# Exhibit F

**CHAMPION'S INFRINGEMENT CONTENTIONS FOR**
**U.S. PATENT NO. 11,306,667**
**AS ASSERTED AGAINST**
**GENERAC MODEL DF3500E ET AL.**
**FILING DATE: FEBRUARY 13, 2020**
**PRIORITY DATE: NOVEMBER 1, 2013**

## I. Generac Model DF3500E


## II. Brief Description

Generac Model DF3500E is a dual fuel portable generator under Generac's Powermate brand. Model DF3500E produces 4,375W (starting)/3,500W (running) when using gasoline and 4,000W (starting)/3,200W (running) when using liquified petroleum gas ("LPG"; also known as propane). Model DF3500E can operate at 50% load for up to 10 hours with its 4.5-gallon gasoline tank, up to 7 hours with a 20-pound LPG tank, or up to 10.5 hours with a 30-pound LPG tank. Model DF3500E has a battery-operated, push-button electric start and a recoil starter for its 208cc engine with a low oil shutoff. Model DF3500E also includes an automatic voltage regulator ("AVR"), four receptacles, circuit breaker protection, and a control panel with a digital multi-meter. Model DF3500E also has a fold-down locking handle and never flat wheels.

## III. Accused Instrumentalities

Generac Model DF3500E and Generac Model DF7500E, which is also a dual fuel portable generator, are the Accused Instrumentalities that are alleged to infringe claims 1-9 (the "Asserted Claims") of U.S. Patent No. 11,306,667 (the "'667 Patent"). An image of Model DF7500E is provided below:

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**Generac Model DF7500E**

## IV. Protocol

For purposes of analyzing the Asserted Claims of the '667 Patent against the Accused Instrumentalities, Model DF3500E is considered representative. Model DF7500E includes the same components for switching between gaseous fuel and liquid fuel that infringe the claims of the '667 Patent in the same manner as discussed herein with respect to Model DF3500E and is thus an Accused Instrumentality. In both Accused Instrumentalities, the gaseous fuel is LPG, and the liquid fuel is gasoline.

Accordingly, while the claim chart provided below in Section VII is illustrated with reference to Model DF3500E, each element in the claim chart is found in Model DF7500E in the same manner as illustrated with reference to Model DF3500E.

## V. Priority Dates

The priority date for the Asserted Claims of the '667 Patent is November 1, 2013.

## VI. Statement Regarding Contributory and Induced Infringement

The claimed dual fuel engine operates on different fuels, like a liquid fuel (e.g., gasoline) or a gaseous fuel (e.g., LPG), but a gaseous fuel tank (e.g., an LPG tank), the gaseous fuel in the gaseous fuel tank, and liquid fuel in the liquid fuel tank (e.g., gasoline in a gasoline tank) are not required for infringement unless explicitly claimed in the Asserted Claims. Nonetheless, to the extent the Court construes any claim to require a gaseous fuel tank, gaseous fuel in the gaseous fuel tank, or liquid fuel in a liquid fuel tank, Generac contributes to or induces infringement by instructing its users to use a gaseous fuel tank and gaseous fuel and to fill the liquid fuel tank in order to operate the dual fuel engine.

Generac induces infringement of various Asserted Claims by specifically instructing its customers to attach an LPG tank to the engine and to put liquid fuel in the liquid fuel tank. [*See* Generac Owner's Manual for Model DF3500E at 9 (listing gasoline quality requirements and instructing to "4. Slowing add recommended

fuel") and at 10 (providing instructions to "Connect LPG Tank" using the "LPG regulator connecting hose").] To the extent the Court construes any Asserted Claim to require an LPG tank, gaseous fuel, or liquid fuel for infringement, when Generac's customers use the Accused Instrumentalities with a filled LPG tank connected and with fuel in the liquid fuel tank, the infringement of any such Asserted Claims is completed. As such, Generac's instructions to customers to connect a filled LPG tank and fill the liquid fuel tank before operation of the Accused Instrumentalities constitutes indirect infringement.

