

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

PacifiCorp,

Petitioner

v.

Birchtech Corp.

Patent Owner

IPR2025-00424

Patent No. 10,589,225

PETITIONER'S OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioner hereby submits the following objections to evidence filed with Patent Owner's Response of January 20, 2026.

<u>Evidence</u>	<u>Objections</u>
Exhibit 2049 (Niksa Dep. Transcript)	Petitioners object to Exhibit 2049 as hearsay under Fed. R. Evid. 802. Petitioners also object to Exhibit 2049 under Fed. R. Evid. 402-403. Dr. Niksa was testifying in a different proceeding about different patents.
Exhibit 2054 (O'Keefe Rebuttal Report)	Petitioners object to Exhibit 2054 as hearsay under Fed. R. Evid. 802.

Petitioner reserves the right to move to exclude the above exhibits.

Respectfully submitted,

Jan. 27, 2026

Date

/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 PETITIONER

CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on January 27, 2026, a complete copy of the foregoing Petitioner's Objections to Evidence was served on Lead and Back-up Counsel for Patent Owner at the service address provided in Patent Owner's Mandatory Notices:

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

Jan. 27, 2026

Date

/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 PETITIONER