Snell & Wilmer L.L.P.
Randal S. Weide, NV Bar No. 5541
David G. Barker (*pro hac vice* to be filed)
Zachary G. Schroeder (*pro hac vice* to be filed)
1700 South Pavilion Center Drive, Suite 700
Las Vegas, Nevada 89135-1865
Telephone: 702.784.5200
Facsimile: 702.784.5252
sweide@swlaw.com
dbarker@swlaw.com
zschroeder@swlaw.com

Timothy J. Ziolkowski (*pro hac vice* to be filed)
Jacob M. Fritz (*pro hac vice* to be filed)
ZIOLKOWSKI PATENT SOLUTIONS GROUP, SC
136 S. Wisconsin Street
Port Washington, WI 53074
Telephone: 262.268.8100
Facsimile: 262.268.8185
tjz@zpatents.com
jmf@zpatents.com

Attorneys for Champion Power Equipment, Inc.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

CHAMPION POWER EQUIPMENT, INC., Plaintiff, v. WESTINGHOUSE ELECTRIC CORPORATION; WESTINGHOUSE ELECTRIC AND MANUFACTURING COMPANY, LLC; MIDWEST EQUIPMENT SALES, LLC; and MWE INVESTMENTS, LLC, Defendants.	Case No. 2:25-cv-00844 **COMPLAINT AND DEMAND FOR JURY TRIAL** Date: X

CHAMPION POWER EQUIPMENT, INC. ("Champion"), by and through its undersigned attorneys, hereby files this complaint for patent infringement against WESTINGHOUSE ELECTRIC CORPORATION, WESTINGHOUSE ELECTRIC AND MANUFACTURING

COMPANY, LLC, MIDWEST EQUIPMENT SALES, LLC, and MWE INVESTMENTS, LLC ("Defendants") and alleges as follows:

THE PARTIES

1. Champion is a duly organized and operating Nevada corporation incorporated at 6370 S Pioneer Way, Unit 101, Las Vegas, Nevada 89113. Champion designs and sells single-fuel and multi-fuel generators, power stations, log splitters, chipper shredders, leaf blowers, tillers, chainsaws, cultivators, lawn edgers, augers, string trimmers, pressure washers, water pumps, snow blowers, winches, hoists, accessories, and other equipment.

2. Champion goes to great lengths in protecting its proprietary intellectual property and expends considerable resources in obtaining patents in the United States and other foreign jurisdictions. Champion has filed over 70 patent applications and has been awarded 61 U.S. patents.

3. Defendants make, use, sell, offer to sell, and/or import multi-fuel generators under the Westinghouse brand (referred to herein as "Westinghouse generators") in the United States and in this District, including through the website westinghouse.com and westinghouseoutdoorpower.com.

4. Upon information and belief, Defendants have a regular and established place of business at 240 S. Stanford Way, Sparks, Nevada, 89431, from which the Defendants ship, sell and/or service the products they sell.

5. Upon information and belief, Defendants do business as "Westinghouse" and "Westinghouse Outdoor Power Equipment."

6. Upon information and belief, Defendant Westinghouse Electric Corporation ("WEC") is a Pennsylvania company with a regular and established place of business at 240 S. Stanford Way, Sparks, Nevada, 89431.

7. WEC is listed as the owner of the websites westinghouse.com and westinghouseoutdoorpower.com, both of which offer the Westinghouse generators for sale.

8. Upon information and belief, Defendant Westinghouse Electric and Manufacturing Company, LLC ("WEMC") is an Ohio limited liability company with a regular and established place of business at 240 S. Stanford Way, Sparks, Nevada, 89431.

9. WEMC is the owner of U.S. Trademark Registration No. 4523437 for WESTINGHOUSE INNOVATION YOU CAN BE SURE OF, the trademark used on the website westinghouseoutdoorpower.com, where Defendants offer the Westinghouse generators for sale.

10. WEMC is also the owner of U.S. Trademark Registration No. 6460613 for WESTINGHOUSE OUTDOOR POWER EQUIPMENT, the trademark used in the footer of the website Westinghouseoutdoorpower.com, where Defendants offer the Westinghouse generators for sale.

11. WEMC is listed as the "Company" in the Privacy Policy on the westinghouse.com website.

12. Upon information and belief, Defendant Midwest Equipment Sales, LLC ("MES") is an Ohio limited liability company registered to do business in Nevada, with a statutory agent in Carson City, Nevada, and a regular and established place of business at 240 S. Stanford Way, Sparks, Nevada, 89431.

13. Upon information and belief, Defendant MWE Investments, LLC ("MWE") is an Ohio limited liability company with a regular and established place of business at 240 S. Stanford Way, Sparks, Nevada, 89431.

14. MWE is the entity listed in the warranty notices available at westinghouseoutdoorpower.com, and the warranty notice link on westinghouse.com redirects to the warranty notices available at westinghouseoutdoorpower.com.

15. Upon information and belief, Defendant MWE became a subsidiary of WEC, in or around October 2024, wherein the multi-fuel generator business of Defendant MES joined with WEC, selling generators under the Westinghouse brand.

16. Given the different usages of entity names on Defendants' websites and materials, Champion is asserting claims for patent infringement against all Defendants, all of which operate in conjunction through Defendant MES with an established place of business in Sparks, Nevada.

and Champion reserves the right to amend the Complaint to add or remove defendants as information is learned in discovery.

17. Champion has attempted to work with Defendants to resolve this matter.

18. Champion has sent Defendant MWE cease and desist demands regarding Westinghouse generators in 2020 and again in 2024. Defendants have failed to cease infringement of Champion's intellectual property throughout this time.

JURISDICTION AND VENUE

19. This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. §§ 271, *et seq*.

20. This Court has jurisdiction over the subject matter of this patent infringement action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

21. This Court has personal jurisdiction over Defendants, and venue is proper under 28 U.S.C. §§ 1391(a)–(c), and 1400(b), because Defendants have a regular and established place of business in this District as alleged above, and they have committed acts of patent infringement within this District by making, using, selling, offering to sell, and/or importing Westinghouse generators in this District that infringe one or more of Champion's patents as alleged herein. Defendants' physical location within Nevada, electronic commerce through the websites westinghouse.com, westinghouseoutdoorpower.com, and other online locations, and through advertisements, offers for sale, distribution, and sales have established at least minimum contacts with Nevada such that the exercise of jurisdiction over Defendants would not offend traditional notions of fair play and substantial justice.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 10,393,034

22. Paragraphs 1 through 21 are incorporated by reference as if fully set forth herein.

23. U.S. Patent No. 10,393,034 is titled "FUEL SYSTEM FOR A MULTI-FUEL INTERNAL COMBUSTION ENGINE." U.S. Patent No. 10,393,034 was duly and legally issued on August 27, 2019. A true and correct copy of U.S. Patent No. 10,393,034 is attached as Exhibit A.

24. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 10,393,034 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

25. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringes one or more claims of U.S. Patent No. 10,393,034:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 5300DFv, a multi-fuel Generator;

d. Model WGen 9500DFc, a multi-fuel Generator;

e. Model WGen 5300DFc, a multi-fuel Generator;

f. Model WGen 7500DF, a multi-fuel Generator;

g. Model WGen 10500TFc, a multi-fuel Generator;

h. Model WGen 9500TFc, a multi-fuel Generator; and

i. Model WGen 11500TFc, a multi-fuel Generator.

26. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 3, 5–9, and 18 of U.S. Patent No. 10,393,034. Each of the foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a multi-fuel engine comprising an engine operable on a liquid fuel and a gaseous fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect a liquid fuel source to the intake, the carburetor comprising a float bowl; a liquid cutoff solenoid coupled to the carburetor to open and close a liquid fuel path to the engine downstream from the float bowl; a gaseous cutoff coupled to open and close a gaseous fuel source to the engine; and a switch selectively coupling a power source to the liquid cutoff solenoid to open

and close the liquid fuel path, as called for in claim 1 of U.S. Patent No. 10,393,034.

b. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, the switch actuates the liquid cutoff solenoid to enable changing engine operation between the liquid fuel and the gaseous fuel, so as to prevent fuel flow from the liquid fuel source and the gaseous fuel source simultaneously and allow switching between fuel sources on-the-fly during engine operation, as called for in claim 3 of U.S. Patent No. 10,393,034.

c. Dependent claim 5 by specifically including all the aforementioned elements of claim 1 and, in addition, the engine is a dual fuel engine that operates on gasoline from the liquid fuel source and LPG from the gaseous fuel source, as called for in claim 5 of U.S. Patent No. 10,393,034.

d. Dependent claim 6 by specifically including all the aforementioned elements of claim 1 and, in addition, activating the gaseous cutoff simultaneously activates the liquid cutoff solenoid, as called for in claim 6 of U.S. Patent No. 10,393,034.

e. Dependent claim 7 by specifically including all the aforementioned elements of claim 1 and, in addition, the liquid cutoff solenoid is selectively operable to cut off fuel flow from the float bowl to a nozzle in a venturi of the carburetor upstream from a throttle for the engine, as called for in claim 7 of U.S. Patent No. 10,393,034.

f. Dependent claim 8 by specifically including all the aforementioned elements of claim 1 and, in addition, the carburetor connects the gaseous fuel source to the intake, as called for in claim 8 of U.S. Patent No. 10,393,034.

g. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, a liquid fuel valve positioned on a

liquid fuel line coupling the liquid fuel source to the carburetor to open and close the liquid fuel source to the engine, as called for in claim 9 of U.S. Patent No. 10,393,034.

h. Independent claim 18 by specifically including a multi-fuel internal combustion engine comprising an engine operable on liquid fuel supplied through a liquid fuel line from a liquid fuel source and gaseous fuel supplied through a gaseous fuel line from a pressurized fuel source; a carburetor coupled to an intake of the engine to mix air and fuel and connect to the liquid fuel line and the gaseous fuel line; a carburetor cutoff solenoid coupled to control fuel flow within the carburetor from the liquid fuel line and selectively engage engine operation on liquid fuel; and a gaseous fuel valve coupled to control fuel flow through the gaseous fuel line and selectively engage engine operation on gaseous fuel, as called for in claim 18 of U.S. Patent No. 10,393,034.

Therefore, each of the foregoing Westinghouse generator models listed in Paragraph 25(a)–(i) infringes at least claims 1, 3, 5–9, and 18 of U.S. Patent No. 10,393,034.

27. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model WGen 9500DF, a multi-fuel Generator;

e. Model iGen 4500DFc, a multi-fuel Generator;

f. Model iGen 4500DFcv, a multi-fuel Generator;

g. Model iGen 5000DF, a multi-fuel Generator;

h. Model iGen 5000DFc, a multi-fuel Generator;

i. Model WGen 3600DFcv, a multi-fuel Generator;

j. Model WGen 3600DFv, a multi-fuel Generator; and

k. Model WGen 5300DFcv, a multi-fuel Generator.

28. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator models listed in Paragraph 25, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 3, 5–9, and 18 of U.S. Patent No. 10,393,034. Each of the foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a multi-fuel engine comprising an engine operable on a liquid fuel and a gaseous fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect a liquid fuel source to the intake, the carburetor comprising a float bowl; a liquid cutoff solenoid coupled to the carburetor to open and close a liquid fuel path to the engine downstream from the float bowl; a gaseous cutoff coupled to open and close a gaseous fuel source to the engine; and a switch selectively coupling a power source to the liquid cutoff solenoid to open and close the liquid fuel path, as called for in claim 1 of U.S. Patent No. 10,393,034.

b. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, the switch actuates the liquid cutoff solenoid to enable changing engine operation between the liquid fuel and the gaseous fuel, so as to prevent fuel flow from the liquid fuel source and the gaseous fuel source simultaneously and allow switching between fuel sources on-the-fly during engine operation, as called for in claim 3 of U.S. Patent No. 10,393,034.

c. Dependent claim 5 by specifically including all the aforementioned elements of claim 1 and, in addition, the engine is a dual fuel engine that

operates on gasoline from the liquid fuel source and LPG from the gaseous fuel source, as called for in claim 5 of U.S. Patent No. 10,393,034.

d. Dependent claim 6 by specifically including all the aforementioned elements of claim 1 and, in addition, activating the gaseous cutoff simultaneously activates the liquid cutoff solenoid, as called for in claim 6 of U.S. Patent No. 10,393,034.

e. Dependent claim 7 by specifically including all the aforementioned elements of claim 1 and, in addition, the liquid cutoff solenoid is selectively operable to cut off fuel flow from the float bowl to a nozzle in a venturi of the carburetor upstream from a throttle for the engine, as called for in claim 7 of U.S. Patent No. 10,393,034.

f. Dependent claim 8 by specifically including all the aforementioned elements of claim 1 and, in addition, the carburetor connects the gaseous fuel source to the intake, as called for in claim 8 of U.S. Patent No. 10,393,034.

g. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, a liquid fuel valve positioned on a liquid fuel line coupling the liquid fuel source to the carburetor to open and close the liquid fuel source to the engine, as called for in claim 9 of U.S. Patent No. 10,393,034.

h. Independent claim 18 by specifically including a multi-fuel internal combustion engine comprising an engine operable on liquid fuel supplied through a liquid fuel line from a liquid fuel source and gaseous fuel supplied through a gaseous fuel line from a pressurized fuel source; a carburetor coupled to an intake of the engine to mix air and fuel and connect to the liquid fuel line and the gaseous fuel line; a carburetor cutoff solenoid coupled to control fuel flow within the carburetor from the liquid fuel line and selectively engage engine operation on liquid fuel; and a gaseous fuel

valve coupled to control fuel flow through the gaseous fuel line and selectively engage engine operation on gaseous fuel, as called for in claim 18 of U.S. Patent No. 10,393,034.

Therefore, each of the foregoing Westinghouse generator models listed in Paragraph 27(a)–(k) infringes at least claims 1, 3, 5–9, and 18 of U.S. Patent No. 10,393,034.

29. Champion has acquired and inspected Westinghouse generator model WGen 12000DFc that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 10,393,034.

30. Upon acquisition, disassembly as needed, review of owner's manuals and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator model includes all of the elements of at least claims 11 and 12 of U.S. Patent No. 10,393,034. The foregoing Westinghouse generator model infringes:

a. Independent claim 11 by specifically including a multi-fuel generator and fuel delivery system comprising a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; an alternator driven by the multi-fuel internal combustion engine; a fuel regulator system comprising a primary pressure regulator coupled to a service valve of the pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure, and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure regulator to a desired pressure for delivery through the gaseous fuel line to operate the engine; and an electro-mechanical valve system coupled to the engine and operated by an electrical switch powered by one of the alternator, a battery, and a magneto that controls fuel flow to the engine

from the liquid fuel source and the pressurized fuel source, as called for in claim 11 of U.S. Patent No. 10,393,034.

b. Dependent claim 12 by specifically including all the aforementioned elements of claim 11 and, in addition, the electro-mechanical valve system is configured to switch operation of the generator from multiple fuel sources while the generator is running, as called for in claim 12 of U.S. Patent No. 10,393,034.

Therefore, Westinghouse Model WGen 12000DFc infringes at least claims 11 and 12 of U.S. Patent No. 10,393,034.

31. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator model:

a. Model WGen 12000DF, a multi-fuel Generator.

32. Upon review of the owner's manual of the WGen 12500DFc generator and the owner's manual for the WGen 12000DF, including review of images and electrical schematics, it was determined that the Westinghouse Model WGen 12000DF generator includes all of the elements of at least claims 11 and 12 of U.S. Patent No. 10,393,034. The foregoing Westinghouse generator model infringes:

a. Independent claim 11 by specifically including a multi-fuel generator and fuel delivery system comprising a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; an alternator driven by the multi-fuel internal combustion engine; a fuel regulator system comprising a primary pressure regulator coupled to a service valve of the pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure, and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure

Champion - EX2051, Page 11 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

regulator to a desired pressure for delivery through the gaseous fuel line to operate the engine; and an electro-mechanical valve system coupled to the engine and operated by an electrical switch powered by one of the alternator, a battery, and a magneto that controls fuel flow to the engine from the liquid fuel source and the pressurized fuel source, as called for in claim 11 of U.S. Patent No. 10,393,034.

b. Dependent claim 12 by specifically including all the aforementioned elements of claim 11 and, in addition, the electro-mechanical valve system is configured to switch operation of the generator from multiple fuel sources while the generator is running, as called for in claim 12 of U.S. Patent No. 10,393,034.

Therefore, Westinghouse generator WGen 1200DF infringes at least claims 11 and 12 of U.S. Patent No. 10,393,034.

33. Champion has no adequate remedy at law against Defendants for infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 10,393,034.

34. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 10,393,034.

35. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

36. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 11,143,120

37. Paragraphs 1 through 36 are incorporated by reference as if fully set forth herein.

38. U.S. Patent No. 11,143,120 is titled "FUEL SYSTEM FOR A MULTI-FUEL INTERNAL COMBUSTION ENGINE." U.S. Patent No. 11,143,120 was duly and legally issued on October 12, 2021. A true and correct copy of U.S. Patent No. 11,143,120 is attached as Exhibit B.

39. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 11,143,120 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

40. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,143,120:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 9500DFc, a multi-fuel Generator;

d. Model WGen 5300DFc, a multi-fuel Generator;

e. Model WGen 7500DF, a multi-fuel Generator;

f. Model WGen 10500TFc, a multi-fuel Generator;

g. Model WGen 9500TFc, a multi-fuel Generator; and

h. Model WGen 11500TFc, a multi-fuel Generator.

41. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 12, 18, and 19 of U.S. Patent No. 11,143,120. The foregoing Westinghouse generator models infringe:

a. Independent claim 12 by specifically including a multi-fuel generator and fuel delivery system having a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line, an alternator driven by the multi-fuel

internal combustion engine, and a fuel regulator system including a primary pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure regulator to a desired pressure for delivery through the gaseous fuel line to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120.

b. Independent claim 18 by specifically including a carburetor for use in a multi-fuel internal combustion engine, the carburetor comprising: a throat in which fuel and air are mixed in throat to provide an air-fuel mixture for the multi-fuel internal combustion engine; a valve located in the throat to provide a choke and throttle for the multi-fuel internal combustion engine; a float bowl to hold liquid fuel; a main fuel circuit positioned downstream from the float bowl and extending from the float bowl to the throat; an idle fuel circuit that provides a flow path to the throat downstream of the throttle to run the engine at idle; and a carburetor cutoff solenoid configured to selectively control fuel flow through the main fuel circuit and the idle fuel circuit, as called for in claim 18 of U.S. Patent No. 11,143,120.

c. Dependent claim 19 by specifically including all the aforementioned elements of claim 18 and, in addition, wherein the carburetor cutoff solenoid is operatively coupled to a switch that changes operation of the engine from liquid fuel to gaseous fuel and from gaseous fuel to liquid fuel while the engine is running, and wherein the carburetor cutoff solenoid is closed to stop liquid fuel flow through the main fuel circuit and the idle fuel circuit when the switch changes operation of the engine from liquid fuel to gaseous fuel, as called for in claim 19 of U.S. Patent No. 11,143,120.

Therefore, each of the foregoing Westinghouse generator models listed in Paragraph 40 (a)–(h) infringes at least claims 12, 18, and 19 of U.S. Patent No. 11,143,120.

42. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model WGen 9500DF, a multi-fuel Generator;

e. Model iGen 4500DFc, a multi-fuel Generator;

f. Model iGen 4500DFcv, a multi-fuel Generator;

g. Model iGen 5000DF, a multi-fuel Generator; and

h. Model iGen 5000DFc, a multi-fuel Generator.

43. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator models listed in Paragraph 40, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 12, 18 and 19 of U.S. Patent No. 11,143,120. The foregoing Westinghouse generator models infringe:

a. Independent claim 12 by specifically including a multi-fuel generator and fuel delivery system having a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line, an alternator driven by the multi-fuel internal combustion engine, and a fuel regulator system including a primary pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure regulator to a

desired pressure for delivery through the gaseous fuel line to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120.

b. Independent claim 18 by specifically including a carburetor for use in a multi-fuel internal combustion engine, the carburetor comprising: a throat in which fuel and air are mixed in throat to provide an air-fuel mixture for the multi-fuel internal combustion engine; a valve located in the throat to provide a choke and throttle for the multi-fuel internal combustion engine; a float bowl to hold liquid fuel; a main fuel circuit positioned downstream from the float bowl and extending from the float bowl to the throat; an idle fuel circuit that provides a flow path to the throat downstream of the throttle to run the engine at idle; and a carburetor cutoff solenoid configured to selectively control fuel flow through the main fuel circuit and the idle fuel circuit, as called for in claim 18 of U.S. Patent No. 11,143,120.

c. Dependent claim 19 by specifically including all the aforementioned elements of claim 18 and, in addition, wherein the carburetor cutoff solenoid is operatively coupled to a switch that changes operation of the engine from liquid fuel to gaseous fuel and from gaseous fuel to liquid fuel while the engine is running, and wherein the carburetor cutoff solenoid is closed to stop liquid fuel flow through the main fuel circuit and the idle fuel circuit when the switch changes operation of the engine from liquid fuel to gaseous fuel, as called for in claim 19 of U.S. Patent No. 11,143,120.