For the same reasons, Generac's conduct also constitutes contributory infringement. To the extent the Court's claim construction requires an LPG tank, gaseous fuel, or liquid fuel for infringement, Generac supplies its customers every component necessary to infringe the Asserted Claims except the filled LPG tank and the liquid fuel. Because the Owner's Manual for Model DF3500E instructs customers to connect a filled LPG tank to the generator and to fill the liquid fuel tank with fuel, [*id.*], Generac knew that Model DF3500E would be used to infringe any applicable Asserted Claims. By connecting and using the Accused Instrumentalities with a filled LPG tank connected or with liquid fuel in the liquid fuel tank, Generac's customers complete the infringement of such Asserted Claims. As such, Generac's conduct also constitutes contributory infringement of such Asserted Claims.

Champion incorporates this Section VI by reference into any element of any asserted claim that is construed to require attachment of a gaseous fuel tank, gaseous fuel, or filling of the liquid fuel tank with fuel.

## VII. Claim Chart

| '667 Patent Asserted Claims | Accused Instrumentality Components Illustrated with Respect to Model DF3500 |
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| 1. (Preamble) A fuel selector for use with a dual fuel generator, the fuel selector comprising: | Although not necessary for infringement[1], the preamble of claim 1 is found within Model DF3500E (and, thereby, Model DF7500E) as follows:<br><br>Model DF3500E includes a dual fuel engine that uses either LPG or gasoline. A fuel mode selector switch ("selector switch") is provided to allow a user to toggle between gasoline from the gasoline tank and LPG from the LPG tank. |

[1] The preambles of the Asserted Claims of the '667 Patent are not limiting and therefore should not be part of the infringement analysis. *See Artic Cat Inc. v. GEP Power Prods., Inc.*, 919 F.3d 1320, 1328 (Fed. Cir. 2019) ("We have long ruled that 'a preamble is not limiting where a patentee defines a structurally complete invention in the claim body and uses the preamble only to state a purpose or intended use for the invention.") (quoting *Cataline Mktg. Int'l, Inc. v. Coolsavings.com, Inc.*, 289 F.3d 801, 808 (Fed. Cir. 2002)). Nonetheless, Champion provides general description of Model DF3500E next to the preamble to show how it meets the preamble and to assist in the infringement analysis by giving an overview of the Accused Instrumentalities. Champion incorporates this footnote by reference in the preambles of all the Asserted Claims.

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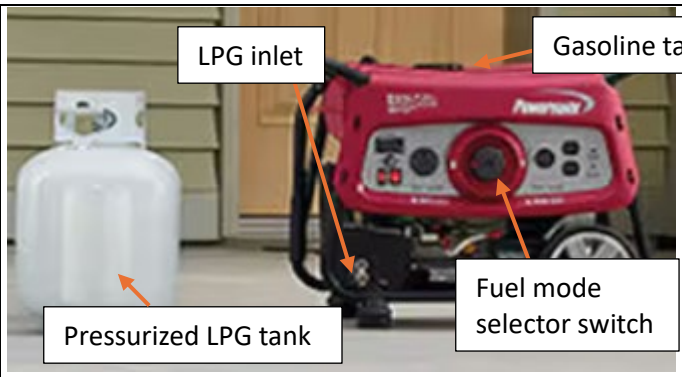
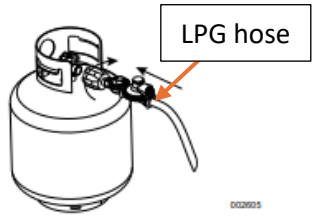
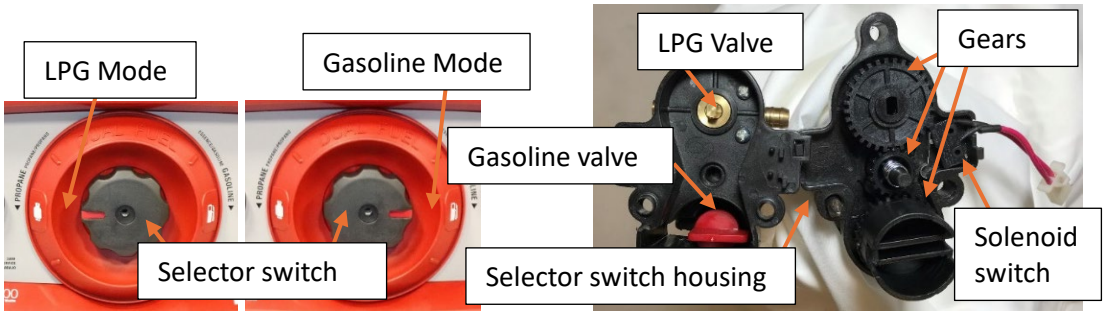
| |  <br>ith LPG tank closed, attach LPG regula- r connecting hose into valve. Turn plastic upling from the hose right (clockwise) to tighten hose assembly onto LPG tank. See *Figure 2-15*.<br>  <br>*Figure 2-15. Connect Hose Assembly to LPG Tank* |
| (a) a valve assembly fluidly connected to each of a first fuel source and a second fuel source, the valve assembly being operable to selectively control a first fuel flow and a second fuel flow from the first fuel source and the second fuel source, respectively, to an engine of the dual fuel generator; and | Element (a) of claim 1 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally[2] as follows:<br><br>The valve assembly includes an LPG valve, a gasoline valve, and a gasoline solenoid valve on the float bowl of the carburetor. The selector switch controls operation of the valve assembly via gears and a solenoid switch during manual actuation by a user. One fuel source is a pressurized LPG tank that is fluidly connected to the generator with a supplied LPG hose and has an associated LPG fuel flow. The other fuel source is the on-board gasoline tank with an associated gasoline fuel flow. Both fuel sources feed fuel to the carburetor and engine. Either of the LPG tank and gasoline tank can be considered the first or second fuel source with the corresponding first or second fuel slow.<br><br>  |

