

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RUNERGY ALABAMA INC., RUNERGY USA INC.,
and CANADIAN SOLAR (USA) INC.,
Petitioners,

v.

T1 ENERGY INC.,
Patent Owner.

IPR2025-00006
Patent No. 10,230,009 B2

PATENT OWNER'S NOTICE OF APPEAL

Notice is hereby given, under 35 U.S.C. §§ 141 and 142, and in accordance with 37 C.F.R. §§ 90.2(a) and 90.3, that Patent Owner T1 Energy Inc. appeals to the United States Court of Appeals for the Federal Circuit from the final written decision of the Patent Trial and Appeal Board entered on April 15, 2026, in IPR2025-00006 (Paper No. 38) and from all underlying orders, decisions, rulings, and opinions.¹

In accordance with 37 C.F.R. § 90.2(a)(3)(ii), T1 Energy states that the issues on appeal include, but are not limited to, the Board's determination that claims 1–17 of U.S. Patent No. 10,230,009 were shown to be unpatentable, including all subsidiary findings of fact and conclusions of law with respect to that determination (including, but not limited to, the Board's erroneous conclusions regarding the scope and content of the prior art and the differences between the prior art and the challenged claims, its erroneous implicit construction of the challenged claims, its unsupported findings and inconsistent conclusions regarding expert testimony, its reliance on impermissible hindsight reasoning when holding the claims obvious, its application of an incorrect legal standard regarding the required motivation to combine or modify prior art references, its failure to require a motivation to combine

¹ Trina Solar Co., Ltd. owned U.S. Patent No. 10,230,009 when the petition for *inter partes* review was filed. The patent was subsequently assigned to T1 Energy. Under 37 C.F.R. § 90.3(c)(1)(i), the PTO Solicitor, acting as the Director's designee, extended the deadline to seek judicial review of the final written decision by a total of 61 days (to August 17, 2026) to permit recording assignment documents and updating the patent owner of record in the IPR.

or modify the prior art as asserted in the disputed obviousness combinations, and its reliance on arguments and grounds absent from the petition).

T1 Energy is submitting one copy of this notice of appeal to the Director of the United States Patent and Trademark Office, and a copy of this notice of appeal is being filed electronically with the Board. In addition, a copy of this notice of appeal is being electronically filed with the United States Court of Appeals for the Federal Circuit, along with payment of the required docketing fee.

Respectfully submitted,

Dated: August 14, 2026

/Kyle R. Canavera/

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Counsel for Patent Owner

T1 Energy Inc.

CERTIFICATE OF SERVICE

I certify that the foregoing notice of appeal was filed electronically with the Board via P-TACTS and that copies were caused to be served upon the Director of the United States Patent and Trademark Office (via electronic mail), the United States Court of Appeals for the Federal Circuit (via CM/ECF), and counsel of record (via electronic mail) in this matter on August 14, 2026, as follows:

Director of the U.S. Patent and Trademark Office (via electronic mail)

Office of the General Counsel
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450
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United States Court of Appeals for the Federal Circuit (via CM/ECF)

717 Madison Place, N.W.
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Dated: August 14, 2026

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