

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HARBOR FREIGHT TOOLS USA INC.,
GENERAC POWER SYSTEMS, INC., and
MWE INVESTMENTS, LLC,

Petitioners,

v.

CHAMPION POWER EQUIPMENT INC.,

Patent Owner.

Patent No. 10,393,034

Issued: August 27, 2019

Title: FUEL SYSTEM FOR A MULTI-FUEL INTERNAL COMBUSTION
ENGINE

Inter Partes Review No. IPR2025-00805

**UNOPPOSED MOTION TO WITHDRAW MWE INVESTMENTS, LLC
AS A NAMED PETITIONER**

UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S Patent No. 10,393,034 to Collie et al. (“the ’034 Patent”)
1002	File History for U.S. Patent No. 10,393,034
1003	Declaration of Dr. Timothy Morse
1004	JPS61283734A (Original) (“Nakafushi”)
1005	Certified Translation of JPS61283734A (“Nakafushi”)
1006	Small Engine Technology, Second Edition, Schuster, William A, (1999) (“Schuster”)
1007	U.S. Patent No. 5,301,644 (“Olmr”)
1008	U.S. Patent No. 4,372,276 (“Bernhardsson”)
1009	U.S. Patent No 1,931,698 (“Holzapfel”)
1010	U.S. Patent Pub. No. 2011/0100335A1 (“Parlatore”)
1011	U.S. Patent Pub. No. 2014/0239645 (“Jungmann”)
1012	Kubota DF972-E2 Workshop Manual (“Workshop Manual”)
1013	Kubota DF972-E2 Operator’s Manual (“Operator’s Manual”)
1014	Declaration from Mr. James Strepek re Kubota Manuals
1015	Declaration from Mr. Scott Schlabach re Kubota Manuals
1016	Auto Fuel Systems. The Goodheart-Wilcox Company. James Duffy and Howard Smith. 1987. (“Duffy”)
1017	DuroMax Manual Next Generation Power Systems
1018	U.S. Patent No. 5,809,979 (“Tsuda”)
1019	Oxford Dictionary of Mechanical Engineering, Tony Atkins & Marcel Escudier, 2013.
1020	U.S. Patent No. 9,175,601 (“Markoski”)
1021	Tri-Fuel YouTube Video (https://www.youtube.com/watch?v=DpknaAPTQ9U)
1022	Declaration from Mr. John Ley re Tri-Fuel YouTube Video

1023	FaceTec, Inc. v. iProov, Ltd., No. 2:21-cv-02252, ECF No. 188 (D. Nev. June 18, 2025)
1024	Judge Adelman – Grant rate re: Motion to Stay in Eastern District of Wisconsin
1025	Grant rate re: Contested Motions to Stay in Eastern District of Wisconsin
1026	Grant rate re: Motion to Stay in District of Nevada
1027	Declaration from Eric Huang
1028	Parson Xtreme Golf LLC v. Taylor Made Golf Co. Inc., No. CV-17-03125, ECF No. 187 (D. Ariz. Nov. 29, 2018)
1029	8/13/25 Stemler email
1030	Grant rate re: Uncontested Motions to Stay in Eastern District of Wisconsin
1031	Time to Trial Statistics: District of Nevada
1032	Time to Milestone Statistics: Judge Adelman
1033	Time to Milestone Statistics: Eastern District of Wisconsin
1034	Time to Trial Statistics: Central District of California
1035	Champion Power Equipment, Inc. v. Firman Power Equipment Inc., No. 23-cv-02371, ECF No. 24 (D. Ariz. Mar. 29, 2024) First Amended Complaint
1036	4-24-2025 Champion's Preliminary Infringement Contentions
1037	Champion Memorandum iso Motion to Sever Counterclaims
1038	File History for U.S. Patent No. 10,697,398
1039	Firman Answer and Counterclaims filed 2024-01-31
1040	Champion Patent Portfolio Overview
1041	U.S. Patent Pub. No. 2007/0137591 (“Sugimoto”)
1042-1089	Reserved
1090	Settlement Agreement

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U.S. Patent No. 10,393,034

I. INTRODUCTION

In email messages dated January 5, 2026, and January 9, 2026, the Board authorized petitioners Harbor Freight Tools USA, Inc. (“Harbor Freight”) and MWE Investments, LLC (“MWE”) to file motions to withdraw from the petitions for inter partes review IPR2025-00805, -00951, -01099, -01121, -01185, -01228, -01271, -01272, -01384, -01423, -01438, -01457, -01463.