Therefore, each of the foregoing Westinghouse generator models listed in Paragraph 42(a)–(h) infringes at least claims 12, 18, and 19 of U.S. Patent No. 11,143,120.

44. Champion has acquired and inspected the following Westinghouse generator model that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,143,120:

a. Model WGen5300DFv, a multi-fuel Generator.

45. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that Westinghouse Model WGen 5300DFv includes all of the elements of at least claim 12 of U.S. Patent No. 11,143,120. The foregoing Westinghouse generator model infringes:

a. Independent claim 12 by specifically including a multi-fuel generator and fuel delivery system having a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line, an alternator driven by the multi-fuel internal combustion engine, and a fuel regulator system including a primary pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure regulator to a desired pressure for delivery through the gaseous fuel line to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120.

Therefore, the foregoing Westinghouse generator model listed in Paragraph 44 infringes at least claim 12 of U.S. Patent No. 11,143,120.

46. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DFcv, a multi-fuel Generator;

b. Model WGen 3600DFv, a multi-fuel Generator; and

c. Model WGen 5300DFcv, a multi-fuel Generator.

47. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 44, it was determined that the foregoing Westinghouse generator models include all of the elements

of at least claim 12 of U.S. Patent No. 11,143,120. The foregoing Westinghouse generator models infringe:

a. Independent claim 12 by specifically including a multi-fuel generator and fuel delivery system having a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line, an alternator driven by the multi-fuel internal combustion engine, and a fuel regulator system including a primary pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure regulator to a desired pressure for delivery through the gaseous fuel line to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120.

Therefore, each of the foregoing Westinghouse generator models listed in Paragraph 46 (a)–(c) infringes at least claim 12 of U.S. Patent No. 11,143,120.

48. Champion has acquired and inspected the following Westinghouse generator model that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,143,120:

a. Model WGen 12000DFc, a multi-fuel Generator.

49. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that Westinghouse Model WGen 12000DFC includes all of the elements of at least claims 12, 13, 14, 18, and 19 of U.S. Patent No. 11,143,120. The foregoing Westinghouse generator model infringes:

a. Independent claim 12 by specifically including a multi-fuel generator and fuel delivery system having a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source

Champion - EX2051, Page 18 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line, an alternator driven by the multi-fuel internal combustion engine, and a fuel regulator system including a primary pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure regulator to a desired pressure for delivery through the gaseous fuel line to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120.

b. Dependent claim 13 by specifically including all the aforementioned elements of claim 12 and, in addition, wherein an electro-mechanical valve system coupled to the engine and operated by an electrical switch powered by one of the alternator, a battery, and a magneto that controls fuel flow to the engine from the liquid fuel source and the pressurized fuel source, as called for in claim 13 of U.S. Patent No. 11,143,120.

c. Dependent claim 14 by specifically including all the aforementioned elements of claim 13 and, in addition, wherein the electro-mechanical valve system is configured to switch operation of the generator from multiple fuel sources while the generator is running, as called for in claim 14 of U.S. Patent No. 11,143,120.

d. Independent claim 18 by specifically including a carburetor for use in a multi-fuel internal combustion engine, the carburetor comprising: a throat in which fuel and air are mixed in throat to provide an air-fuel mixture for the multi-fuel internal combustion engine; a valve located in the throat to provide a choke and throttle for the multi-fuel internal combustion engine; a float bowl to hold liquid fuel; a main fuel circuit positioned downstream from the float bowl and extending from the float bowl to the throat; an idle fuel circuit that provides a flow path to the throat downstream of the throttle

to run the engine at idle; and a carburetor cutoff solenoid configured to selectively control fuel flow through the main fuel circuit and the idle fuel circuit, as called for in claim 18 of U.S. Patent No. 11,143,120.

e. Dependent claim 19 by specifically including all the aforementioned elements of claim 18 and, in addition, wherein the carburetor cutoff solenoid is operatively coupled to a switch that changes operation of the engine from liquid fuel to gaseous fuel and from gaseous fuel to liquid fuel while the engine is running, and wherein the carburetor cutoff solenoid is closed to stop liquid fuel flow through the main fuel circuit and the idle fuel circuit when the switch changes operation of the engine from liquid fuel to gaseous fuel, as called for in claim 19 of U.S. Patent No. 11,143,120.

Therefore, the foregoing Westinghouse generator model listed in Paragraph 48 infringes at least claims 12, 13, 14, 18, and 19 of U.S. Patent No. 11,143,120.

50. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator model:

a. Model WGen 12000DF, a multi-fuel Generator.

51. Upon review of images and the owner's manuals of the foregoing Westinghouse generator model and comparisons of the images and owner's manuals of the foregoing Westinghouse generator model to those of the Westinghouse generator model listed in Paragraph 48, it was determined that the foregoing Westinghouse generator model includes all of the elements of at least claims 12, 13, 14, 18, and 19 of U.S. Patent No. 11,143,120. The foregoing Westinghouse generator model infringes:

a. Independent claim 12 by specifically including a multi-fuel generator and fuel delivery system having a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line, an alternator driven by the multi-fuel

internal combustion engine, and a fuel regulator system including a primary pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel supplied from the pressurized fuel source to a reduced pressure and a secondary pressure regulator coupled to the primary pressure regulator to regulate fuel supplied from the primary pressure regulator to a desired pressure for delivery through the gaseous fuel line to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120.

b. Dependent claim 13 by specifically including all the aforementioned elements of claim 12 and, in addition, wherein an electro-mechanical valve system coupled to the engine and operated by an electrical switch powered by one of the alternator, a battery, and a magneto that controls fuel flow to the engine from the liquid fuel source and the pressurized fuel source, as called for in claim 13 of U.S. Patent No. 11,143,120.

c. Dependent claim 14 by specifically including all the aforementioned elements of claim 13 and, in addition, wherein the electro-mechanical valve system is configured to switch operation of the generator from multiple fuel sources while the generator is running, as called for in claim 14 of U.S. Patent No. 11,143,120.

d. Independent claim 18 by specifically including a carburetor for use in a multi-fuel internal combustion engine, the carburetor comprising: a throat in which fuel and air are mixed in throat to provide an air-fuel mixture for the multi-fuel internal combustion engine; a valve located in the throat to provide a choke and throttle for the multi-fuel internal combustion engine; a float bowl to hold liquid fuel; a main fuel circuit positioned downstream from the float bowl and extending from the float bowl to the throat; an idle fuel circuit that provides a flow path to the throat downstream of the throttle to run the engine at idle; and a carburetor cutoff solenoid configured to

selectively control fuel flow through the main fuel circuit and the idle fuel circuit, as called for in claim 18 of U.S. Patent No. 11,143,120.

e. Dependent claim 19 by specifically including all the aforementioned elements of claim 18 and, in addition, wherein the carburetor cutoff solenoid is operatively coupled to a switch that changes operation of the engine from liquid fuel to gaseous fuel and from gaseous fuel to liquid fuel while the engine is running, and wherein the carburetor cutoff solenoid is closed to stop liquid fuel flow through the main fuel circuit and the idle fuel circuit when the switch changes operation of the engine from liquid fuel to gaseous fuel, as called for in claim 19 of U.S. Patent No. 11,143,120.

Therefore, the foregoing Westinghouse generator model listed in Paragraph 50 infringes at least claims 12, 13, 14, 18, and 19 of U.S. Patent No. 11,143,120.

52. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 11,143,120.

53. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,143,120.

54. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

55. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 11,492,985

56. Paragraphs 1 through 55 are incorporated by reference as if fully set forth herein.

57. U.S. Patent No. 11,492,985 is titled "OFF-BOARD FUEL REGULATOR FOR GENERATOR ENGINE." U.S. Patent No. 11,492,985 was duly and legally issued on November 8, 2022. A true and correct copy of U.S. Patent No. 11,492,985 is attached as Exhibit C.

58. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 11,492,985 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

59. Champion has acquired and inspected the following Westinghouse generator model that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,492,985:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model WGen 5300DFv, a multi-fuel Generator;

c. Model WGen 9500DFc, a multi-fuel Generator;

d. Model WGen 5300DFc, a multi-fuel Generator;

e. Model WGen 7500DF, a multi-fuel Generator;

f. Model WGen 10500TFc, a multi-fuel Generator;

g. Model WGen 9500TFc, a multi-fuel Generator; and

h. Model WGen 11500TFC, a multi-fuel Generator.

60. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the aforementioned generator models include all of the elements of at least claims 16 and 17 of U.S. Patent No. 11,492,985. The foregoing generator models infringe:

a. Independent claim 16 by specifically including a dual fuel generator and fuel delivery system having a dual fuel generator configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; and a fuel regulator system located off board a dual fuel generator, including a primary pressure regulator coupled to a service valve of a

pressurized fuel source, configured to regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a first reduced pressure in the first stage and regulate the gaseous fuel output from the first stage in the second stage, the first reduced pressure gaseous fuel from the first stage being regulated down to a second reduced pressure in the second stage for delivery through the gaseous fuel line to operate the generator, wherein the fuel regulator system outputs gaseous fuel to the generator for operation of the engine at the second reduced pressure, as called for in claim 16 of U.S. Patent No. 11,492,985.

b. Dependent claim 17 by specifically including all the aforementioned elements of claim 16 and, in addition, wherein the primary and secondary pressure regulators are integral components of a dual stage pressure regulator, as called for in claim 17 of U.S. Patent No. 11,492,985.

Therefore, the aforementioned generator models in Paragraph 59(a)–(h) infringe at least claims 16 and 17 of U.S. Patent No. 11,492,985.

61. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that Westinghouse generator model iGen 4500DF includes all of the elements of at least claims 1, 4, 5, 6, 11, and 16 of U.S. Patent No. 11,492,985. Model iGen 4500DF infringes:

a. Independent claim 1 by specifically including a generator and fuel delivery system comprising a generator free of any pressure regulator and configured to operate on a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off-board the generator and comprising a first stage and a second stage, the fuel regulator system configured to: regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a reduced pressure in the first stage; and regulate the reduced pressure gaseous fuel in the second stage, the reduced pressure gaseous fuel from the first stage

regulated down to a desired pressure in the second stage for delivery through the gaseous fuel line to operate the generator, as called for in claim 1 of U.S. Patent No. 11,492,985.

b. Dependent claim 4 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the generator comprises a dual fuel generator configured to operate on the gaseous fuel and on a liquid fuel, the liquid fuel supplied from a liquid fuel source through a liquid fuel line, as called for in claim 4 of U.S. Patent No. 11,492,985.

c. Dependent claim 5 by specifically including all the aforementioned elements of claim 4 and, in addition, a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel generator from the liquid fuel source through the liquid fuel line and the pressurized fuel source through the gaseous fuel line, as called for in claim 5 of U.S. Patent No. 11,492,985.

d. Dependent claim 6 by specifically including all the aforementioned elements of claim 5 and, in addition, a fuel lockout apparatus coupled to the mechanical fuel valve; wherein, when the mechanical fuel valve is in the first position, the fuel lockout apparatus communicates the liquid fuel source to the dual fuel generator and prevents the pressurized fuel source from coupling to the dual fuel generator; and wherein, when the mechanical fuel valve is in the second position, the fuel lockout apparatus permits the pressurized fuel source to couple to the dual fuel generator and interrupts the liquid fuel source communication with the dual fuel generator, as called for in claim 6 of U.S. Patent No. 11,492,985.

e. Independent claim 11 by specifically including a generator and fuel delivery system comprising: a generator comprising an engine configured to operate on a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off-board the generator, and

comprising a first stage and a second stage, the fuel regulator system configured to: regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a first reduced pressure in the first stage; and regulate the gaseous fuel output from the first stage in the second stage, the first reduced pressure gaseous fuel from the first stage being regulated down to a second reduced pressure in the second stage for delivery through the gaseous fuel line to operate the generator; wherein the fuel regulator system outputs gaseous fuel to the generator for operation of the engine at the second reduced pressure, as called for in claim 11 of U.S. Patent No. 11,492,985.

f. Independent claim 16 by specifically including a dual fuel generator and fuel delivery system comprising: a dual fuel generator configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off board the dual fuel generator, the fuel regulator system comprising: a primary pressure regulator coupled to a service valve of the pressurized fuel source and configured to regulate the fuel supplied from the pressurized fuel source to a first reduced pressure; and a secondary pressure regulator coupled to the primary pressure regulator and configured to regulate the gaseous fuel supplied from the primary pressure regulator down from the first reduced pressure to a second reduced pressure for delivery through the gaseous fuel line to operate the dual fuel generator; wherein the fuel regulator system outputs gaseous fuel to the dual fuel generator for operation thereof at the second reduced pressure, as called for in claim 16 of U.S. Patent No. 11,492,985.

Therefore, Westinghouse Model iGen 4500DF infringes at least claims 1, 4, 5, 6, 11, and 16 of U.S. Patent No. 11,492,985.

62. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator model:

a. Model iGen 4500DFc, a multi-fuel Generator;

b. Model iGen 4500DFcv, a multi-fuel Generator;

c. Model iGen 5000DF, a multi-fuel Generator; and

d. Model iGen 5000DFc, a multi-fuel Generator.

63. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 61, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 4, 5, 6, 11, and 16 of U.S. Patent No. 11,492,985. The foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a generator and fuel delivery system comprising a generator free of any pressure regulator and configured to operate on a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off-board the generator and comprising a first stage and a second stage, the fuel regulator system configured to: regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a reduced pressure in the first stage; and regulate the reduced pressure gaseous fuel in the second stage, the reduced pressure gaseous fuel from the first stage regulated down to a desired pressure in the second stage for delivery through the gaseous fuel line to operate the generator, as called for in claim 1 of U.S. Patent No. 11,492,985.

b. Dependent claim 4 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the generator comprises a dual fuel generator configured to operate on the gaseous fuel and on a liquid fuel.

Champion - EX2051, Page 27 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

the liquid fuel supplied from a liquid fuel source through a liquid fuel line, as called for in claim 4 of U.S. Patent No. 11,492,985.

c. Dependent claim 5 by specifically including all the aforementioned elements of claim 4 and, in addition, a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel generator from the liquid fuel source through the liquid fuel line and the pressurized fuel source through the gaseous fuel line, as called for in claim 5 of U.S. Patent No. 11,492,985.

d. Dependent claim 6 by specifically including all the aforementioned elements of claim 5 and, in addition, a fuel lockout apparatus coupled to the mechanical fuel valve; wherein, when the mechanical fuel valve is in the first position, the fuel lockout apparatus communicates the liquid fuel source to the dual fuel generator and prevents the pressurized fuel source from coupling to the dual fuel generator; and wherein, when the mechanical fuel valve is in the second position, the fuel lockout apparatus permits the pressurized fuel source to couple to the dual fuel generator and interrupts the liquid fuel source communication with the dual fuel generator, as called for in claim 6 of U.S. Patent No. 11,492,985.

e. Independent claim 11 by specifically including a generator and fuel delivery system comprising: a generator comprising an engine configured to operate on a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off-board the generator and comprising a first stage and a second stage, the fuel regulator system configured to: regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a first reduced pressure in the first stage; and regulate the gaseous fuel output from the first stage in the second stage, the first reduced pressure gaseous fuel from the first stage being regulated down to a second reduced pressure in the second

stage for delivery through the gaseous fuel line to operate the generator; wherein the fuel regulator system outputs gaseous fuel to the generator for operation of the engine at the second reduced pressure, as called for in claim 11 of U.S. Patent No. 11,492,985.

f. Independent claim 16 by specifically including a dual fuel generator and fuel delivery system comprising: a dual fuel generator configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off board the dual fuel generator, the fuel regulator system comprising: a primary pressure regulator coupled to a service valve of the pressurized fuel source and configured to regulate the fuel supplied from the pressurized fuel source to a first reduced pressure; and a secondary pressure regulator coupled to the primary pressure regulator and configured to regulate the gaseous fuel supplied from the primary pressure regulator down from the first reduced pressure to a second reduced pressure for delivery through the gaseous fuel line to operate the dual fuel generator; wherein the fuel regulator system outputs gaseous fuel to the dual fuel generator for operation thereof at the second reduced pressure, as called for in claim 16 of U.S. Patent No. 11,492,985.

Therefore, the foregoing generator models listed in Paragraph 62(a)–(d) infringes at least claims 1, 4, 5, 6, 11, and 16 of U.S. Patent No. 11,492,985.

64. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator model:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model WGen 9500DF, a multi-fuel Generator;

e. Model WGen 3600DFcv, a multi-fuel Generator;

f. Model WGen 3600DFv, a multi-fuel Generator; and

g. Model WGen 5300DFcv, a multi-fuel Generator.

65. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator models listed in Paragraph 59, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 16 and 17 of U.S. Patent No. 11,492,985. The foregoing Westinghouse generator models infringe:

a. Independent claim 16 by specifically including a dual fuel generator and fuel delivery system having a dual fuel generator configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; and a fuel regulator system located off board a dual fuel generator, including a primary pressure regulator coupled to a service valve of a pressurized fuel source, configured to regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a first reduced pressure in the first stage and regulate the gaseous fuel output from the first stage in the second stage, the first reduced pressure gaseous fuel from the first stage being regulated down to a second reduced pressure in the second stage for delivery through the gaseous fuel line to operate the generator, wherein the fuel regulator system outputs gaseous fuel to the generator for operation of the engine at the second reduced pressure, as called for in claim 16 of U.S. Patent No. 11,492,985.

b. Dependent claim 17 by specifically including all the aforementioned elements of claim 16 and, in addition, wherein the primary and secondary

pressure regulators are integral components of a dual stage pressure regulator, as called for in claim 17 of U.S. Patent No. 11,492,985.

Therefore, the aforementioned generator models in Paragraph 64(a)–(g) infringe at least claims 16 and 17 of U.S. Patent No. 11,492,985.

66. Champion has acquired and inspected the following Westinghouse generator model that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,492,985:

a. Model iGen 2550DFc, a multi-fuel Generator.

67. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the aforementioned generator includes all of the elements of at least claims 1, 4, 11 and 16 of U.S. Patent No. 11,492,985. The foregoing generator model infringes:

a. Independent claim 1 by specifically including a generator and fuel delivery system comprising a generator free of any pressure regulator and configured to operate on a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off-board the generator and comprising a first stage and a second stage, the fuel regulator system configured to: regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a reduced pressure in the first stage; and regulate the reduced pressure gaseous fuel in the second stage, the reduced pressure gaseous fuel from the first stage regulated down to a desired pressure in the second stage for delivery through the gaseous fuel line to operate the generator, as called for in claim 1 of U.S. Patent No. 11,492,985.

b. Dependent claim 4 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the generator comprises a dual fuel generator configured to operate on the gaseous fuel and on a liquid fuel.

the liquid fuel supplied from a liquid fuel source through a liquid fuel line, as called for in claim 4 of U.S. Patent No. 11,492,985.

c. Independent claim 11 by specifically including a generator and fuel delivery system comprising: a generator comprising an engine configured to operate on a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off-board the generator and comprising a first stage and a second stage, the fuel regulator system configured to: regulate the gaseous fuel supplied from the pressurized fuel source in the first stage, the gaseous fuel regulated down to a first reduced pressure in the first stage; and regulate the gaseous fuel output from the first stage in the second stage, the first reduced pressure gaseous fuel from the first stage being regulated down to a second reduced pressure in the second stage for delivery through the gaseous fuel line to operate the generator; wherein the fuel regulator system outputs gaseous fuel to the generator for operation of the engine at the second reduced pressure, as called for in claim 11 of U.S. Patent No. 11,492,985.

d. Independent claim 16 by specifically including a dual fuel generator and fuel delivery system comprising: a dual fuel generator configured to operate on a liquid fuel supplied from a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized fuel source through a gaseous fuel line; a fuel regulator system located off board the dual fuel generator, the fuel regulator system comprising: a primary pressure regulator coupled to a service valve of the pressurized fuel source and configured to regulate the fuel supplied from the pressurized fuel source to a first reduced pressure; and a secondary pressure regulator coupled to the primary pressure regulator and configured to regulate the gaseous fuel supplied from the primary pressure regulator down from the first reduced pressure to a second reduced pressure for delivery through the gaseous fuel

line to operate the dual fuel generator; wherein the fuel regulator system outputs gaseous fuel to the dual fuel generator for operation thereof at the second reduced pressure, as called for in claim 16 of U.S. Patent No. 11,492,985.

