

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

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

Petitioners,

v.

CHAMPION POWER EQUIPMENT, INC.,

Patent Owner.

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U.S. Patent No. 11,905,895

Issued: February 20, 2024

Title: DUAL FUEL LOCKOUT SWITCH FOR GENERATOR ENGINE

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*Inter Partes* Review No. IPR2025-01384

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

## UPDATED EXHIBIT LIST

<b>Exhibit No.</b>	<b>Description</b>
<b>Ex.1001</b>	U.S. Patent No. 11,905,895 (“the ’895 Patent”)
<b>Ex.1002</b>	File History of the ’895 Patent
<b>Ex.1003</b>	Declaration of Mahdi Shahbakhti
<b>Ex.1004</b>	U.S. Patent No 1,931,698 to Holzapfel (“Holzapfel”)
<b>Ex.1005</b>	LP-Gas Code Handbook, Eighth Edition, Lemoff, Theodore C., (2008) (excerpted) (“LP-Gas Handbook”)
<b>Ex.1006</b>	2-Stage Regulator Assembly (“2-Stage Assembly”) with WayBack Machine certification
<b>Ex.1007</b>	<i>American Heritage Dictionary of the English Language</i> (3d ed. 1996).
<b>Ex.1008</b>	File History of U.S. Patent No. 10,221,780
<b>Ex.1009</b>	Champion’s Claim Construction Brief CV-23-2371-PHX-DWL
<b>Ex.1010</b>	DuroMax XP4400EH Operator’s Manual (“DuroMax”)
<b>Ex.1011</b>	Declaration of David Raskin (dated May 7, 2025)
<b>Ex.1012</b>	U.S. Patent No. 5,718,265 to Elsdon (“Elsdon”)
<b>Ex.1013</b>	U.S. Patent Application No. 2011/0100335 A1 to Parlatore (“Parlatore”)
<b>Ex.1014</b>	U.S. Patent No. 4,492,207 to Hallberg (“Hallberg”)
<b>Ex.1015</b>	“Convert Blackmax 7000 Watt Generator to Propane and Natural Gas,” YouTube Video, posted October 11, 2013 ( <i>available at</i> <a href="https://www.youtube.com/watch?v=Ip7ckWAZ3xQ">https://www.youtube.com/watch?v=Ip7ckWAZ3xQ</a> )
<b>Ex.1016– Ex.1054</b>	Reserved.
<b>Ex.1055</b>	Order on Defendant/Counter-Claimant’s Motion for Partial Stay, <i>FaceTec, Inc. v. iProov, Ltd.</i> , No. 21-cv-2252, Dkt. 188 (D. Nev., order dated June 18, 2025)
<b>Ex.1056</b>	Docket Navigator Statistics Regarding Judge Adelman’s Grant Rate for Motions to Stay

<b>Ex.1057</b>	Docket Navigator Statistics Regarding Grant Rate for Motions to Stay in Eastern District of Wisconsin
<b>Ex.1058</b>	Docket Navigator Statistics Regarding Motions to Stay in District of Nevada
<b>Ex.1059</b>	Declaration of Eric Huang (dated Sept. 12, 2025)
<b>Ex.1060</b>	Order, <i>Parsons Xtreme Golf LLC v. Taylor Made Golf Co.</i> , No. 17-cv-3125, Dkt. 187 (D. Ariz., order dated Nov. 29, 2018)
<b>Ex.1061</b>	Email from Taylor R. Stemler to Jennifer Hoekel et al. (Aug. 13, 2025)
<b>Ex.1062</b>	Docket Navigator Statistics Regarding Grant Rate for Uncontested Motions to Stay in Eastern District of Wisconsin
<b>Ex.1063</b>	Docket Navigator Statistics Regarding Grant Rate for Uncontested Motions to Stay in District of Nevada
<b>Ex.1064</b>	Docket Navigator Time to Trial Statistics for District of Nevada
<b>Ex.1065</b>	Docket Navigator Time to Milestone Statistics for Judge Adelman
<b>Ex.1066</b>	Docket Navigator Time to Milestone Statistics for Eastern District of Wisconsin
<b>Ex.1067</b>	Docket Navigator Time to Milestone Statistics for Central District of California
<b>Ex.1068– Ex.1069</b>	Reserved.
<b>Ex.1070</b>	Memorandum in Support of Plaintiff’s Motion to Sever Defendant’s Counterclaims for Infringement or in the Alternative for Leave to File an Amended Answer and Counter-Counterclaim, <i>Champion Power Equipment, Inc. v. Generac Power Systems, Inc.</i> , No. 24-cv-1281, Dkt. 38 (E.D. Wis. July 3, 2025)
<b>Ex.1071– Ex.1079</b>	Reserved.
<b>Ex.1080</b>	Champion Dual Fuel Generator Model 100153 Operator’s Manual
<b>Ex.1081–</b>	Reserved.

<b>Ex.1082</b>	
<b>Ex.1083</b>	Amended Scheduling Order, <i>Champion Power Equipment, Inc. v. Generac Power Systems, Inc.</i> , No. 24-cv-01281, Dkt. 59 (E.D. Wis. Sept. 17, 2025)
<b>Ex.1084</b>	Champion's Infringement Contentions for U.S. Patent No. 11,905,895 as Asserted Against Generac Model DF3500E et al. (served Apr. 15, 2025)
<b>Ex.1085– Ex.1089</b>	Reserved.
<b>Ex.1090</b>	Settlement Agreement

## 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

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 litigation<sup>1</sup> 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 litigation<sup>2</sup> 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 IPR2025-01384. Patent Owner does not oppose.

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

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

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. Per the Power of Attorney already on file (Paper 3), the remaining Petitioner, Generac, designates the following as lead counsel and backup counsel in this proceeding going forward:

<b>New Lead Counsel</b>	<b>Back-Up Counsel</b>
Thomas J. Leach Reg. No. 53,188 <b>MERCHANT &amp; GOULD P.C.</b> 150 South Fifth Street, Suite 2200 Minneapolis, MN 55402 Phone: 612-336-4665 Fax: 612-332-9081 <a href="mailto:tleach@merchantgould.com">tleach@merchantgould.com</a> USPTO Reg. No. 53,188	Taylor R. Stemler Reg. No. 79,777 <b>MERCHANT &amp; GOULD P.C.</b> Minneapolis, MN 55402 150 South Fifth Street, Suite 2200 Phone: 612-371-5215 Fax: 612-332-9081 <a href="mailto:TStemler@MerchantGould.com">TStemler@MerchantGould.com</a> USPTO Reg. No. 79,777

## 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 of IPR2025-01384, respectfully requests the withdrawal of its counsel, Thomas A. Walsh, Thomas A. Rammer, and Alexas D. Siliunas, and respectfully requests the substitution of new lead counsel.

Date: January 12, 2026

Respectfully submitted,

By:           /Thomas A. Walsh/          

Thomas A. Walsh  
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*Counsel for Petitioner MWE*  
*Lead Counsel for Co-Petitioners*

**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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