Because Generac Power Systems, Inc. (“Generac”) also is a petitioner, and because Generac does not independently seek to withdraw the Petition, this will not result in the termination of IPR2025-00805, -00951, -01099, -01121, -01185, -01228, -01271, -01272, -01384, -01423, -01438, -01457, -01463, directed, respectively, to U.S. Patent Nos. 10,393,034 (“’034 Patent”); 10,598,101 (“’101 Patent”); 11,306,667 (“’667 Patent”); 11,143,120 (“’120 Patent”); 10,221,780 (“’780 Patent”); 11,905,896 (“’896 Patent”); 10,697,398 (“’398 Patent”); 11,492,985 (“’985 Patent”); 11,905,895 (“’895 Patent”); 11,530,654 (“’654 Patent”); 11,761,390 (“’390 Patent”); 11,143,145 (“’145 Patent”); and 11,840,970 (“’970 Patent”) (collectively, the “Challenged Patents”).

MWE and Champion Power Equipment, Inc. (“Champion” or “Patent Owner”) reached an agreement (the “Settlement Agreement”) to resolve their disputes. Pursuant to 37 C.F.R. § 42.74(b), the Settlement Agreement is in writing, and a true and correct copy is being filed as Confidential Exhibit 1090. The

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Settlement Agreement is being filed electronically with access to “Board Only.” A “*Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74*” is filed concurrently with this Unopposed Motion to Withdraw, to treat the Settlement Agreement as business confidential information and to keep it separate from the files of the involved patent pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

On December 30, 2025, in the related litigation¹ between Patent Owner and MWE, the court granted a dismissal with prejudice of Champion’s complaint asserting, *inter alia*, the Challenged Patents. Generac was not a named party in the MWE Litigation and is still a defendant in a separate litigation² filed by Champion asserting, *inter alia*, the Challenged Patents. Generac intends to remain as petitioner in IPR2025-00805, -00951, -01099, -01121, -01185, -01228, -01271, -01272, -01384, -01423, -01438, -01457, -01463.

MWE respectfully requests the Board withdraw MWE as a petitioner for *inter partes* review, leaving Generac as petitioner in IPR2025-00805. Patent Owner does

¹ *Champion Power Equipment Inc. v. Westinghouse Elec. Corp. et al.*, 2:25-cv-00844 (D. Nev.) (the “MWE Litigation”).

² *Champion Power Equipment Inc. v. Generac Power Systems Inc.*, 24-cv-01281-LA (E.D. Wis.) (the “Generac Litigation”).

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not oppose. Pursuant to 37 C.F.R. §42.10(e), MWE further requests the withdrawal of its counsel, Thomas A. Walsh, Thomas A. Rammer, and Alexas D. Siliunas.

II. ARGUMENT

Patent Owner will not be prejudiced by withdrawal of MWE. Generac remains a petitioner and Patent Owner will still receive the same briefing opportunities on the same schedule as before. The lack of any such prejudice is evidenced by Patent Owner's non-opposition to the filing of this motion to withdraw MWE as a named Petitioner.

III. CONCLUSION

MWE respectfully requests to withdraw from the petition for *inter partes* review, IPR2025-00805, and respectfully requests the withdrawal of its counsel, Thomas A. Walsh, Thomas A. Rammer, and Alexas D. Siliunas.

Date: January 12, 2026

Respectfully submitted,

By: /Thomas A. Walsh/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 12, 2026, a true and correct copy of the foregoing **UNOPPOSED MOTION TO WITHDRAW MWE INVESTMENTS, LLC AS A NAMED PETITIONER** was filed through the P-TACTS system along with service to the email addresses listed below:

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By: /Thomas A. Walsh/

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