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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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 PRELIMINARY PROPOSED CLAIM CONSTRUCTIONS** Hon. Stephen V. Wilson Hon. Alka Sagar

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In accordance with the minutes of the Court's March 21, 2025 Trial Setting Conference (ECF No. 56), setting a Markman Hearing for September 30, 2025, Plaintiff Harbor Freight Tools USA, Inc. ("Harbor Freight") hereby provides its Proposed Claim Constructions. Harbor Freight makes this disclosure based on information presently known to it, without the benefit of full discovery. Harbor Freight reserves the right to supplement or amend the information contained herein based on arguments, allegations, or evidence presented by Defendant Champion Power Equipment, Inc. ("Defendant" or "Champion"); information discovered or confirmed during fact discovery; information discovered, confirmed or provided by a party's consultant or expert after the party's contentions have been served; the launch of new products; Defendants accusing new products; amendments made to the pleadings; information learned from or positions taken by another party during the exchange of contentions or the constructions process; rulings made by the Court; amendments made to infringement or validity contentions; or as otherwise permitted or required under the Federal Rules of Civil Procedure, the Local Rules, and the Court's orders.

Further, Harbor Freight reserves the right to change its position in response to Defendant's preliminary claim constructions and supporting evidence, changes in the parties' constructions, and as information is learned during the course of claim construction discovery. The inclusion of any claim terms, phrases, or clauses on this list is not intended, and should not be construed to mean, that any such terms, phrases, or clauses have a special or uncommon meaning. Additionally, the inclusion of any claim terms, phrases, or clauses on this list is not intended to and does not constitute an admission that the term or phrase is capable of construction and not indefinite under 35 U.S.C. § 112, lacking enablement or adequate written description, or otherwise incapable of construction. Harbor Freight reserves the right to contest any such terms and the validity of any claim of the patents-in-suit. Furthermore, the proposed constructions disclosed herein are preliminary and Harbor Freight reserves

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the right to change its position including to assert that a term should be given its plain and ordinary meaning or that the term need not be construed. Harbor Freight further reserves the right to modify, supplement, or amend their list of claim terms, phrases, clauses, and/or constructions set forth below. Additionally, Harbor Freight reserves the right to separately request construction of portions of the identified claim terms, phrases, and/ or clauses. For example, the proposed terms and constructions presume the infringement contentions Champion produced in response to Harbor Freight's Interrogatory No. 1. Should Champion assert at some point that other claims are infringed or amend its interrogatory response, or should other claims or claim limitations become otherwise relevant, Harbor Freight reserves the right to propose new claim constructions as necessary. Furthermore, should Champion seek an improper interpretation of a term, phrase, and/or clause that has not been identified by the parties, either explicitly or implicitly through its discovery responses, expert disclosures, motions, or pleadings, Harbor Freight reserves the right to seek the construction of that term, phrases, and/or clause.

Harbor Freight's identification of extrinsic evidence herein is also preliminary and it reserves the right to change, add, or delete extrinsic evidence as it deems appropriate. Harbor Freight also reserves the right to identify additional extrinsic evidence to rebut Champion's proposed constructions or to address Champion's asserted reasons for disputing Harbor Freight's proposed constructions. Additionally, Harbor Freight reserves the right to rely on any evidence disclosed by Champion in Defendant's Preliminary Proposed Claim Constructions, including any expert testimony. By including evidence in these disclosures, Harbor Freight does not concede that said evidence is actually "extrinsic" rather than intrinsic (e.g., file histories of *inter partes review* proceedings).

To the extent the claim terms, phrases, and/or clauses set forth herein include particular terms, phrases, and/or clauses appropriate to be construed separately, such terms, phrases, and/or clauses are deemed part of this disclosed list. Similarly, to the

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extent it is appropriate to construe terms, phrases, and/or clauses listed herein in the context of additional claim language, such additional language is deemed part of this disclosure.

