UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CHAMPION POWER EQUIPMENT, INC.

Plaintiff / Counter-Defendant

v.

GENERAC POWER SYSTEMS, INC.

Defendant / Counter-Plaintiff.

Case No. 24-cv-1281

JURY TRIAL DEMANDED

DEFENDANT'S STIPULATION REGARDING INVALIDITY CONTENTIONS

WHEREAS, Champion has asserted U.S. Patent No. 10,393,034 ("the '034 patent") against Generac;

WHEREAS, Generac has alleged that the asserted claims of the '034 patent are invalid based on prior art;

WHEREAS, Generac has filed a petition for *inter partes* review ("IPR") challenging certain claims of U.S. No. Patent 10,393,034, IPR2025-00805.

Generac hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Generac's petition against Champion's U.S. Patent No. 10,393,034 in IPR2025-00805, Generac will not pursue in this litigation invalidity of the claims challenged in that petition based on: (i) the specific grounds raised in

IPR2025-00805, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on system prior art (either alone or in combination with other references) that directly corresponds to a printed publication reference asserted as part of a ground raised in IPR2025-00805.

To be clear, this stipulation does not cover other system prior art. For example, because a manual for the Kubota DF-972 engine is relied upon as part of a ground in IPR2025-00805, the DF-972 engine is covered by this stipulation. However, other systems/engines are not covered, even if similar to the DF-972 engine.

Respectfully submitted,

Dated: July 23, 2025

By: /s/ Thomas J. Leach

Thomas J. Leach (MN # 0311844)
Michael Erbele (MN # 0393635)
Joe Dubis (MN # 0398344)
MERCHANT & GOULD P.C.
150 South Fifth Street, Suite 2200
Minneapolis, MN 55402
(612) 332-5300
tleach@merchantgould.com
merbele@merchantgould.com
jdubis@merchantgould.com

REINHART BOERNER VAN DEUREN, S.C.
Paul J. Stockhausen

Monica A. Mark
REINHART BOERNER VAN DEUREN, S.C.
22 East Mifflin Street, Suite 700
Madison, WI 53703
Tel.: 608-229-2200
Fax: 608-229-2100
pstockhausen@reinhartlaw.com
mmark@reinhartlaw.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Taylor Stemler, hereby certify that on July 23, 2025 I caused a true and correct copy of the foregoing document to be served upon the following counsel for Plaintiff via CM/ECF:

Thomas P. Heneghan (WI # 1024057)
33 East Main Street, Suite 300
Madison, Wisconsin 53703
Telephone: 608.255.4440
Facsimile: 608.258.7138
Tom.Heneghan@huschblackwell.com

Jennifer E. Hoekel (MO # 45880)
8001 Forsyth Blvd, Suite 1500
St. Louis, MO 63105
Telephone: 314.480.1500
Facsimile: 314.480.1505
Jennifer.Hoekel@huschblackwell.com

Timothy J. Ziolkowski, 1020984
Jacob M. Fritz, 1094547
ZIOLKOWSKI PATENT SOLUTIONS GROUP, SC
136 South Wisconsin Street
Port Washington, WI 53074
Telephone: 262.268.8100
Facsimile: 262.268.8185
tjz@zpatents.com
jmf@zpatents.com

Attorneys for Plaintiff Champion Power Equipment, Inc.

/s/ Taylor R. Stemler
Taylor R. Stemler