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Birchtech Secures New Agreement with Power Utility from Arizona Litigation

CORSICANA, TX, Feb. 20, 2025 (GLOBE NEWSWIRE) -- Birchtech Corp. (TSX: BCHT) (OTCQB: BCHT) ("Birchtech" or the "Company"), a leader in specialty activated carbon technologies for sustainable air and water treatment, today announced a non-exclusive agreement with a second coal-fired power utility named as a defendant in the Company's [lawsuit filed in Arizona](#), which was previously announced on July 30, 2024. Due to confidentiality agreements and ongoing litigation, the specific terms of this agreement cannot be publicly disclosed.

Having now resolved all claims against the two group of defendants filed in the Arizona lawsuit, the remaining claims filed in Iowa and Missouri will continue against other defendants and have been consolidated and centralized in the Southern District of Iowa.

"This second agreement reinforces the industry's strong acceptance of our patented technologies, while concurrently fortifying our balance sheet for the benefit of our shareholders," said Richard MacPherson, CEO of Birchtech. "We are happy to have reached a positive business outcome with this utility, which has and will continue to benefit from our patented technologies for a number of years."

"Our outreach across the industry continues, including ongoing discussions with other defendants named in our recent lawsuits. We fully expect to enter license agreements and/or supply contracts with many of these utilities. The legal precedent established by the unanimous jury verdict of willful infringement issued in March 2024 in Federal Court has established a standard for acceptance of our position as it relates to our patented technologies. We look forward to engaging in positive business relationships with these power utilities as we seek to create sustainable, long-term value for our shareholders."

Since filing an initial lawsuit in July 2019 against 43 defendants that included four major power utilities and numerous refined coal companies, Birchtech successfully obtained a pre-trial settlement with defendants AJ Gallagher, DTE, and a CERT Defendant in late 2023. Following the jury trial in the U.S. District Court of Delaware with the remaining CERT Defendants, the Company was [awarded a \\$57 million jury award](#) with a unanimous finding of willful infringement, along with inducing and contributory infringement. In July 2024, the Company filed three separate lawsuits against a total of 14 defendants, which were consolidated and centralized in the Southern District of Iowa in December 2024. In February 2025, the recently announced Evergy lawsuit was also transferred to the Southern District of Iowa.

Since 2019, the Company has reached 10 license and/or supply agreements with coal-fired utilities, including six coal-fired utilities previously named as defendants in the 2019 and 2024 lawsuit filings. Additional lawsuits remain outstanding as the Company seeks to protect its intellectual property on behalf of shareholders, and the Company awaits the final

judgment to be issued from the March 2024 District Court of Delaware jury trial.

About Birchtech Corp.

Birchtech Corp. (TSX: BCHT) (OTCQB: BCHT) is a leader in specialty activated carbon technologies, delivering innovative solutions for air and water purification to support a cleaner, more sustainable future. The Company provides patented SEA[®] sorbent technologies for mercury emissions capture for the coal-fired utility sector and is developing disruptive water purification technologies with a specialization on forever chemicals such as PFAS and PFOS. Backed by a strong intellectual property portfolio and a world-class team of activated carbon experts, Birchtech provides cleaner air to North American communities and is applying this expertise to a novel approach in water purification. To learn more, please visit www.birchtech.com.

Safe Harbor Statement

With the exception of historical information contained in this press release, content herein may contain "forward-looking statements" that are made pursuant to the Safe Harbor Provisions of the U.S. Private Securities Litigation Reform Act of 1995 or forward-looking information under applicable Canadian securities laws (collectively, "forward-looking statements"). Forward-looking statements are generally identified by using words such as "anticipate," "believe," "plan," "expect," "intend," "will," and similar expressions, but these words are not the exclusive means of identifying forward-looking statements. Forward-looking statements in this release include statements relating to expected developments and growth in Birchtech's business. These statements are based on management's current expectations and are subject to uncertainty and changes in circumstances. Investors are cautioned that forward-looking statements involve risks and uncertainties that could cause actual results to differ materially from the statements made. In addition, this release contains time-sensitive information that reflects management's best analysis only as of the date of this release. Birchtech does not undertake any obligation to publicly update or revise any forward-looking statements to reflect future events, information or circumstances that arise after the date of this release. Further information concerning issues that could materially affect financial performance or other forward-looking statements contained in this release can be found in Birchtech's periodic filings with the Securities and Exchange Commission or Canadian securities regulators.

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