I. U.S. PATENT NO. 10,598,101

'101 Patent Claim Term(s)	**'101 Patent Claims**	**HFT's Proposed Construction**
"selector switch"	1, 2, 8-9, 17-19	a movable component whose positioning enables subsequent user selection of only one fuel source
"valve assembly"	1, 2, 8-10, 16-19	at least one fuel valve and corresponding valve handle, separate from the selector switch

Extrinsic Evidence:

- *Switch, n. (4)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/switch (last visited April 7, 2025)
- *Selector Switch, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/selector%20switch (last visited April 8, 2025)
- *Switch, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/switch (last visited April 4, 2025)
- *Switch, n. (2a.)*, The Free Dictionary, https://www.thefreedictionary.com/switch (last visited April 14, 2025)

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- *Switch, (1)*, Rudolf F. Graf, MODERN DICTIONARY OF ELECTRONICS 997 (Charlie Buffington & Jack Davis eds., Butterworth-Heinemann 6th ed. 1997) (1984)
- *Switch, (c)*, G.H.F. Nayler, DICTIONARY OF MECHANICAL ENGINEERING 385 (rev. ed. 2006)
- Tony Atkins & Marcel Escudier, OXFORD DICTIONARY OF MECHANICAL ENGINEERING 369 (1st ed. 2013)
- S.B. Chopra, ANMOL'S DICTIONARY OF MECHANICAL ENGINEERING 336 (1st ed. 1989)(2012)
- MCGRAW-HILL DICTIONARY OF MECHANICAL AND DESIGN ENGINEERING 339 (Sybil P. Parker et al. eds., 3rd ed., 1984)
- Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951 (May 16, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,306,667, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01099 (June 17, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951(May 16, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 11,306,667, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01099 (June 17, 2025)

- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)
- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

Harbor Freight may present expert testimony that the "selector switch" as it is used in this patent does not meet the ordinary meaning of "switch" and is thus coined by patentee to have a special meaning.

II. U.S. PATENT NO. 11,306,667

'667 Patent Claim Term(s)	**'667 Patent Claims**	**HFT's Proposed Construction**
"selector switch"	1-18	a movable component whose positioning enables subsequent user selection of only one fuel source
"valve assembly"	1-18	at least one fuel valve and corresponding valve handle, separate from the selector switch

Extrinsic Evidence:

- *Switch, n. (4)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/switch (last visited April 7, 2025)

- *Selector Switch, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/selector%20switch (last visited April 8, 2025)
- *Switch, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/switch (last visited April 4, 2025)
- *Switch, n. (2a.)*, The Free Dictionary, https://www.thefreedictionary.com/switch (last visited April 14, 2025)
- *Switch, (1)*, Rudolf F. Graf, MODERN DICTIONARY OF ELECTRONICS 997 (Charlie Buffington & Jack Davis eds., Butterworth-Heinemann 6th ed. 1997) (1984)
- *Switch, (c)*, G.H.F. Nayler, DICTIONARY OF MECHANICAL ENGINEERING 385 (rev. ed. 2006)
- Tony Atkins & Marcel Escudier, OXFORD DICTIONARY OF MECHANICAL ENGINEERING 369 (1st ed. 2013)
- S.B. Chopra, ANMOL'S DICTIONARY OF MECHANICAL ENGINEERING 336 (1st ed. 1989)(2012)
- MCGRAW-HILL DICTIONARY OF MECHANICAL AND DESIGN ENGINEERING 339 (Sybil P. Parker et al. eds., 3rd ed., 1984)
- Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951 (May 16, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,306,667, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01099 (June 17, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)

- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951(May 16, 2025)
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- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)
- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

Harbor Freight may present expert testimony that the "selector switch" as it is used in this patent does not meet the ordinary meaning of "switch" and is thus coined by patentee to have a special meaning.

III. U.S. PATENT NO. 11,761,390

'390 Patent Claim Term(s)	**'390 Patent Claims**	**HFT's Proposed Construction**
"selector switch"	1-3, 5-10	a movable component whose positioning enables subsequent user selection of only one fuel source
"valve assembly"	3, 5-8	at least one fuel valve and corresponding valve handle,

’390 Patent Claim Term(s)	’390 Patent Claims	HFT’s Proposed Construction
		separate from the selector switch
“carburetor shutoff solenoid”	9	a solenoid valve attached to the carburetor that interrupts liquid fuel flow to the carburetor

Extrinsic Evidence:

