

UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT TRIAL AND APPEAL BOARD

Berkshire Hathaway Energy Company and
PacifiCorp,

Petitioners

v.

Birchtech Corp.

Patent Owner

IPR2025-00422
Patent No. 10,668,430

PETITIONERS' OBJECTIONS TO EVIDENCE

Pursuant to 37 C.F.R. § 42.64(b)(1), Petitioners hereby submit 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.

Petitioners reserve the right to move to exclude the above exhibits.

Respectfully submitted,

Jan. 27, 2026

Date

/s/ David J. Tobin

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ATTORNEYS FOR PETITIONERS

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 Petitioners' 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:

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Jan. 27, 2026

Date

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