

United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:24-cv-01302-PP

Champion Power Equipment Inc v. Harbor Freight Tools USA Inc
Assigned to: Chief Judge Pamela Pepper
Cause: 35:271 Patent Infringement

Date Filed: 10/14/2024
Date Terminated: 04/28/2025
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Champion Power Equipment Inc

represented by **Jacob M Fritz**
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V.

Defendant**Harbor Freight Tools USA Inc**

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Date Filed	#	Docket Text
10/14/2024	1	COMPLAINT with Jury Demand; against Harbor Freight Tools, USA, Inc. by Champion Power Equipment, Inc.. (Filing Fee PAID \$405 receipt number AWIEDC-4792651) (Attachments: # 1 Exhibit A-U.S. Patent No. 10,393,034, # 2 Exhibit B-U.S. Patent No. 11,143,120, # 3 Exhibit C-U.S. Patent No. 11,492,985, # 4 Exhibit D-U.S. Patent No. 11,530,654, # 5 Exhibit E-U.S. Patent No. 11,840,970, # 6 Exhibit F-U.S. Patent No. 10,221,780, # 7 Exhibit G-U.S. Patent No. 11,905,895, # 8 Exhibit H-U.S. Patent No. 10,697,398, # 9 Exhibit I-U.S. Patent No. 11,143,145, # 10 Exhibit J-U.S. Patent No. 10,598,101, # 11 Exhibit K-U.S. Patent No. 11,306,667, # 12 Exhibit L-U.S. Patent No. 11,761,390, # 13 Exhibit M-U.S. Patent No. 11,905,896, # 14 Civil Cover Sheet) (Heneghan, Thomas)
10/14/2024	2	DISCLOSURE Statement by Champion Power Equipment, Inc.. (Heneghan, Thomas)
10/15/2024		NOTICE Regarding assignment of this matter to Chief Judge Pamela Pepper. Consent/refusal forms for Magistrate Judge Stephen Dries to be filed within 21 days; the consent/refusal form is available here . (mew)
10/15/2024		Case Opening Modification(s); The following modification(s) have been made to your case entry: One or more party names have been modified - please remember to follow the Party Name Guidelines found on our website. ; Please refer to the attorney case opening instructions , the summons instructions and the party name guidelines found in the user manual for further guidance (edr)
10/15/2024		Report to the Commissioner of Patents and Trademarks. (edr)
10/15/2024	3	REQUEST for Issuance of Summons by Champion Power Equipment Inc (Heneghan, Thomas)
10/15/2024		Summons Issued as to Harbor Freight Tools USA Inc. (edr)
10/22/2024	4	SUMMONS Returned Executed. Defendant Harbor Freight Tools USA Inc served on October 18, 2024. AFFIDAVIT of Michael Jesse, Process Server of Service . (Heneghan, Thomas) Modified on 10/23/2024 (amb).
11/04/2024	5	DISCLOSURE STATEMENT by Harbor Freight Tools USA Inc <i>Per FRCP 7.1</i> . (Huang, Eric) Modified on 11/5/2024 (amb).
11/04/2024	6	NOTICE of Appearance by Eric Hui-Chieh Huang on behalf of Harbor Freight Tools USA Inc. Attorney(s) appearing: Eric Hui-chieh Huang (Huang, Eric)

