UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

PacifiCorp,
Interstate Power & Light Company,
MidAmerican Energy Company,
WEC Energy Group, Inc., and
Wisconsin Power & Light Company

Petitioners

v.

Birchtech Corp.

Patent Owner

IPR2025-00717
Patent No. 10,926,218

DECLARATION OF JUSTIN T. NEMUNAITIS
IN SUPPORT OF MOTION FOR ADMISSION *PRO HAC VICE*

Mail Stop PATENT BOARD
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Ex. 2001

I, the below-named Declarant, states as follows:

1. My name is Justin T. Nemunaitis, and I reside in Dallas, Texas.
2. I am a member in good standing of the State Bar of Texas
3. I have never been suspended or disbarred from practice before any court or administrative body.
4. I have never had an application for admission to practice before any court or administrative body ever denied.
5. I have never had sanctions or contempt citations imposed by any court or administrative body.
6. I have read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in part 42 of 37 C.F.R.
7. I understand I will be subject to the USPTO Rules of Professional Conduct set forth in 37 C.F.R. §§ 11.101 et. seq. and disciplinary jurisdiction under 37 C.F.R. § 11.19(a).
8. I have applied for and was granted admission to appear *pro hac vice* for *Inter Partes* Review matters in the past (e.g., on behalf of Midwest Energy Emissions Corp. on June 11, 2020 in NRG Energy, Inc., Talen Energy Corporation, and Vistra Energy Corp. v. Midwest Energy Emissions Corp., Case IPR2020-00832, Patent 10,343,114). I have also applied for admission to appear *pro hac vice* in pending *Inter Partes* Review matters (e.g., on behalf of Birchtech Corp. in IPR2025-00274, IPR2025-00278, IPR2025-00280, IPR2025-00281, IPR2025-00422, IPR2025-00423, IPR2025-00424, IPR2025-0425, IPR2025-00687, and IPR2025-00688). As of the filing of this Declaration, I

have been admitted to appear *pro hac vice* in IPR2025-00422 and IPR2025-00423. The other applications remain pending.

9. I am not registered to practice before the PTO and am seeking admission only as backup counsel.
10. I am an attorney in the pending litigation concerning the ’218 Patent that is mentioned in Birchtech’s Mandatory Notice.
11. I have read the ’218 Patent, including the claims, and I have read the Petition in this IPR proceeding.
12. I am familiar with the prosecution history of the ’218 Patent.
13. I have the appropriate technical background for the ’218 Patent. Notably, I earned a Bachelor’s of Science degree in mathematics from the University of Texas at Austin, and I have participated in multiple patent infringement matters at my current firm Caldwell Cassady Curry P.C. and at my former firm McKool Smith P.C.
14. My legal career has focused on patent litigation, and a number of patents I have litigated have been in the arts of mechanical engineering and energy-related technology.

Further, Declarant sayeth not.

I, the above-named Declarant, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States.

Dated: July 9, 2025

Signature of Declarant
Justin T. Nemunaitis