[2] To the extent further discovery or claim construction reveals that any of the Accused Instrumentalities do not literally infringe the '667 Patent, Champion reserves the right to argue the Accused Instrumentalities infringe any of the Asserted Claims of the '667 Patent under the doctrine of equivalents. Champion incorporates this footnote by reference into each element of each Asserted Claim that Champion alleges is literally infringed by the Accused Instrumentalities.

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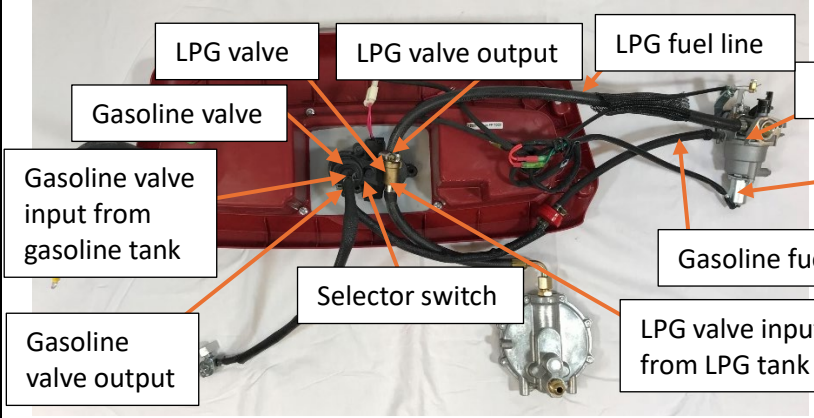
| |  <br>When the fuel mode selector switch is placed in an LPG Mode, the LPG valve is opened, the gasoline valve is closed, and the gasoline solenoid is closed. Hence, only the LPG fuel source is connected to the carburetor and engine. When the fuel mode selector switch is in Gasoline Mode, the gasoline valve is opened, the gasoline solenoid is opened due to actuation of the solenoid switch, and the LPG valve is closed. Thus, only the gasoline tank is in communication with the carburetor and engine when the selector switch is in Gasoline Mode.<br><br>Each one of the LPG and gasoline valves can be opened and closed by rotating the selector switch. Gears inside the selector switch housing cause simultaneous actuation of each valve such that opening one valve closes the other. A solenoid switch is also triggered by the gears to activate a gasoline solenoid to open and close the flow of gasoline within the carburetor. |
| (b) a selector switch positioned on the valve assembly to allow a user to manually select one of the first fuel flow and the second fuel flow; | Element (b) of claim 1 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>As explained above, the selector switch has LPG and Gasoline Modes to manually select one of an LPG fuel flow and a gasoline fuel flow. |
| (c) wherein the valve assembly comprises: | Element (c) of claim 1 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>As explained above, the valve assembly includes the LPG valve, the gasoline valve, and the gasoline solenoid valve on the float bowl of the carburetor. |
| (c)(1) two fuel inputs, with a first fuel input | Element (c)(1) of claim 1 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows: |

