provision relating to the Qualified majority to limit or exclude pre-emptive rights or to designate the board of management, requires a majority of at least eighty percent (80%) of the votes cast by the general meeting.

FINAL STATEMENTS

The minutes containing the resolution to amend the articles of association and shall be attached to this deed as annex.

The said individual is known to me, civil-law notary.

This deed was executed in Amsterdam on the date first above written.

I, civil-law notary, stated and explained the substance of this deed and pointed out the consequences of its contents to the said individual. The said individual then declared to have noted the contents of this deed and to agree therewith. Subsequently, this deed was executed and was, immediately after it had been read aloud in part, signed by the said individual and by me, civil-law notary.