UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

PacifiCorp,

Petitioner

v.

Birchtech Corp.

Patent Owner

IPR2025-00425 (U.S. Patent No. 10,589,225)

PETITIONER'S NOTICE OF TAKING CORPORATE REPRESENTATIVE DEPOSITION OF PATENT OWNER

Pursuant to 37 C.F.R. § 42.53(d)(1), and Federal Rule of Civil Procedure 30(b)(6), and party agreement, Petitioner, by and through its attorneys, will conduct a corporate deposition of Patent Owner, Birchtech Corp., on the topics set forth below. The deposition will be taken concurrently, as a consolidated deposition, across the following eight proceedings: IPR2025-00274, -00278, -00280, -00281, -00422, -00423, -00424 and -00425.

Patent Owner has designated Jim Trettel as its corporate representative on the topics for examination. The consolidated deposition will be conducted remotely via videoconference, beginning at 9:00 AM Central Standard Time on March 6, 2026. The length of the deposition will be limited to 3 hours.

The cross-examination will be taken before a Notary Public or other officer authorized by law to administer oaths. It will be recorded by audio and stenographically.

The topics for examination are: (1) Patent Owner's understanding of the basis for assertions by Patent Owner that a license and/or covenant not to sue in district court does not apply to Petitioner and former Petitioners; and (2) Patent Owner's understanding of the effect of the agreements produced as Exhibits 2052 and 2053 with respect to Petitioner and former Petitioners, including their ability to enforce such agreements. *See, e.g.,* EX3102.

Respectfully submitted,

February 27, 2026
Date

/s/ David J. Tobin

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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

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

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February 27, 2026
Date

/s/ David J. Tobin
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