- *Switch, n. (4)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/switch (last visited April 7, 2025)
- *Selector Switch, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/selector%20switch (last visited April 8, 2025)
- *Switch, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/switch (last visited April 4, 2025)
- *Switch, n. (2a.)*, The Free Dictionary, https://www.thefreedictionary.com/switch (last visited April 14, 2025)
- *Switch, (1)*, Rudolf F. Graf, MODERN DICTIONARY OF ELECTRONICS 997 (Charlie Buffington & Jack Davis eds., Butterworth-Heinemann 6th ed. 1997) (1984)
- *Switch, (c)*, G.H.F. Nayler, DICTIONARY OF MECHANICAL ENGINEERING 385 (rev. ed. 2006)
- Tony Atkins & Marcel Escudier, OXFORD DICTIONARY OF MECHANICAL ENGINEERING 369 (1st ed. 2013)

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- S.B. Chopra, ANMOL'S DICTIONARY OF MECHANICAL ENGINEERING 336 (1st ed. 1989)(2012)
- MCGRAW-HILL DICTIONARY OF MECHANICAL AND DESIGN ENGINEERING 339 (Sybil P. Parker et al. eds., 3rd ed., 1984)
- *Solenoid, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/solenoid (last visited July 9, 2025)
- *Solenoid*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering 336 (1st ed. 2013)
- Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951 (May 16, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,306,667, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01099 (June 17, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951(May 16, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 11,306,667, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01099 (June 17, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)

- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

Harbor Freight may present expert testimony that the "selector switch" as it is used in this patent does not meet the ordinary meaning of "switch" and is thus coined by patentee to have a special meaning.

IV. U.S. PATENT NO. 11,905,896

'896 Patent Claim Term(s)	**'896 Patent Claims**	**HFT's Proposed Construction**
"selector switch"	30-32, 34-36	a movable component whose positioning enables subsequent user selection of only one fuel source
"valve assembly"	30-32, 34-36	at least one fuel valve and corresponding valve handle, separate from the selector switch
"carburetor solenoid switch"	36	a device that opens and closes a circuit that controls a carburetor solenoid valve
"an associated carburetor solenoid"	36	a solenoid valve attached to the carburetor that interrupts liquid fuel flow to the carburetor

Extrinsic Evidence:

- *Switch, n. (4),* Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/switch (last visited April 7, 2025)
- *Selector Switch, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/selector%20switch (last visited April 8, 2025)
- *Switch, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/switch (last visited April 4, 2025)
- *Switch, n. (2a.),* The Free Dictionary, https://www.thefreedictionary.com/switch (last visited April 14, 2025)
- *Switch, (1),* Rudolf F. Graf, MODERN DICTIONARY OF ELECTRONICS 997 (Charlie Buffington & Jack Davis eds., Butterworth-Heinemann 6th ed. 1997) (1984)
- *Switch, (c),* G.H.F. Nayler, DICTIONARY OF MECHANICAL ENGINEERING 385 (rev. ed. 2006)
- Tony Atkins & Marcel Escudier, OXFORD DICTIONARY OF MECHANICAL ENGINEERING 369 (1st ed. 2013)
- S.B. Chopra, ANMOL'S DICTIONARY OF MECHANICAL ENGINEERING 336 (1st ed. 1989)(2012)
- MCGRAW-HILL DICTIONARY OF MECHANICAL AND DESIGN ENGINEERING 339 (Sybil P. Parker et al. eds., 3rd ed., 1984)
- *Solenoid, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/solenoid (last visited July 9, 2025)
- *Solenoid*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering 336 (1st ed. 2013)

- Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951 (May 16, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,306,667, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01099 (June 17, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 10,598,101, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00951(May 16, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 11,306,667, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01099 (June 17, 2025)
- Expert Decl. of Eric S. Winkel In Support of Pet. for *Inter Partes* Review of U.S. Patent No. 11,905,896, *Generac Power Systems, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-01228 (July 11, 2025)
- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

Harbor Freight may present expert testimony that the "selector switch" as it is used in this patent does not meet the ordinary meaning of "switch" and is thus coined by patentee to have a special meaning.