11/04/2024	7	MOTION to Dismiss <i>or in the Alternative to Transfer</i> by Harbor Freight Tools USA Inc. (Attachments: # 1 Text of Proposed Order)(Huang, Eric). Added MOTION to Transfer Case on 11/5/2024 (amb).
11/04/2024	8	BRIEF in Support filed by Harbor Freight Tools USA Inc re 7 MOTION to Dismiss <i>or in the Alternative to Transfer</i> . (Huang, Eric)
11/04/2024	9	DECLARATION of Jason Sprong <i>in support of Defendant's Motion to Dismiss or in the Alternative to Transfer</i> (Huang, Eric)
11/04/2024	10	DECLARATION of Eric Huang <i>in support of Defendant's Motion to Dismiss or in the Alternative to Transfer</i> (Attachments: # 1 Exh A - Excerpts from Compl. in Champion v Firman (D. Ariz.), # 2 Exh B - Google Street View California, # 3 Exh C - LinkedIn Profiles, # 4 Exh D - Cal. Sec'y of State Business Search Results, # 5 Exh E - Google Maps, # 6 Exh F - Champion Website excerpt, # 7 Exh G - Excerpts from Answer in Champion v Firman (D. Ariz.), # 8 Exh H - Compl. in HFT v. Champion (C.D. Cal.), # 9 Exh I - March 27, 2024 Letter from Champion to HFT, # 10 Exh J - May 17, 2024 Letter from Champion to HFT, # 11 Exh K - June 28 Email from Champion to HFT, # 12 Exh L - June 29 Email from Champion to HFT, # 13 Exh M - Oct 10, 2024 Email enclosing Courtesy Copies of CD Cal Complaint, # 14 Exh N - Proof of Service CD Cal Compl., # 15 Exh O - Excerpt from Nat'l Judicial Caseload Profile uscourts.gov, # 16 Exh P - Comparison Chart)(Huang, Eric)
11/05/2024		NOTICE from the clerk to defendant requesting that the Consent/Refusal form to Magistrate Judge Stephen C. Dries be filed within 21 days; the form is available here . (amb)
11/08/2024	11	MOTION to Stay by Champion Power Equipment Inc. (Attachments: # 1 Ex. A CDCA Motion to Dismiss, # 2 Ex. B CDCA Memorandum ISO MTD, # 3 Text of Proposed Order)(Heneghan, Thomas)
11/08/2024	12	BRIEF in Support filed by Champion Power Equipment Inc re 11 MOTION to Stay . (Heneghan, Thomas)
11/22/2024	13	Magistrate Judge Jurisdiction Form filed by Harbor Freight Tools USA Inc. (NOTICE: Pursuant to Fed.R.Civ.P. 73 this document is not viewable by the judge.) (Huang, Eric)
11/25/2024	14	BRIEF in Opposition filed by Champion Power Equipment Inc re 7 MOTION to Dismiss <i>or in the Alternative to Transfer</i> MOTION to Transfer Case . (Heneghan, Thomas)
11/25/2024	15	DECLARATION of Thomas P. Heneghan (Attachments: # 1 Exhibit A-Letter dated March 27, 2024, from Attorney Tim Ziolkowski on behalf of Champion to Eric Smidt of Plaintiff Harbor Freight, # 2 Exhibit B-Email dated July 8, 2024, from Attorney Jeff Cutler of Harbor Freight to Attorney Tim Ziolkowski, # 3 Exhibit C-Letter dated June 28, 2024, from Attorney Tim Ziolkowski on behalf of Champion to Attorney Jeff Cutler of Harbor Freight)(Heneghan, Thomas)
11/29/2024	16	BRIEF in Opposition filed by Harbor Freight Tools USA Inc re 11 MOTION to Stay . (Attachments: # 1 Text of Proposed Order, # 2 Declaration of Eric Hui-chieh Huang, # 3 Exhibit 1 - Oct 10 Email, # 4 Exhibit 2 - CDCA Oct 16 POS, # 5 Exhibit 3 - CDCA Nov 5 Order, # 6 Exhibit 4 - CDCA Nov 13 POS, # 7 Exhibit 5 - CDCA HFT Brief in Opp to Mot to Dismiss, # 8 Exhibit 6 - Olague Decl CDCA Opp to Mot to Dismiss, # 9 Exhibit 7 - Cutler Decl CDCA Opp to Mot to Dismiss, # 10 Exhibit 8 - CDCA Nov 19 Order)(Huang, Eric)
12/09/2024	17	REPLY BRIEF in Support filed by Harbor Freight Tools USA Inc re 7 MOTION to Dismiss <i>or in the Alternative to Transfer</i> MOTION to Transfer Case . (Huang, Eric)

12/13/2024	18	REPLY BRIEF in Support filed by Champion Power Equipment Inc re 11 MOTION to Stay . (Heneghan, Thomas)
12/13/2024	19	DECLARATION of Thomas P. Heneghan (Attachments: # 1 Exhibit A-Letter dated May 17, 2024, # 2 Exhibit B-Email dated June 29 2024, # 3 Exhibit C-Notice from District Court Judge Stephen V. Wilson of the Central District of California in the case of Harbor Freight v Champion, 2:24-cv-08722-SVW-AS)(Heneghan, Thomas)
12/13/2024	20	NOTICE of Appearance by Jennifer Elizabeth Hoekel on behalf of Champion Power Equipment Inc. Attorney(s) appearing: Jennifer E. Hoekel (Hoekel, Jennifer)
02/14/2025	21	NOTICE by Harbor Freight Tools USA Inc of <i>Supplemental Authority</i> (Attachments: # 1 Attachment: Feb 13 Order (C.D.Cal.))(Huang, Eric)
03/26/2025	22	NOTICE by Harbor Freight Tools USA Inc of order in parallel case. (Attachments: # 1 Exhibit A - Minutes of Trial Setting Conference)(Huang, Eric) Modified on 3/27/2025 (amb).
04/28/2025	23	ORDER DISMISSING CASE signed by Chief Judge Pamela Pepper on 4/28/2025. 11 Plaintiff's motion to stay DENIED AS MOOT. 7 Defendant's motion to dismiss or alternatively transfer GRANTED; case DISMISSED on first-to-file grounds. (cc: all counsel)(cb)
04/28/2025	24	JUDGMENT signed by Deputy Clerk and approved by Chief Judge Pamela Pepper on 4/28/2025. (cc: all counsel)(cb)

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