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Birchtech Announces the End of All Remaining Attempts to Challenge Patents Under IPR Petition

Company's Mercury Removal Technology Patents Protected Against Invalidity Claims Following Termination of All Inter Partes Review (IPR) Petitions; Collection Efforts Remain Underway Following \$78 Million Judgment

CORSICANA, Texas, June 03, 2026 (GLOBE NEWSWIRE) -- Birchtech Corp. (NYSE American: BCHT) (TSX: BCHT) ("Birchtech" or the "Company"), a leader in specialty activated carbon technologies for sustainable air and water treatment, today announced the filing of termination requests for all remaining Inter Partes Review (IPR) petitions filed against the Company's core patents. The final remaining entities involved in IPR proceedings have resolved their disputes with the Company and have moved to bring a complete end to all previously filed third-party challenges to the validity of the Company's patented SEA[®] mercury emissions removal technology.

No other active IPR proceedings remain. Every petition filed with the Patent Trial and Appeal Board (PTAB) to challenge Birchtech's patents has been dismissed, removed prior to institution, or resolved.

The Final Result Following Seven Years of Patent Enforcement

Birchtech's patented SEA[®] sorbent technology captures mercury emissions from coal-fired power plants, which is required under federal environmental regulations. Since filing its first patent infringement claim in 2019, the Company has pursued a disciplined strategy to protect its intellectual property portfolio, resulting in approximately \$37.0 million in license fees and settlements received from utilities since 2020.

In March 2024, the Company [received a favorable verdict](#) following a jury trial in the U.S. District Court for the District of Delaware, whereby a federal jury returned a unanimous verdict against the CERT defendants on all counts, including findings of willful, inducing and contributory infringement. In December 2025, the Court [increased the final judgement amount](#) to \$78.4 million awarded to Birchtech, inclusive of pre-judgment interest, with post-judgment interest continuing to accrue daily.

In 2024 and 2025, Birchtech filed additional litigation in multiple jurisdictions against utility defendants whose cases were subsequently consolidated in the U.S. District Court for the Southern District of Iowa. Those defendants separately filed IPR petitions at PTAB in an attempt to invalidate the Company's underlying patents.

Resolution of All IPR Proceedings

The IPR proceedings have been resolved through a combination of outcomes.

As a result, all parties previously involved in challenging Birchtech's patents are permanently barred from bringing further patent validity challenges against the Company's SEA[®] technology.

Management Commentary

“Since 2019, our patent protection strategy has been strong, highly enforceable and validated at the federal level,” said Richard MacPherson, Chief Executive Officer of Birchtech Corp. “The federal process, including PTAB, has been clear and thorough in its assessment of our claims. The removal of certain IPR petitions prior to institution reinforced the validity of our patents, and the resolution of the remaining challenges reflects our business-first approach.

“With these final challenges now resolved, that chapter is fully closed. The same expertise and intellectual property discipline that protected our Clean Air business is now being applied to Water. We are rapidly entering the massive, North American water treatment market with disruptive technologies and early commercial traction, a stable revenue foundation from our air business and a bolstered balance sheet.”

About Birchtech Corp.

Birchtech Corp. (NYSE American: BCHT) (TSX: 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 SEA disruptive water purification technologies with a specialization on removing contaminants, including ‘forever chemicals’ such as PFAS, from potable water and industrial wastewater. Backed by a strong intellectual property portfolio and a 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, without limitation, 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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