V. U.S. PATENT NO. 10,221,780

’780 Patent Claim Term(s)	’780 Patent Claims	HFT’s Proposed Construction
“a mechanical fuel valve”	1, 6, 8, 15	a single mechanical fuel valve
“coupling” / “to couple”	1, 6, 8, 15	attaching / to attach
“fuel lockout apparatus”	1, 6, 8, 15	This term should be construed pursuant to 35 U.S.C. §112(f) as a means-plus-function limitation. The recited function is to “prevent the second fuel source from coupling to the second fuel line while the mechanical fuel valve is in the first position;” and “permit the second fuel source to couple to the second fuel line while the mechanical fuel valve is in the second position.” The corresponding structure is Items 58, 61 in Figs. 2, 3, 4A, 4B, as described at ’780

’780 Patent Claim Term(s)	’780 Patent Claims	HFT’s Proposed Construction
		patent, col. 5:37-64; 6:10-31; 6:42-7:17; 7:54-67; 8:49-64, and equivalents thereof.
“communicate” / “communication”	1, 6, 8, 15	allow fuel flow / fuel flow
“prevent[s] actuation of”	8, 15	prevent[s] the mechanical fuel valve from moving
“simultaneously”	6	concurrently
“second fuel line”	1, 6, 8, 15	path for gaseous fuel within a generator leading to the engine, having a first end furthest from the engine to which a gaseous fuel source can be attached

Extrinsic Evidence:

- *Simultaneously, adv.*, Oxford Dictionary of English (Angus Stevenson ed., 3 ed., 2010), https://www.oxfordreference.com/view/10.1093/acref/9780199571123.001.0001/m_en_gb0989980 (last visited July 14, 2025)
- *Simultaneous, adj. (1)*, Merriam-Webster.com Dictionary,

https://www.merriam-webster.com/dictionary/simultaneously (last visited July 9, 2025)

- *Simultaneously, adv.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/simultaneously (last visited July 9, 2025)
- *Emtel, Inc. v. Lipidlabs, Inc.*, No. H-07-1798, 2015 WL 5021943, 2015 U.S. Dist. LEXIS 111499, at *36 (S.D. Tex. Aug. 24, 2015)
- *Couple, v. (1)*, Am. Heritage (3d Ed. 1996)
- *What is Coupling?—Definition, Types, and Uses*, The Engineering Choice, https://www.theengineeringchoice.com/what-is-coupling-and-types-of-coupling/ (last visited July 9, 2025)
- *Coupling, n. (2)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/coupling (last visited July 9, 2025)
- *Couple With, phras. v.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/couple%20with (last visited July 9, 2025)
- *Apparatus, n. (1)*, Oxford Dictionary of English (Angus Stevenson ed., Oxford University Press 3 ed., 2010), https://www.oxfordreference.com/view/10.1093/acref/9780199571123.001.0001/m_en_gb0034880 (last visited July 14, 2025)
- *Apparatus, n. (1c)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/apparatus (last visited July 9, 2025)
- *Apparatus, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/apparatus (last visited July 9, 2025)
- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

Harbor Freight may present expert testimony that the term "fuel lockout apparatus" as it is used in this patent and claims does not connote a specific structure to a person of ordinary skill in the art.

VI. U.S. PATENT NO. 10,697,398

'398 Patent Claim Term(s)	**'398 Patent Claims**	**HFT's Proposed Construction**
"switch . . . to change operation of the engine between gaseous fuel and liquid fuel"	1, 3-8, 10, 19, 22, 57, 58	a device for making, breaking, or changing the connections in an electrical circuit that causes a change in operation
"liquid fuel cut-off"	1, 3-8, 10, 19, 22. 57, 58	a valve attached to the carburetor that interrupts liquid fuel flow to the carburetor
"liquid fuel valve"	1, 3-8, 10, 19, 22	a valve having open and closed positions that controls liquid fuel flow to the engine and is separate from the liquid fuel cut-off
"incorporated into the carburetor"	1, 3-8, 10, 19, 22	part of the carburetor

Extrinsic Evidence:

