UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

Berkshire Hathaway Energy Company, and
PacifiCorp

Petitioners

v.

Birchtech Corp.

Patent Owner

IPR2025-00278
Patent No. 10,343,114

PETITIONERS' REQUEST FOR REFUND OF POST-INSTITUTION FEES

Petitioners request a refund of post-institution fees in the amount of $30,000.00 to be paid to Deposit Account No. 50-0417.

On January 17, 2025, Petitioners filed a Petition for *Inter Partes* review of U.S. Patent No. 10,343,114 in Case IPR2025-00278. As required by 37 C.F.R. § 42.15(a), Petitioners deposited $52,750.00 with the USPTO at the time of filing the Petition to cover associated fees. Petitioner's payment consisted of $22,750.00 in fees associated with the request for inter partes review, and a further $30,000.00 in post-institution fees.

On May 18, 2026, the Board issued its Decision Denying Institution of *Inter Partes* Review (Paper 85) in Case IPR2025-00278. Accordingly, Petitioners request a refund of the post-institution fees paid to the USPTO in connection with this proceeding (Case IPR2025-00278), totaling $30,000.00, to be paid to Deposit Account No. 50-0417.

Date: May 19, 2026

Respectfully submitted,

/s/ David J. Tobin

David J. Tobin (Reg. No. 60,776)
McDermott Will & Schulte LLP
2801 North Harwood Street, Suite 2600
Dallas, TX 75201
Tel: (214) 210-2793
Email: dtobin@mwe.com

ATTORNEYS FOR PETITIONERS

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), the undersigned certifies that on the 19th day of May, 2026, a complete and entire copy of the foregoing **PETITIONERS' REQUEST FOR REFUND OF POST-INSTITUTION FEES** was served on Patent Owner via email to counsel of record for the Patent Owner at the following addresses:

hhamad@caldwellcc.com
jnemunaitis@caldwellcc.com
rcochrane@caldwellcc.com
midwest@caldwellcc.com

Date: May 19, 2026

Respectfully submitted,

/s/ David J. Tobin

David J. Tobin (Reg. No. 60,776)
McDermott Will & Schulte LLP
2801 North Harwood Street, Suite 2600
Dallas, TX 75201
Tel: (214) 210-2793
Email: dtobin@mwe.com

ATTORNEYS FOR PETITIONERS