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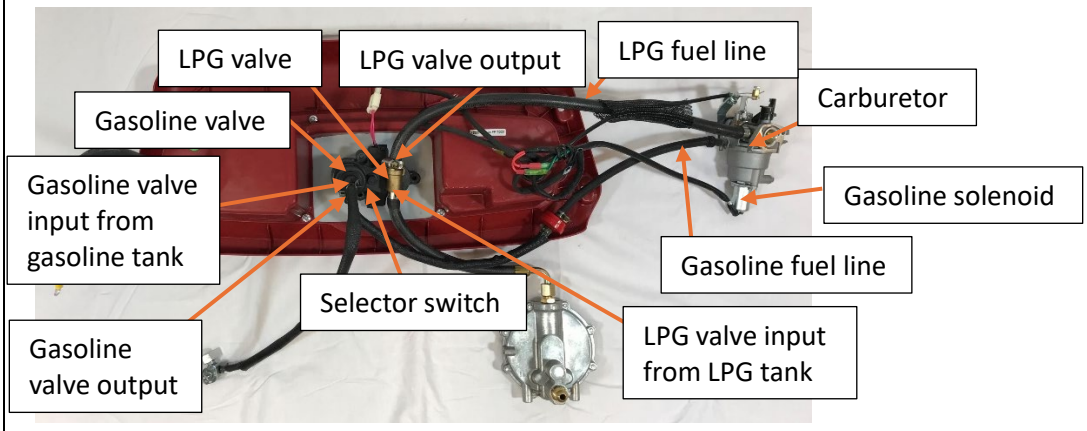
| connected to the first fuel source and a second fuel input connected to the second fuel source; and | Each of the LPG and gasoline valves includes a fuel input connected to the LPG tank and the gasoline tank, respectively. The input of either of the LPG and gasoline valves may be considered the first fuel input or the second fuel input.<br>  <br> |
| (c)(2) two fuel outputs for selectively supplying fuel to the engine from the first fuel source or the second fuel source. | Element (c)(2) of claim 1 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Each of the LPG and gasoline valves includes a fuel output supplying LPG from the LPG tank and gasoline from the gasoline tank, respectively. The selector switch enables only one of the LPG fuel flow and the gasoline fuel flow by its gears simultaneously controlling the LPG and gasoline valves to open and close such that only one of the LPG and gasoline valves can be open to the engine at a given time. |
| 2. The fuel selector of claim 1 wherein the two fuel outputs selectively supply fuel to the engine from only one of the first fuel source or the second fuel source, responsive to selection of the first fuel flow or the second fuel flow via the selector switch, and a corresponding operation of the valve assembly. | Claim 2 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Champion incorporates by reference in claim 2 the contentions set forth above for claim 1.<br><br>The fuel outputs of the LPG and gasoline valves selectively supply fuel to the engine from only one of the LPG tank and the gasoline tank responsive to selection of the LPG or gasoline fuel flow via the selector switch. The selector switch enables only one of the LPG and gasoline valve outputs to supply fuel to the engine by its gears simultaneously controlling the LPG and gasoline valves to open and close such that only one of the LPG and gasoline valves can be open to the engine at a given time. |

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| 3. (Preamble) The fuel selector of claim 1 wherein the valve assembly comprises: | Claim 3 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Champion incorporates by reference in claim 3 the contentions set forth above for claim 1. |
| (a) a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and | Element (a) of claim 3 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Each of the LPG and gasoline valves have open and closed positions to selectively control the flow of LPG and gasoline, respectively, to the engine. Thus, either of the LPG and gasoline valves can be considered the first fuel valve. |
| (b) a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine. | Element (b) of claim 3 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Each of the LPG and gasoline valves have open and closed positions to selectively control the flow of LPG and gasoline, respectively, to the engine. Thus, either of the LPG and gasoline valves can be considered the second fuel valve. For whichever one of the LPG and gasoline valves is selected as the first fuel valve, the other of the LPG and gasoline valves is selected as the second fuel valve. |
| 4. The fuel selector of claim 3 wherein the first fuel valve and the second fuel valve are non-solenoid, mechanical valves. | Claim 4 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Champion incorporates by reference in claim 4 the contentions set forth above for claims 1 and 3.<br><br>The LPG and gasoline valves are non-solenoid, mechanical valves. |
| 5. The fuel selector of claim 3 wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions. | Claim 5 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Champion incorporates by reference in claim 5 the contentions set forth above for claims 1 and 3.<br><br>The selector switch provides for manual actuation of the LPG and gasoline valves between their open and closed positions via the gears within its housing. |
| 6. The fuel selector of claim 1 further comprising a | Claim 6 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows: |