- *Switch, n. (4),* Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/switch (last visited April 7, 2025)
- *Selector Switch, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/selector%20switch (last visited April 8, 2025)
- *Switch, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/switch (last visited April 4, 2025)
- *Switch, n. (2a.),* The Free Dictionary, https://www.thefreedictionary.com/switch (last visited April 14, 2025)
- *Switch, (1),* Rudolf F. Graf, MODERN DICTIONARY OF ELECTRONICS 997 (Charlie Buffington & Jack Davis eds., Butterworth-Heinemann 6th ed. 1997) (1984)
- *Switch, (c),* G.H.F. Nayler, DICTIONARY OF MECHANICAL ENGINEERING 385 (rev. ed. 2006)
- Tony Atkins & Marcel Escudier, OXFORD DICTIONARY OF MECHANICAL ENGINEERING 369 (1st ed. 2013)
- S.B. Chopra, ANMOL'S DICTIONARY OF MECHANICAL ENGINEERING 336 (1st ed. 1989)(2012)
- MCGRAW-HILL DICTIONARY OF MECHANICAL AND DESIGN ENGINEERING 339 (Sybil P. Parker et al. eds., 3rd ed., 1984)
- *Incorporate, v. trans. (1a),* Merriam-Webster.com Dictionary (2010), https://web.archive.org/web/20100627082704/http://www.merriam-webster.com/dictionary/incorporate (last visited April 8, 2010)
- *Incorporate, v. (1),* Oxford Dictionary of English (Angus Stevenson ed., Oxford University Press 3 ed., 2010)(July 14, 2025), https://www.oxfordreference.com/view/10.1093/acref/9780199571123.001.0001/m_en_gb0405690

- Pet. for *Inter Partes* Review of U.S. Patent No. 10,393,034, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00805 (April 29, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,143,120, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-001121 (June 23, 2025)
- Decl. of Timothy Morse, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00805 (April 29, 2025)
- Decl. of Timothy Morse, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-001121 (June 23, 2025)
- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

VII. U.S. PATENT NO. 11,143,145

'145 Patent Claim Term(s)	**'145 Patent Claims**	**HFT's Proposed Construction**
"switch to change operation of the engine between gaseous fuel and liquid fuel"	1-8, 10	a device for making, breaking, or changing the connections in an electrical circuit that causes a change in operation
"liquid fuel cut-off solenoid"	1-8, 10	a solenoid valve attached to the carburetor that interrupts liquid fuel flow to the carburetor

’145 Patent Claim Term(s)	’145 Patent Claims	HFT’s Proposed Construction
“liquid fuel valve”	2-4	a valve having open and closed positions that controls liquid fuel flow to the engine and is separate from the liquid fuel cut-off solenoid
“fuel shutoff”	11, 13, 14	a valve attached to the carburetor that interrupts liquid fuel flow to the carburetor
“rotating mechanical valve”	14	a valve that actuates in a rotative motion free from linear motion
“in the carburetor”	11, 13, 14	part of the carburetor
“first end in the carburetor that actuates to selectively allow or block a flow of fuel through the carburetor”	11, 13, 14	part of the carburetor that physically moves to allow or block fuel flow
“second end external to the carburetor to actuate the first end”	11, 13, 14	Plain and ordinary meaning

Extrinsic Evidence

- *Switch, n. (4),* Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/switch (last visited April 7, 2025)
- *Selector Switch, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/selector%20switch (last visited April 8, 2025)
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- *Switch, (1),* Rudolf F. Graf, MODERN DICTIONARY OF ELECTRONICS 997 (Charlie Buffington & Jack Davis eds., Butterworth-Heinemann 6th ed. 1997) (1984)
- *Switch, (c),* G.H.F. Nayler, DICTIONARY OF MECHANICAL ENGINEERING 385 (rev. ed. 2006)
- Tony Atkins & Marcel Escudier, OXFORD DICTIONARY OF MECHANICAL ENGINEERING 369 (1st ed. 2013)
- S.B. Chopra, ANMOL'S DICTIONARY OF MECHANICAL ENGINEERING 336 (1st ed. 1989)(2012)
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- *Solenoid, n.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/solenoid (last visited July 9, 2025)
- *Solenoid*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering 336 (1st ed. 2013)
- *19 Different Types of Valves Explained*, The Engineers Post (July 10, 2025), https://www.theengineerspost.com/19-different-types-of-valves-explained-pictures-pdf/#more-21511

- *Rotary Valve (Rotating Valve)*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering (2013), https://www.oxfordreference.com/view/10.1093/acref/9780199587438.001.0001/acref-9780199587438-e-5323 (last visited July 14, 2025)
- *Incorporate, v. trans. (1a)*, Merriam-Webster.com Dictionary (2010), https://web.archive.org/web/20100627082704/http://www.merriam-webster.com/dictionary/incorporate (last visited April 8, 2010)
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- Pet. for *Inter Partes* Review of U.S. Patent No. 10,393,034, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00805 (April 29, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,143,120, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-001121 (June 23, 2025)
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- Decl. of Timothy Morse, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-001121 (June 23, 2025)
- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