Therefore, the aforementioned generator model in Paragraph 66(a) infringes at least claims 1, 4, 11, and 16 of U.S. Patent No. 11,492,985.

68. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 11,492,985.

69. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,492,985.

70. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

71. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 10,221,780

72. Paragraphs 1 through 71 are incorporated by reference as if fully set forth herein.

73. U.S. Patent No. 10,221,780 is titled "DUAL FUEL LOCKOUT SWITCH FOR GENERATOR ENGINE." U.S. Patent No. 10,221,780 was duly and legally issued on March 5, 2019. A true and correct copy of U.S. Patent No. 10,221,780 is attached as Exhibit D.

74. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 10,221,780 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

75. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the

United States, or importing into the United States, and that infringes one or more claims of U.S. Patent No. 10,221,780:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 5300DFv, a multi-fuel Generator;

d. Model WGen 9500DFc, a multi-fuel Generator;

e. Model WGen 5300DFc, a multi-fuel Generator;

f. Model WGen 7500DF, a multi-fuel Generator;

g. Model WGen 9500TFc, a multi-fuel Generator;

h. Model WGen 11500TFc, a multi-fuel Generator; and

i. Model WGen 10500TFc, a multi-fuel Generator.

76. Upon acquisition, disassembly as needed, and review of the owner's manual, and inspection, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 2, 6, 7, 8, 9, 11, 14 and 15 of U.S. Patent No. 10,221,780. The foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line and a second fuel source through a second fuel line and a fuel lockout apparatus coupled to the mechanical fuel valve, wherein the mechanical fuel lockout switch communicates the first fuel source to the dual fuel engine and prevents communication between the second fuel source and the dual fuel engine when the mechanical fuel valve is in the first position and communicates the second fuel source to the dual fuel engine and interrupts the first fuel source communication with the dual fuel engine when in the second position and wherein the fuel lockout apparatus is configured 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, as called for in claim 1 of U.S. Patent No. 10,221,780.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the second fuel source communicates with the dual fuel engine, as called for in claim 2 of U.S. Patent No. 10,221,780.

c. Dependent claim 6 by specifically including all the aforementioned elements of claim 1 and, in addition, the mechanical fuel valve and the fuel lockout apparatus operate together to ensure that fuel from the first fuel source and fuel from the second fuel source are not simultaneously delivered to the dual fuel engine, as called for in claim 6 of U.S. Patent No. 10,221,780.

d. Dependent claim 7 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the mechanical fuel valve and the fuel lockout apparatus operate together to ensure that fuel from the first fuel source and fuel from the second fuel source are not simultaneously delivered to the dual fuel engine, as called for in claim 7 of U.S. Patent No. 10,221,780.

e. Independent claim 8 by specifically including a mechanical fuel lockout switch for an internal combustion engine, the mechanical fuel lockout being assembled by providing an internal combustion engine configured to operate on a fuel from a first fuel source and a different fuel from a second fuel source, coupling a mechanical fuel valve to the internal combustion engine actuatable between a first position and a second position to selectively control fuel flow to the internal combustion engine from the first

fuel source through a first fuel line and the second fuel source through a second fuel line, and coupling a fuel lockout apparatus to the mechanical fuel valve, wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the second fuel source is coupled to the internal combustion engine, as called for in claim 8 of U.S. Patent No. 10,221,780.

f. Dependent claim 9 by specifically including all the aforementioned elements of claim 8 and, in addition, wherein the fuel lockout apparatus is further configured to prevent coupling of the second fuel source to the second fuel line while the mechanical fuel valve is in the first position; and permit coupling of the second fuel source to the second fuel line while the mechanical fuel valve is in the second position, as called for in claim 9 of U.S. Patent No. 10,221,780.

g. Dependent claim 11 by specifically including all the aforementioned elements of claim 8 and, in addition, coupling a fuel regulator system to the second fuel source to reduce fuel pressure therefrom and deliver fuel to the second fuel line at a pressure required for operation of the internal combustion engine, as called for in claim 11 of U.S. Patent No. 10,221,780.

h. Dependent claim 14 by specifically including all the aforementioned elements of claim 8 and, in addition, providing gasoline in a liquid fuel tank as the first fuel source and LPG in a pressurized fuel container as the second fuel source, as called for in claim 14 of U.S. Patent No. 10,221,780.

i. Independent claim 15 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line and a second fuel source through a second fuel line and a fuel lockout apparatus coupled to the mechanical fuel valve, wherein the mechanical fuel

lockout switch communicates the first fuel source to the dual fuel engine and prevents communication between the second fuel source and the dual fuel engine when the mechanical fuel valve is in the first position and communicates the second fuel source to the dual fuel engine and interrupts the first fuel source communication with the dual fuel engine when in the second position and wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the second fuel source communicates with the dual fuel engine, as called for in claim 15 of U.S. Patent No. 10,221,780.

Therefore, the foregoing generator models listed in Paragraph 75(a)–(i) infringe at least claims 1, 2, 6, 7, 8, 9, 11, 14 and 15 of U.S. Patent No. 10,221,780.

77. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional Westinghouse generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model WGen 9500DF, a multi-fuel Generator;

e. Model iGen 4500DFc, a multi-fuel Generator;

f. Model iGen 4500DFcv, a multi-fuel Generator;

g. Model iGen 5000DF, a multi-fuel Generator;

h. Model iGen 5000DFc, a multi-fuel Generator;

i. Model WGen 3600DFcv, a multi-fuel Generator;

j. Model WGen 3600DFv, a multi-fuel Generator; and

k. Model WGen 5300DFcv, a multi-fuel Generator.

78. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator models listed in Paragraph

75, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 2, 6, 7, 8, 9, 11, 14 and 15 of U.S. Patent No. 10,221,780. Each of the foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line and a second fuel source through a second fuel line and a fuel lockout apparatus coupled to the mechanical fuel valve, wherein the mechanical fuel lockout switch communicates the first fuel source to the dual fuel engine and prevents communication between the second fuel source and the dual fuel engine when the mechanical fuel valve is in the first position and communicates the second fuel source to the dual fuel engine and interrupts the first fuel source communication with the dual fuel engine when in the second position and wherein the fuel lockout apparatus is configured 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, as called for in claim 1 of U.S. Patent No. 10,221,780.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the second fuel source communicates with the dual fuel engine, as called for in claim 2 of U.S. Patent No. 10,221,780.

c. Dependent claim 6 by specifically including all the aforementioned elements of claim 1 and, in addition, the mechanical fuel valve and the fuel lockout apparatus operate together to ensure that fuel from the first fuel

source and fuel from the second fuel source are not simultaneously delivered to the dual fuel engine, as called for in claim 6 of U.S. Patent No. 10,221,780.

d. Dependent claim 7 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the mechanical fuel valve and the fuel lockout apparatus operate together to ensure that fuel from the first fuel source and fuel from the second fuel source are not simultaneously delivered to the dual fuel engine, as called for in claim 7 of U.S. Patent No. 10,221,780.

e. Independent claim 8 by specifically including a mechanical fuel lockout switch for an internal combustion engine, the mechanical fuel lockout being assembled by providing an internal combustion engine configured to operate on a fuel from a first fuel source and a different fuel from a second fuel source, coupling a mechanical fuel valve to the internal combustion engine actuatable between a first position and a second position to selectively control fuel flow to the internal combustion engine from the first fuel source through a first fuel line and the second fuel source through a second fuel line, and coupling a fuel lockout apparatus to the mechanical fuel valve, wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the second fuel source is coupled to the internal combustion engine, as called for in claim 8 of U.S. Patent No. 10,221,780.

f. Dependent claim 9 by specifically including all the aforementioned elements of claim 8 and, in addition, wherein the fuel lockout apparatus is further configured to prevent coupling of the second fuel source to the second fuel line while the mechanical fuel valve is in the first position; and permit coupling of the second fuel source to the second fuel line while the

mechanical fuel valve is in the second position, as called for in claim 9 of U.S. Patent No. 10,221,780.

g. Dependent claim 11 by specifically including all the aforementioned elements of claim 8 and, in addition, coupling a fuel regulator system to the second fuel source to reduce fuel pressure therefrom and deliver fuel to the second fuel line at a pressure required for operation of the internal combustion engine, as called for in claim 11 of U.S. Patent No. 10,221,780.

h. Dependent claim 14 by specifically including all the aforementioned elements of claim 8 and, in addition, providing gasoline in a liquid fuel tank as the first fuel source and LPG in a pressurized fuel container as the second fuel source, as called for in claim 14 of U.S. Patent No. 10,221,780.

i. Independent claim 15 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line and a second fuel source through a second fuel line and a fuel lockout apparatus coupled to the mechanical fuel valve, wherein the mechanical fuel lockout switch communicates the first fuel source to the dual fuel engine and prevents communication between the second fuel source and the dual fuel engine when the mechanical fuel valve is in the first position and communicates the second fuel source to the dual fuel engine and interrupts the first fuel source communication with the dual fuel engine when in the second position and wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the second fuel source communicates with the dual fuel engine, as called for in claim 15 of U.S. Patent No. 10,221,780.

Therefore, the aforementioned generator models listed in Paragraph 77(a)–(k) infringe at least claims 1, 2, 6, 7, 8, 9, 11, 14 and 15 of U.S. Patent No. 10,221,780.

79. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 10,221,780.

80. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 10,221,780.

81. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

82. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT V: INFRINGEMENT OF U.S. PATENT NO. 11,905,895

83. Paragraphs 1 through 82 are incorporated by reference as if fully set forth herein.

84. U.S. Patent No. 11,905,895 is titled "DUAL FUEL LOCKOUT SWITCH FOR GENERATOR ENGINE." U.S. Patent No. 11,905,895 was duly and legally issued on February 20, 2024. A true and correct copy of U.S. Patent No. 11,905,895 is attached as Exhibit E.

85. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 11,905,895 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

86. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,905,895:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 5300DFv, a multi-fuel Generator;

d. Model WGen 9500DFc, a multi-fuel Generator;

e. Model WGen 5300DFc, a multi-fuel Generator;

f. Model WGen 7500DF, a multi-fuel Generator;

g. Model WGen 10500TFc, a multi-fuel Generator;

h. Model WGen 9500TFc, a multi-fuel Generator; and

i. Model WGen 11500TFc, a multi-fuel Generator.

87. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1 and 8 of U.S. Patent No. 11,905,895. The aforementioned Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line and a second fuel source through a second fuel line, the mechanical fuel valve configured to allow communication between the first fuel source and the dual fuel engine and prevent communication between the second fuel source and the dual fuel engine while in the first position and prevent communication between the first fuel source and the dual fuel engine while in the second position; and a fuel lockout apparatus coupled to the mechanical fuel valve and configured 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, as called for in claim 1 of U.S. Patent No. 11,905,895.

b. Independent claim 8 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line

Champion - EX2051, Page 42 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

and a second fuel source through a second fuel line, the mechanical fuel valve configured to allow communication between the first fuel source and the dual fuel engine and prevent communication between the second fuel source and the dual fuel engine while in the first position and prevent communication between the first fuel source and the dual fuel engine while in the second position; and a fuel lockout apparatus coupled to the mechanical fuel valve and configured to prevent actuation of the mechanical fuel valve to the first position when the second fuel source is in communication with the dual fuel engine, as called for in claim 8 of U.S. Patent No. 11,905,895.

Therefore, the aforementioned generator models listed in Paragraph 86(a)–(i) infringe at least claims 1 and 8 of U.S. Patent No. 11,905,895.

88. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model iGen 4500DFc, a multi-fuel Generator;

e. Model iGen 4500DFcv, a multi-fuel Generator;

f. Model iGen 5000DF, a multi-fuel Generator;

g. Model iGen 5000DFc, a multi-fuel Generator;

h. Model WGen 3600DFcv, a multi-fuel Generator;

i. Model WGen 3600DFv, a multi-fuel Generator; and

j. Model WGen 5300DFcv, a multi-fuel Generator.

89. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator models listed in Paragraph

86, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1 and 8 of U.S. Patent No. 11,905,895. Each of the foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line and a second fuel source through a second fuel line, the mechanical fuel valve configured to allow communication between the first fuel source and the dual fuel engine and prevent communication between the second fuel source and the dual fuel engine while in the first position and prevent communication between the first fuel source and the dual fuel engine while in the second position; and a fuel lockout apparatus coupled to the mechanical fuel valve and configured 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, as called for in claim 1 of U.S. Patent No. 11,905,895.

b. Independent claim 8 by specifically including a mechanical fuel lockout switch for a dual fuel engine having a mechanical fuel valve actuatable between a first position and a second position to selectively control fuel flow to the dual fuel engine from a first fuel source through a first fuel line and a second fuel source through a second fuel line, the mechanical fuel valve configured to allow communication between the first fuel source and the dual fuel engine and prevent communication between the second fuel source and the dual fuel engine while in the first position and prevent communication between the first fuel source and the dual fuel engine while in the second position; and a fuel lockout apparatus coupled to the

mechanical fuel valve and configured to prevent actuation of the mechanical fuel valve to the first position when the second fuel source is in communication with the dual fuel engine, as called for in claim 8 of U.S. Patent No. 11,905,895.

Therefore, the aforementioned generator models listed in Paragraph 88(a)–(j) infringe at least claims 1 and 8 of U.S. Patent No. 11,905,895.

90. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 11,905,895.

91. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,905,895.

92. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

93. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 10,697,398

94. Paragraphs 1 through 93 are incorporated by reference as if fully set forth herein.

95. U.S. Patent No. 10,697,398 is titled "BATTERYLESS DUAL FUEL ENGINE WITH LIQUID FUEL CUT-OFF." U.S. Patent No. 10,697,398 was duly and legally issued on June 30, 2020. A true and correct copy of U.S. Patent No. 10,697,398 is attached as Exhibit F.

96. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 10,697,398 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

97. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the

United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 10,697,398:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 5300DFV, a multi-fuel Generator;

d. Model WGen 9500DFc, a multi-fuel Generator;

e. Model WGen 5300DFc, a multi-fuel Generator;

f. Model WGen 7500DF, a multi-fuel Generator;

g. Model WGen 10500TFc, a multi-fuel Generator;

h. Model WGen 9500TFc, a multi-fuel Generator; and

i. Model WGen 11500TFc, a multi-fuel Generator.

98. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the aforementioned Westinghouse generator models include all of the elements of at least claims 1, 3, 4, 6, 7, 10, 11, 12, 19, 20, 21, 22, 57 and 58 of U.S. Patent No. 10,697,398. The foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a dual fuel engine comprising: an engine operable on a gaseous fuel and a liquid fuel; a switch to change operation of the engine between gaseous fuel and liquid fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect to a gaseous fuel source and a liquid fuel source; a liquid fuel valve positioned along a liquid fuel line coupling the liquid fuel source to the carburetor; a gaseous fuel valve positioned along a gaseous fuel line coupling the gaseous fuel source to the carburetor; and a liquid fuel cut-off incorporated into the carburetor to interrupt liquid fuel upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 1 of U.S. Patent No. 10,697,398.

b. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 3 of U.S. Patent No. 10,697,398.

c. Dependent claim 4 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the engine is a pull-start engine having an electrical power generator to supply electrical power, as called for in claim 4 of U.S. Patent No. 10,697,398.

d. Dependent claim 6 by specifically including all the aforementioned elements of claim 4 and, in addition, wherein the liquid fuel cut-off is a solenoid valve that operates within the carburetor to control liquid fuel flow to the engine and is powered by the electrical power generator, as called for in claim 6 of U.S. Patent No. 10,697,398.

e. Dependent claim 7 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the switch selectively powers the solenoid valve by controlling electrical connection between the solenoid valve and the electrical power generator, as called for in claim 7 of U.S. Patent No. 10,697,398.

f. Dependent claim 10 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the electrical power generator comprises a magneto or an alternator coupled to a voltage regulator to provide a regulated voltage to the solenoid valve, as called for in claim 10 of U.S. Patent No. 10,697,398.

g. Dependent claim 11 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the solenoid valve is open to provide liquid fuel to the engine when the solenoid valve is powered, as called for in claim 11 of U.S. Patent No. 10,697,398.

h. Dependent claim 12 by specifically including all the aforementioned elements of claim 11 and, in addition, wherein a pull-starter drives the electrical power generator to power and open the solenoid valve while starting the engine on liquid fuel, as called for in claim 12 of U.S. Patent No. 10,697,398.

i. Dependent claim 19 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is magnetically actuated to selectively interrupt liquid fuel, as called for in claim 19 of U.S. Patent No. 10,697,398.

j. Dependent claim 20 by specifically including all the aforementioned elements of claim 1 and, in addition, a spring pushing the liquid fuel cut-off to interrupt liquid fuel; and an actuating magnet coupled to the carburetor to selectively pull the liquid fuel cut-off against the spring away from a position interrupting liquid fuel, as called for in claim 20 of U.S. Patent No. 10,697,398.

k. Dependent claim 21 by specifically including all the aforementioned elements of claim 20 and, in addition, a housing at least partially enclosing the liquid fuel cutoff, the housing including a first section enclosing a plunger of the liquid fuel cut-off to the carburetor and holding the spring against the plunger; and a second section coupled to the first section and enclosing the actuating magnet , as called for in claim 21 of U.S. Patent No. 10,697,398.

l. Dependent claim 22 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is physically attached to an outer surface of the carburetor, as called for in claim 22 of U.S. Patent No. 10,697,398.

m. Independent claim 57 by specifically including a method of assembling a dual fuel engine comprising providing an engine operable on a gaseous fuel

and a liquid fuel; attaching a carburetor to an intake of the engine, the carburetor comprising a throat to mix gaseous fuel with air and liquid fuel with air, a float bowl, and a fuel passage extending from the float bowl to the throat to provide liquid fuel; coupling a switch to the engine to change operation of the engine between gaseous fuel and liquid fuel; and attaching a liquid fuel cut-off to the carburetor to close the fuel passage upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 57 of U.S. Patent No. 10,697,398.

n. Dependent claim 58 by specifically including all the aforementioned elements of claim 57 and, in addition, coupling a manually operated control operatively to the liquid fuel cut-off, as called for in claim 58 of U.S. Patent No. 10,697,398.

Therefore, the aforementioned generator models listed in Paragraph 97(a)–(i) infringe at least claims 1, 3, 4, 6, 7, 10, 11, 12, 19, 20, 21, 22, 57 and 58 of U.S. Patent No. 10,697,398.

99. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model iGen 4500DFc, a multi-fuel Generator;

e. Model iGen 4500DFcv, a multi-fuel Generator;

f. Model iGen 5000DF, a multi-fuel Generator; and

g. Model iGen 5000DFc, a multi-fuel Generator.

100. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator models listed in Paragraph 97, it was determined that the foregoing Westinghouse generator models include all of the elements

of at least claims 1, 3, 4, 6, 7, 10, 11, 12, 19, 20, 21, 22, 57 and 58 of U.S. Patent No. 10,697,398. Each of the foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a dual fuel engine comprising: an engine operable on a gaseous fuel and a liquid fuel; a switch to change operation of the engine between gaseous fuel and liquid fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect to a gaseous fuel source and a liquid fuel source; a liquid fuel valve positioned along a liquid fuel line coupling the liquid fuel source to the carburetor; a gaseous fuel valve positioned along a gaseous fuel line coupling the gaseous fuel source to the carburetor; and a liquid fuel cut-off incorporated into the carburetor to interrupt liquid fuel upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 1 of U.S. Patent No. 10,697,398.

b. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 3 of U.S. Patent No. 10,697,398.

c. Dependent claim 4 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the engine is a pull-start engine having an electrical power generator to supply electrical power, as called for in claim 4 of U.S. Patent No. 10,697,398.

d. Dependent claim 6 by specifically including all the aforementioned elements of claim 4 and, in addition, wherein the liquid fuel cut-off is a solenoid valve that operates within the carburetor to control liquid fuel flow to the engine and is powered by the electrical power generator, as called for in claim 6 of U.S. Patent No. 10,697,398.

e. Dependent claim 7 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the switch selectively powers

the solenoid valve by controlling electrical connection between the solenoid valve and the electrical power generator, as called for in claim 7 of U.S. Patent No. 10,697,398.

f. Dependent claim 10 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the electrical power generator comprises a magneto or an alternator coupled to a voltage regulator to provide a regulated voltage to the solenoid valve, as called for in claim 10 of U.S. Patent No. 10,697,398.

g. Dependent claim 11 by specifically including all the aforementioned elements of claim 6 and, in addition, wherein the solenoid valve is open to provide liquid fuel to the engine when the solenoid valve is powered, as called for in claim 11 of U.S. Patent No. 10,697,398.

h. Dependent claim 12 by specifically including all the aforementioned elements of claim 11 and, in addition, wherein a pull-starter drives the electrical power generator to power and open the solenoid valve while starting the engine on liquid fuel, as called for in claim 12 of U.S. Patent No. 10,697,398.

i. Dependent claim 19 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is magnetically actuated to selectively interrupt liquid fuel, as called for in claim 19 of U.S. Patent No. 10,697,398.

j. Dependent claim 20 by specifically including all the aforementioned elements of claim 1 and, in addition, a spring pushing the liquid fuel cut-off to interrupt liquid fuel; and an actuating magnet coupled to the carburetor to selectively pull the liquid fuel cut-off against the spring away from a position interrupting liquid fuel, as called for in claim 20 of U.S. Patent No. 10,697,398.

k. Dependent claim 21 by specifically including all the aforementioned elements of claim 20 and, in addition, a housing at least partially enclosing the liquid fuel cutoff, the housing including a first section enclosing a plunger of the liquid fuel cut-off to the carburetor and holding the spring against the plunger; and a second section coupled to the first section and enclosing the actuating magnet , as called for in claim 21 of U.S. Patent No. 10,697,398.

l. Dependent claim 22 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is physically attached to an outer surface of the carburetor, as called for in claim 22 of U.S. Patent No. 10,697,398.

m. Independent claim 57 by specifically including a method of assembling a dual fuel engine comprising providing an engine operable on a gaseous fuel and a liquid fuel; attaching a carburetor to an intake of the engine, the carburetor comprising a throat to mix gaseous fuel with air and liquid fuel with air, a float bowl, and a fuel passage extending from the float bowl to the throat to provide liquid fuel; coupling a switch to the engine to change operation of the engine between gaseous fuel and liquid fuel; and attaching a liquid fuel cut-off to the carburetor to close the fuel passage upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 57 of U.S. Patent No. 10,697,398.

n. Dependent claim 58 by specifically including all the aforementioned elements of claim 57 and, in addition, coupling a manually operated control operatively to the liquid fuel cut-off, as called for in claim 58 of U.S. Patent No. 10,697,398.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 99(a)–(g) infringe at least claims 1, 3, 4, 6, 7, 10, 11, 12, 19, 20, 21, 22, 57 and 58 of U.S. Patent No. 10,697,398.

101. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 5300DFv, a multi-fuel Generator.

102. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the aforementioned Westinghouse generator model includes all of the elements of at least claims 1, 2, 3, 4, 15, 22, 23, 57, and 58 of U.S. Patent No. 10,697,398. Each of the foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a dual fuel engine comprising: an engine operable on a gaseous fuel and a liquid fuel; a switch to change operation of the engine between gaseous fuel and liquid fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect to a gaseous fuel source and a liquid fuel source; a liquid fuel valve positioned along a liquid fuel line coupling the liquid fuel source to the carburetor; a gaseous fuel valve positioned along a gaseous fuel line coupling the gaseous fuel source to the carburetor; and a liquid fuel cut-off incorporated into the carburetor to interrupt liquid fuel upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 1 of U.S. Patent No. 10,697,398.

b. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the engine is a pull start, batteryless engine, as called for in claim 2 of U.S. Patent No. 10,697,398.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 3 of U.S. Patent No. 10,697,398.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the engine is a pull-start

engine having an electrical power generator to supply electrical power, as called for in claim 4 of U.S. Patent No. 10,697,398.

e. Dependent claim 6 by specifically including all the aforementioned elements of claim 4 and, in addition, wherein the liquid fuel cut-off is a solenoid valve that operates within the carburetor to control liquid fuel flow to the engine and is powered by the electrical power generator, as called for in claim 6 of U.S. Patent No. 10,697,398.

f. Dependent claim 15 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is manually actuated to interrupt liquid fuel, as called for in claim 15 of U.S. Patent No. 10,697,398.

g. Dependent claim 22 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is physically attached to an outer surface of the carburetor, as called for in claim 22 of U.S. Patent No. 10,697,398.

h. Independent claim 23 by specifically including a batteryless dual fuel generator comprising a housing containing a pull start engine coupled to drive an alternator, the engine operable on a gaseous fuel and a liquid fuel; a carburetor attached to an intake of the engine comprising a throat to mix fuel with air, a float bowl, and a fuel passage extending from the float bowl to the throat to provide liquid fuel; and a fuel shutoff attached to the carburetor to close the fuel passage upon selection of engine operation to gaseous fuel, as called for in claim 23 of U.S. Patent No. 10,697,398.

i. Independent claim 57 by specifically including a method of assembling a dual fuel engine comprising providing an engine operable on a gaseous fuel and a liquid fuel; attaching a carburetor to an intake of the engine, the carburetor comprising a throat to mix gaseous fuel with air and liquid fuel with air, a float bowl, and a fuel passage extending from the float bowl to

the throat to provide liquid fuel; coupling a switch to the engine to change operation of the engine between gaseous fuel and liquid fuel; and attaching a liquid fuel cut-off to the carburetor to close the fuel passage upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 57 of U.S. Patent No. 10,697,398.

j. Dependent claim 58 by specifically including all the aforementioned elements of claim 57 and, in addition, coupling a manually operated control operatively to the liquid fuel cut-off, as called for in claim 58 of U.S. Patent No. 10,697,398.

Therefore, the aforementioned Westinghouse generator model listed in Paragraph 101(a) infringes at least claims 1, 2, 3, 4, 15, 22, 23, 57, and 58 of U.S. Patent No. 10,697,398.

103. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 10,697,398:

a. Model WGen 3600DFcv, a multi-fuel Generator;

b. Model WGen 3600DFv, a multi-fuel Generator; and

c. Model WGen 5300DFcv, a multi-fuel Generator.

104. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 101, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 2, 3, 4, 15, 22, 23, 57, and 58 of U.S. Patent No. 10,697,398. The foregoing Westinghouse Generator Models infringe:

a. Independent claim 1 by specifically including a dual fuel engine comprising: an engine operable on a gaseous fuel and a liquid fuel; a switch to change operation of the engine between gaseous fuel and liquid fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect

to a gaseous fuel source and a liquid fuel source; a liquid fuel valve positioned along a liquid fuel line coupling the liquid fuel source to the carburetor; a gaseous fuel valve positioned along a gaseous fuel line coupling the gaseous fuel source to the carburetor; and a liquid fuel cut-off incorporated into the carburetor to interrupt liquid fuel upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 1 of U.S. Patent No. 10,697,398.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the engine is a pull start, batteryless engine, as called for in claim 2 of U.S. Patent No. 10,697,398.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 3 of U.S. Patent No. 10,697,398.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the engine is a pull-start engine having an electrical power generator to supply electrical power, as called for in claim 4 of U.S. Patent No. 10,697,398.

e. Dependent claim 15 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is manually actuated to interrupt liquid fuel, as called for in claim 15 of U.S. Patent No. 10,697,398.

f. Dependent claim 12 by specifically including all the aforementioned elements of claim 11 and, in addition, wherein a pull-starter drives the electrical power generator to power and open the solenoid valve while starting the engine on liquid fuel, as called for in claim 12 of U.S. Patent No. 10,697,398.

g. Dependent claim 22 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the liquid fuel cut-off is physically attached to an outer surface of the carburetor, as called for in claim 22 of U.S. Patent No. 10,697,398.

h. Independent claim 23 by specifically including a batteryless dual fuel generator comprising a housing containing a pull start engine coupled to drive an alternator, the engine operable on a gaseous fuel and a liquid fuel;

i. a carburetor attached to an intake of the engine comprising a throat to mix fuel with air, a float bowl, and a fuel passage extending from the float bowl to the throat to provide liquid fuel; and a fuel shutoff attached to the carburetor to close the fuel passage upon selection of engine operation to gaseous fuel, as called for in claim 23 of U.S. Patent No. 10,697,398.

j. Independent claim 57 by specifically including a method of assembling a dual fuel engine comprising providing an engine operable on a gaseous fuel and a liquid fuel; attaching a carburetor to an intake of the engine, the carburetor comprising a throat to mix gaseous fuel with air and liquid fuel with air, a float bowl, and a fuel passage extending from the float bowl to the throat to provide liquid fuel; coupling a switch to the engine to change operation of the engine between gaseous fuel and liquid fuel; and attaching a liquid fuel cut-off to the carburetor to close the fuel passage upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 57 of U.S. Patent No. 10,697,398.

k. Dependent claim 58 by specifically including all the aforementioned elements of claim 57 and, in addition, coupling a manually operated control operatively to the liquid fuel cut-off, as called for in claim 58 of U.S. Patent No. 10,697,398.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 103(a)–(c) infringe at least claims 1, 2, 3, 4, 15, 22, 23, 57, and 58 of U.S. Patent No. 10,697,398.

105. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 10,697,398:

a. Model WGen 12000DFc, a multi-fuel Generator.

106. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the aforementioned Westinghouse Generator Model includes all of the elements of at least claim 57 of U.S. Patent No. 10,697,398. The foregoing Westinghouse Generator Model infringes:

a. Independent claim 57 by specifically including a method of assembling a dual fuel engine comprising providing an engine operable on a gaseous fuel and a liquid fuel; attaching a carburetor to an intake of the engine, the carburetor comprising a throat to mix gaseous fuel with air and liquid fuel with air, a float bowl, and a fuel passage extending from the float bowl to the throat to provide liquid fuel; coupling a switch to the engine to change operation of the engine between gaseous fuel and liquid fuel; and attaching a liquid fuel cut-off to the carburetor to close the fuel passage upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 57 of U.S. Patent No. 10,697,398.