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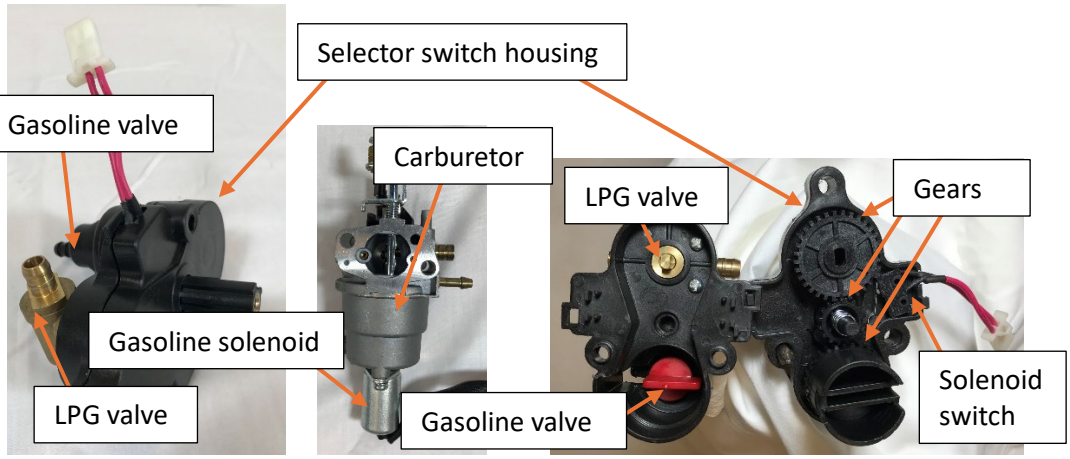
| carburetor solenoid switch configured to activate an associated carburetor solenoid when actuated. | Champion incorporates by reference in claim 6 the contentions set forth above for claim 1.<br><br>The selector switch housing includes within it a carburetor solenoid switch that is actuated by the gears when the selector switch is actuated between LPG Mode and Gasoline Mode. When in LPG Mode, the solenoid switch is actuated to cause the carburetor gasoline solenoid to block the flow of liquid gasoline in the carburetor.<br><br>  |
| 7. The fuel selector of claim 6 wherein, when the selector switch is in a first position, the selector switch actuates the carburetor solenoid switch, so as to activate the carburetor solenoid and stop the second fuel flow to the engine. | Claim 7 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Champion incorporates by reference in claim 7 the contentions set forth above for claims 1 and 6.<br><br>For claim 37, the first position of the selector switch is LPG Mode, and the second fuel flow is the gasoline fuel flow. When the selector switch is in the LPG mode, the selector switch actuates the solenoid switch via its gears so as to activate the carburetor solenoid and prohibit the flow of gasoline to the engine. |
| 8. The fuel selector of claim 7 wherein, when the selector switch is in a second position, the carburetor solenoid allows the second | Claim 8 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Champion incorporates by reference in claim 8 the contentions set forth above for claims 1, 6, and 7.<br><br>When the selector switch is in the Gasoline Mode, the carburetor solenoid is open to allow the gasoline flow to the engine. |

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| fuel flow to the engine. | |
| 9. The fuel selector of claim 1 wherein the first fuel source is a liquefied petroleum gas (LPG) fuel source and wherein the second fuel source is a gasoline source. | Claim 9 is found within Model DF3500E (and, thereby, Model DF7500E) directly and literally as follows:<br><br>Champion incorporates by reference in claim 9 the contentions set forth above for claim 1.<br><br>For claim 9, the LPG tank is the first fuel source, and the gasoline tank is the second fuel source. |