VIII. U.S. PATENT NO. 10,393,034

’034 Patent Claim Term(s)	’034 Patent Claims	HFT’s Proposed Construction
“liquid cutoff solenoid”	1-3, 5-9	a solenoid valve attached to the carburetor that interrupts liquid fuel flow to the carburetor
“downstream from the float bowl”	1-3, 5-9	located on the fuel path between the float bowl and the engine intake
“gaseous cutoff”	1-3, 5-9	indefinite
“coupled to [verb]”	1-3, 5-9, 18-20, 22	indefinite
“gaseous cutoff solenoid”	2	indefinite
“switch . . . to [enable changing/change] operation of the engine between gaseous fuel and liquid fuel”	3, 20, 22	a device for making, breaking, or changing the connections in an electrical circuit that causes a change in operation
“pressure regulator”	11-14	a device that reduces and controls the pressure of gaseous fuel
“liquid fuel valve”	9	a valve having open and closed positions that controls

’034 Patent Claim Term(s)	’034 Patent Claims	HFT’s Proposed Construction
		liquid fuel flow to the engine and is separate from the liquid cut-off solenoid
“electro-mechanical valve system”	11-14	One or more solenoid valves
“simultaneous” / “simultaneously”	3, 6, 13, 22	Concurrent / concurrently
“carburetor cutoff solenoid”	14, 18-20, 22	a solenoid valve attached to the carburetor that interrupts liquid fuel flow to the carburetor
“gaseous fuel cutoff solenoid”	14, 19, 22	a solenoid valve that controls gaseous fuel flow

Extrinsic Evidence:

- *Switch, n. (4)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/switch (last visited April 7, 2025)
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- *Switch, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/switch (last visited April 4, 2025)
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https://www.thefreedictionary.com/switch (last visited April 14, 2025)

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- S.B. Chopra, ANMOL'S DICTIONARY OF MECHANICAL ENGINEERING 336 (1st ed. 1989)(2012)
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- *Simultaneously, adv.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/simultaneously (last visited July 9, 2025)
- *Emtel, Inc. v. Lipidlabs, Inc.*, No. H-07-1798, 2015 WL 5021943, 2015 U.S. Dist. LEXIS 111499, at *36 (S.D. Tex. Aug. 24, 2015)
- *Simultaneous, adj.*, Oxford Dictionary of English (Angus Stevenson ed., 3 ed., 2010), https://www.oxfordreference.com/view/10.1093/acref/9780199571123.001.0001/m_en_gb0989980 (last visited July 14, 2025),
- *Simultaneous, adj.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/simultaneous (last visited July 10, 2025)
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- *Solenoid*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering 336 (1st ed. 2013)
- *Pressure Regulator (Pressure-Regulating Valve)*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering (2013), https://www.oxfordreference.com/view/10.1093/acref/9780199587438.001.0001/acref-9780199587438-e-4826 (last visited July 14, 2025)
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- Pet. for *Inter Partes* Review of U.S. Patent No. 11,143,120, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-001121 (June 23, 2025)
- Decl. of Timothy Morse, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00805 (April 29, 2025)
- Decl. of Timothy Morse, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-001121 (June 23, 2025)
- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

Harbor Freight may present expert testimony whether the term "coupled to" and "carburetor cutoff" as they are used in this patent provides reasonable certainty to a person of ordinary skill in the art as to the scope of the claim.

IX. U.S. PATENT NO. 11,143,120

'120 Patent Claim Term(s)	**Claim**	**HFT's Proposed Construction**
"pressure regulator"	12-15	a device that reduces and controls the pressure of gaseous fuel
"electro-mechanical valve system"	13-15	One or more solenoid valves
"simultaneous"	15	concurrent

Extrinsic Evidence:

