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17 *Attorneys for Plaintiff Harbor Freight*
18 *Tools USA, Inc.*

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

HARBOR FREIGHT TOOLS USA,
INC.,

Plaintiff,

vs.

CHAMPION POWER EQUIPMENT,
INC.,

Defendant.

Case No. 2:24-cv-08722-SVW-AS

**PLAINTIFF HARBOR FREIGHT
TOOLS USA, INC.'S
STIPULATION REGARDING
INVALIDITY GROUNDS FOR THE
'034 PATENT**

Hon. Stephen V. Wilson

Hon. Alka Sagar

1 WHEREAS, Defendant Champion Power Equipment, Inc. (“Champion”) has
2 asserted U.S. Patent No. 10,393,034 (“the ’034 patent”) against Plaintiff Harbor
3 Freight Tools USA, Inc. (“Harbor Freight”);

4 WHEREAS, Harbor Freight has alleged that the asserted claims of the ’034
5 patent are invalid based on prior art;

6 WHEREAS, Harbor Freight has filed a petition for *inter partes* review (“IPR”)
7 challenging certain claims of U.S. No. Patent 10,393,034, IPR2025-00805.

8 Harbor Freight hereby stipulates, broader than the stipulation made by the
9 Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently
10 vacate institution) in response to Harbor Freight’s petition against Champion’s U.S.
11 Patent No. 10,393,034 in IPR2025-00805, Harbor Freight will not pursue in this
12 litigation invalidity of the claims challenged in that petition based on: (i) the specific
13 grounds raised in IPR2025-00805, (ii) any other grounds that could have reasonably
14 been raised before the PTAB in that instituted proceeding (i.e., any ground that could
15 have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or
16 printed publications), or (iii) any ground based on system prior art (either alone or in
17 combination with other references) that directly corresponds to a printed publication
18 reference asserted as part of a ground raised in IPR2025-00805 (e.g., the DF-972
19 engine, which directly corresponds to the DF-972 workshop manual).

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

1 DATED: July 22, 2025

Respectfully submitted,

2 **QUINN EMANUEL URQUHART &**
3 **SULLIVAN, LLP**

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5
6 By /s/ Eric Huang

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CERTIFICATE OF SERVICE

I, Eric Huang, hereby certify that on July 22, 2025, a copy of the foregoing
STIPULATION REGARDING INVALIDITY GROUNDS FOR THE '034
PATENT was served via email on all attorneys of record.

/s/ Eric Huang
Eric Huang
Attorney for Plaintiff Harbor Freight
Tools USA, Inc.