

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,
Petitioner,

v.

CHAMPION POWER EQUIPMENT, INC.,
Patent Owner.

IPR2025-00805 (Patent 10,393,034 B2)
IPR2025-00951 (Patent 10,598,101 B2)¹

Before JON M. JURGOVAN, SCOTT C. MOORE, and
ERIC C. JESCHKE, *Administrative Patent Judges*.

JESCHKE, *Administrative Patent Judge*.

ORDER

Conditionally Granting Patent Owner's Motion for
Withdraw and Substitution of Counsel
37 C.F.R. § 42.10

¹ Because this Order addresses issues common to both proceedings, we issue one Order to be entered in each proceeding. The parties are not authorized to use this caption.

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Patent Owner, Champion Power Equipment, Inc., filed a Motion to Withdraw and Substitute Counsel as to lead counsel Daisy Manning and back-up counsel Jennifer E. Hoekel, which the Board authorized via email. Paper 11 (“Motion” or “Mot.”); Ex. 3001 (authorization email).² Petitioner does not oppose the Motions. Ex. 3001.

Patent Owner appoints backup counsel Joseph W. Staley as lead counsel and notes that Timothy J. Ziolkowski, Jacob M. Fritz, Scott P. Amy,³ and Thomas F. Finch remain as backup counsel. Mot. 2.

Patent Owner has filed powers of attorney that appoint Joseph W. Staley, Timothy J. Ziolkowski, Jacob M. Fritz, and Thomas F. Finch. Paper 6 at 1 (listing attorneys Ziolkowski and Fritz); Paper 9 at 2 (appointing “all practitioners at Customer Number 186118,” which includes attorneys Staley and Finch). Patent Owner has not yet provided updated mandatory notices designating Joseph W. Staley as lead counsel, in accordance with 37 C.F.R. § 42.8(b)(3).

Because Patent Owner has met our requirements for withdrawing counsel, Patent Owner’s request to withdraw Daisy Manning and Jennifer E. Hoekel as counsel is *granted*. Patent Owner’s request to recognize Joseph W. Staley as lead counsel and Timothy J. Ziolkowski, Jacob M. Fritz, and Thomas F. Finch as backup counsel is *conditionally granted* pending

² Citations to papers and exhibits are to those filed in IPR2025-00805. Patent Owner filed a similar Motion in IPR2025-00951.

³ Patent Owner states that a motion for admission *pro hac vice* has not been filed for Scott P. Amy. *See* Paper 10 at 3 (“Scott P. Amy (*pro hac vice* forthcoming)”). In addition, Patent Owner has not filed a Power of Attorney appointing Scott P. Amy.

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acceptance of updated mandatory notices designating Joseph W. Staley as lead counsel, in accordance with 37 C.F.R. § 42.8(b)(3).

Patent Owner's request to recognize Scott P. Amy as backup counsel is *conditionally granted* pending (1) acceptance of powers of attorney listing attorney Amy and (2) granting of motions for *pro hac vice* admission for attorney Amy.

It is, therefore,

ORDERED that Patent Owner's Motions to withdraw Daisy Manning and Jennifer E. Hoekel as counsel for Patent Owner in these proceedings are *granted*;

FURTHER ORDERED that Joseph W. Staley is *recognized* as lead counsel in each of the above-recognized proceedings on the condition that Patent Owner submits in each of the above-recognized proceedings updated mandatory notices identifying attorney Staley as lead counsel, in accordance with 37 C.F.R. § 42.8(b)(3), within ten business days of the issuance of this Order;

FURTHER ORDERED that is Timothy J. Ziolkowski, Jacob M. Fritz, and Thomas F. Finch are *recognized* as backup counsel for Patent Owner in each of the above-identified proceedings; and

FURTHER ORDERED that Scott P. Amy is recognized as backup counsel in each of the above-recognized proceedings on the conditions that (1) Patent Owner submits, in each of the above-recognized proceedings, a power of attorney listing attorney Amy and submits, in each of the above-recognized proceedings, a motion for *pro hac vice* admission for attorney

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Amy, all within ten business days of the issuance of this Order and (2) the motions for *pro hac vice* admission for attorney Amy are then granted.

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