- *Pressure Regulator (Pressure-Regulating Valve)*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering (2013), https://www.oxfordreference.com/view/10.1093/acref/9780199587438.001.0001/acref-9780199587438-e-4826 (last visited July 14, 2025)
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- *Simultaneous, adj. (1)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/simultaneously (last visited July 9, 2025)
- *Simultaneous, adj.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/simultaneous (last visited July 10, 2025)
- *Emtel, Inc. v. Lipidlabs, Inc.*, No. H-07-1798, 2015 WL 5021943, 2015 U.S. Dist. LEXIS 111499, at *36 (S.D. Tex. Aug. 24, 2015)
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- Pet. for *Inter Partes* Review of U.S. Patent No. 10,393,034, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-00805 (April 29, 2025)
- Pet. for *Inter Partes* Review of U.S. Patent No. 11,143,120, *Harbor Freight Tools USA, Inc. et al v. Champion Power Equipment, Inc.*, No. IPR2025-001121 (June 23, 2025)
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- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

X. U.S. PATENT NO. 11,530,654

'654 Patent Claim Term(s)	**'654 Patent Claims**	**HFT's Proposed Construction**
"a mechanical fuel valve"	6, 7	a single mechanical fuel valve
"from coupling" / "to couple"	6, 7	from attaching / to attach
"fuel lockout apparatus"	6, 7	This term should be construed pursuant to 35 U.S.C. §112(f) as a means-plus-function limitation. The recited function is to "prevent the second fuel source from coupling to the second fuel line while the mechanical fuel valve is in the first position;" and "permit the second fuel source to couple to the second fuel line while the

’654 Patent Claim Term(s)	’654 Patent Claims	HFT’s Proposed Construction
		mechanical fuel valve is in the second position.” The corresponding structure is Items 58, 61 in Figs. 2, 3, 4A, 4B, as described at ’780 patent, col. 5:37-64; 6:10-31; 6:42-7:17; 7:54-67; 8:49-64, and equivalents thereof.
“pressure regulator”	6, 7, 10	a device that reduces and controls the pressure of gaseous fuel
“located off-board the generator”	6, 7, 10	located remotely from generator
“gaseous fuel line”	6, 7, 10	path for gaseous fuel within a generator leading to the engine, having a first end furthest from the engine to which a gaseous fuel source can be attached
“regulated down”	10	reduced

’654 Patent Claim Term(s)	’654 Patent Claims	HFT’s Proposed Construction
“free of any pressure regulator”	10	without a pressure regulator within or attached to the generator housing

Extrinsic Evidence:

- *Couple, v. (1)*, Am. Heritage (3d Ed. 1996)
- *What is Coupling?—Definition, Types, and Uses*, The Engineering Choice, https://www.theengineeringchoice.com/what-is-coupling-and-types-of-coupling/ (last visited July 9, 2025)
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- *Couple With, phras. v.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/couple%20with (last visited July 9, 2025)
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- *Apparatus, n. (1c)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/apparatus (last visited July 9, 2025)
- *Apparatus, n.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/apparatus (last visited July 9, 2025)
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- *Simultaneous, adj.*, Cambridge Dictionary, https://dictionary.cambridge.org/us/dictionary/english/simultaneous (last visited July 10, 2025)
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- Expert Decl. of Dr. Timothy Jacobs Re Markman Issues, *Champion Power Equipment, Inc. v. Firman Power Equipment Inc.*, 2:23-cv-02371-DWL (D. Ariz.)

Harbor Freight may present expert testimony that the term "fuel lockout apparatus" as it is used in this patent and claims does not connote a specific structure to a person of ordinary skill in the art.

XI. U.S. PATENT NO. 11,492,985

'985 Patent Claim Term(s)	'985 Patent Claims	HFT's Proposed Construction
"pressure regulator"	1, 4, 5, 7, 16-17	a device that reduces and controls the pressure of gaseous fuel
"regulated down ~~to a desired pressure"/ "regulated down to a second reduced pressure"/ "regulate … down~~"	1, 4, 5, 7, 11, 14-17	reduced
"~~a generator~~ free of any pressure regulator"	1, 4, 5, 7	without a pressure regulator within or attached to the generator housing
"a mechanical fuel valve"	5, 15	a single mechanical fuel valve
"a quick-connect hose coupling"	7	a coupling that permits a hose to be quickly attached or detached from a fuel inlet
"located off-board the generator"	1, 4, 5, 7, 11, 14-17	located remotely from generator
"integral components of"	17	included as a part of

Extrinsic Evidence:

- *Pressure Regulator (Pressure-Regulating Valve)*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering (2013, https://www.oxfordreference.com/view/10.1093/acref/9780199587438.001.0001/acref-9780199587438-e-4826)(last visited July 14, 2025)
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- *Coupling, n. (2)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/coupling (last visited July 9, 2025)
- *Couple With, phras. v.*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/couple%20with (last visited July 9, 2025)
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XII. U.S. PATENT NO. 11,840,970

'970 Patent Claim Term(s)	**'970 Patent Claims**	**HFT's Proposed Construction**
"a mechanical fuel valve"	1, 2, 12-14, 20, 21, 34, 44, 45, 48	a single mechanical fuel valve
"pressure regulator"	1, 2, 12-14, 20, 21, 34, 44, 45, 48	a device that reduces and controls the pressure of gaseous fuel

’970 Patent Claim Term(s)	’970 Patent Claims	HFT’s Proposed Construction
“located off board the dual fuel generator”	1, 2, 12-14, 20, 21, 34	located remotely from the dual fuel generator
“free of any pressure regulator”/ “free from any gaseous fuel pressure regulator”	12-14, 44, 45, 48	without a pressure regulator within or attached to the generator housing / without a gaseous fuel pressure regulator within or attached to the generator housing
“liquid fuel valve”	48	a valve having open and closed positions that controls liquid fuel flow to the engine
“regulated down”	12-14	reduced
“disconnected from the dual fuel generator”	21	Not connected to the dual fuel generator

Extrinsic Evidence:

- *Pressure Regulator (Pressure-Regulating Valve)*, Tony Atkins & Marcel Escudier, Oxford Dictionary Of Mechanical Engineering (2013), https://www.oxfordreference.com/view/10.1093/acref/9780199587438.001.0001/acref-9780199587438-e-4826 (last visited July 14, 2025)
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XIII. U.S. PATENT NO. 11,905,895

’895 Patent Claim Term(s)	’895 Patent Claims	HFT’s Proposed Construction
“a mechanical fuel valve”	1, 6-8, 12, 13	a single mechanical fuel valve
“coupling” / “to couple”	1, 6-8, 12, 13	attaching / to attach
“fuel lockout apparatus”	1, 6-8, 12, 13	This term should be construed pursuant to 35 U.S.C. §112(f) as a means-plus-function limitation. The recited function is to “prevent the second fuel source from coupling to the second fuel line while the mechanical fuel valve is in the first position;” and “permit the second fuel source to couple to the second fuel line while the mechanical fuel valve is in the second position.” The corresponding structure is Items 58, 61 in Figs. 2, 3, 4A, 4B, as described at ’780

’895 Patent Claim Term(s)	’895 Patent Claims	HFT’s Proposed Construction
		patent, col. 5:37-64; 6:10-31; 6:42-7:17; 7:54-67; 8:49-64, and equivalents thereof.
“second fuel line”	1, 6-8, 12, 13	path for gaseous fuel within a generator leading to the engine, having a first end furthest from the engine to which a gaseous fuel source can be attached
“communicate” / “communication”	1, 6-8, 12, 13	allow fuel flow / fuel flow
“simultaneously”	6, 7, 12-13	concurrently

Extrinsic Evidence:

- *Simultaneously, adv.*, Oxford Dictionary of English (Angus Stevenson ed., 3 ed., 2010), https://www.oxfordreference.com/view/10.1093/acref/9780199571123.001.0001/m_en_gb0989980 (last visited July 14, 2025)
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- *Couple, v. (1)*, Am. Heritage (3d Ed. 1996)
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- *Coupling, n. (2)*, Merriam-Webster.com Dictionary, https://www.merriam-webster.com/dictionary/coupling (last visited July 9, 2025)
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Harbor Freight may present expert testimony that the term "fuel lockout apparatus" as it is used in this patent and claims does not connote a specific structure to a person of ordinary skill in the art.

DATED: July 14, 2025

Respectfully submitted,

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IPR2025-00951

CERTIFICATE OF SERVICE

I, Ari Wugalter, hereby certify that on this July 14, 2025, a copy of the foregoing Plaintiff Harbor Freight Tools USA, Inc.'s Preliminary Proposed Claim Constructions was served via email on all attorneys of record.

/s/ Ari Wugalter
Ari Wugalter
Attorneys for Plaintiff Harbor Freight Tools USA, Inc.