Therefore, the aforementioned Westinghouse generator model listed in Paragraph 105(a) infringes at least claim 57 of U.S. Patent No. 10,697,398.

107. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator model:

a. Model WGen 12000DF, a multi-fuel Generator.

108. Upon review of the owner's manual of the WGen 12000DFc generator and the owner's manual for the WGen 12000DF including review of images and electrical schematics, it was determined that the Westinghouse Model WGen 12000DF includes all of the elements of at

least claim 57 of U.S. Patent No. 10,697,398. The foregoing Westinghouse generator model infringes:

a. Independent claim 57 by specifically including a method of assembling a dual fuel engine comprising providing an engine operable on a gaseous fuel and a liquid fuel; attaching a carburetor to an intake of the engine, the carburetor comprising a throat to mix gaseous fuel with air and liquid fuel with air, a float bowl, and a fuel passage extending from the float bowl to the throat to provide liquid fuel; coupling a switch to the engine to change operation of the engine between gaseous fuel and liquid fuel; and attaching a liquid fuel cut-off to the carburetor to close the fuel passage upon actuation of the switch from liquid fuel to gaseous fuel, as called for in claim 57 of U.S. Patent No. 10,697,398.

Therefore, the aforementioned Westinghouse generator model listed in Paragraph 107(a) infringes at least claim 57 of U.S. Patent No. 10,697,398.

109. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 10,697,398.

110. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 10,697,398.

111. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

112. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT VII: INFRINGEMENT OF U.S. PATENT NO. 11,143,145

113. Paragraphs 1 through 112 are incorporated by reference as if fully set forth herein.

114. U.S. Patent No. 11,143,145 is titled "BATTERYLESS DUAL FUEL ENGINE WITH LIQUID FUEL CUT-OFF." U.S. Patent No. 11,143,145 was duly and legally issued on October 12, 2021. A true and correct copy of U.S. Patent No. 11,143,145 is attached as Exhibit G.

115. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 11,143,145 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

116. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,143,145:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 9500DFc, a multi-fuel Generator;

d. Model WGen 5300DFc, a multi-fuel Generator;

e. Model WGen 7500DF, a multi-fuel Generator;

f. aModel WGen 10500TFc, a multi-fuel Generator;

g. Model WGen 9500TFc, a multi-fuel Generator; and

h. Model WGen 11500TFc, a multi-fuel Generator

117. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1–5, and 10 of U.S. Patent No. 11,143,145. The foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a dual fuel generator comprising: an engine operable on a gaseous fuel and a liquid fuel; an electrical power generator driven by the engine and comprising a charging coil; a switch to change operation of the engine between gaseous fuel and liquid fuel; a carburetor attached to an intake of the engine to mix air and

fuel and connect to a gaseous fuel source and a liquid fuel source; a liquid fuel cut-off solenoid to interrupt liquid fuel flow to the engine upon actuation of the switch from liquid fuel to gaseous fuel; and a voltage regulator coupled to the charging coil to receive power therefrom and that operates to provide a regulated voltage to the liquid fuel cut-off solenoid, as called for in claim 1 of U.S. Patent No. 11,143,145.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, a liquid fuel valve along a liquid fuel line coupling the liquid fuel source to the carburetor; and a gaseous fuel valve along a gaseous fuel line coupling the gaseous fuel source to the carburetor, as called for in claim 2 of U.S. Patent No. 11,143,145.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 2 and, in addition, wherein each of the liquid fuel valve and the gaseous fuel valve comprises a mechanical valve, as called for in claim 3 of U.S. Patent No. 11,143,145.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 2 and, in addition, wherein the liquid fuel cut-off solenoid is attached to the carburetor, as called for in claim 4 of U.S. Patent No. 11,143,145.

e. Dependent claim 5 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 5 of U.S. Patent No. 11,143,145.

f. Dependent claim 10 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the electrical power generator comprises a magneto or an alternator, as called for in claim 10 of U.S. Patent No. 11,143,145.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 116(a)-(h)

Champion - EX2051, Page 61 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

infringe at least claims 1–5 and 10 of U.S. Patent No. 11,143,145.

118. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model WGen 9500DF, a multi-fuel Generator;

e. Model iGen 4500DFc, a multi-fuel Generator;

f. Model iGen 4500DFcv, a multi-fuel Generator;

g. Model iGen 5000DF, a multi-fuel Generator; and

h. Model iGen 5000DFc, a multi-fuel Generator.

119. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 116, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 2, 3, 4, 5, and 10 of U.S. Patent No. 11,143,145. The foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a dual fuel generator comprising: an engine operable on a gaseous fuel and a liquid fuel; an electrical power generator driven by the engine and comprising a charging coil; a switch to change operation of the engine between gaseous fuel and liquid fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect to a gaseous fuel source and a liquid fuel source; a liquid fuel cut-off solenoid to interrupt liquid fuel flow to the engine upon actuation of the switch from liquid fuel to gaseous fuel; and a voltage regulator coupled to the charging coil to receive power therefrom and that

operates to provide a regulated voltage to the liquid fuel cut-off solenoid, as called for in claim 1 of U.S. Patent No. 11,143,145.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, a liquid fuel valve along a liquid fuel line coupling the liquid fuel source to the carburetor; and a gaseous fuel valve along a gaseous fuel line coupling the gaseous fuel source to the carburetor, as called for in claim 2 of U.S. Patent No. 11,143,145.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 2 and, in addition, wherein each of the liquid fuel valve and the gaseous fuel valve comprises a mechanical valve, as called for in claim 3 of U.S. Patent No. 11,143,145.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 2 and, in addition, wherein the liquid fuel cut-off solenoid is attached to the carburetor, as called for in claim 4 of U.S. Patent No. 11,143,145.

e. Dependent claim 5 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 5 of U.S. Patent No. 11,143,145.

f. Dependent claim 10 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the electrical power generator comprises a magneto or an alternator, as called for in claim 10 of U.S. Patent No. 11,143,145.

Therefore, aforementioned Westinghouse generator models listed in Paragraph 118(a)–(h) infringe at least claims 1-5, and 10 of U.S. Patent No. 11,143,145.

120. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the

United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,143,145:

a. Model WGen 5300DFv, a multi-fuel Generator.

121. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator model includes all of the elements of at least claims 11 and 13 of U.S. Patent No. 11,143,145. The foregoing Westinghouse generator model infringes:

a. Independent claim 11 by specifically including a dual fuel generator comprising an engine operable on a gaseous fuel and a liquid fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect to a gaseous fuel source and a liquid fuel source; and a manually actuated fuel shutoff coupled to the carburetor, the manually actuated fuel shutoff comprising a first end in the carburetor that actuates to selectively allow or block a flow of fuel through the carburetor; and a second end external to the carburetor to actuate the first end, as called for in claim 11 of U.S. Patent No. 11,143,145.

b. Dependent claim 13 by specifically including all the aforementioned elements of claim 11 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 13 of U.S. Patent No. 11,143,145.

Therefore, the aforementioned Westinghouse generator model listed in Paragraph 120(a) infringes at least claims 11 and 13 of U.S. Patent No. 11,143,145.

122. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DFcv, a multi-fuel Generator;

b. Model WGen 3600DFv, a multi-fuel Generator; and

c. Model WGen 5300DFcv, a multi-fuel Generator.

123. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 120, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 11 and 13 of U.S. Patent No. 11,143,145. The foregoing Westinghouse generator models infringe:

a. Independent claim 11 by specifically including a dual fuel generator comprising an engine operable on a gaseous fuel and a liquid fuel; a carburetor attached to an intake of the engine to mix air and fuel and connect to a gaseous fuel source and a liquid fuel source; and a manually actuated fuel shutoff coupled to the carburetor, the manually actuated fuel shutoff comprising a first end in the carburetor that actuates to selectively allow or block a flow of fuel through the carburetor; and a second end external to the carburetor to actuate the first end, as called for in claim 11 of U.S. Patent No. 11,143,145.

b. Dependent claim 13 by specifically including all the aforementioned elements of claim 11 and, in addition, wherein the gaseous fuel is LPG and the liquid fuel is gasoline, as called for in claim 13 of U.S. Patent No. 11,143,145.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 122(a)–(c) infringe at least claims 11 and 13 of U.S. Patent No. 11,143,145.

124. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 11,143,145.

125. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,143,145.

126. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2)

license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

127. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. 10,598,101

128. Paragraphs 1 through 127 are incorporated by reference as if fully set forth herein.

129. U.S. Patent No. 10,598,101 is titled "DUAL FUEL SELECTOR SWITCH." U.S. Patent No. 10,598,101 was duly and legally issued on March 24, 2020. A true and correct copy of U.S. Patent No. 10,598,101 is attached as Exhibit H.

130. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 10,598,101 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

131. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 10,598,101:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 5300DFv, a multi-fuel Generator;

d. Model WGen 9500DFc, a multi-fuel Generator;

e. Model WGen 5300DFc, a multi-fuel Generator;

f. Model WGen 7500DF, a multi-fuel Generator;

g. Model WGen 10500TFc, a multi-fuel Generator;

h. Model WGen 9500TFc, a multi-fuel Generator; and

i. Model WGen 11500TFc, a multi-fuel Generator.

132. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator

Champion - EX2031, Page 66 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

models include all of the elements of at least claims 1, 2, 8, 9, 10, 11, 16, 18, and 19 of U.S. Patent No. 11,905,895. The aforementioned Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: 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 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; wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and wherein the first fuel valve and the second fuel valve are mechanical valves, as called for in claim 1 of U.S. Patent No. 10,598,101.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 2 of U.S. Patent No. 10,598,101.

c. Dependent claim 8 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the first fuel valve is attached to a liquefied petroleum gas (LPG) fuel source and wherein the second fuel valve is attached to a gasoline source, as called for in claim 8 of U.S. Patent No. 10,598,101.

d. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the mechanical valve of each

of the first fuel valve and the second fuel valve is a non-solenoid valve, as called for in claim 9 of U.S. Patent No. 10,598,101.

e. Independent claim 10 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: 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 at least one valve handle positioned on and operably connected to the valve assembly to actuate the valve assembly to enable one of the first fuel flow and the second fuel flow to the engine; wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and wherein the at least one valve handle is mechanically coupled to the first fuel valve and the second fuel valve to selectively open and close the first fuel valve and the second fuel valve responsive to actuation thereof, as called for in claim 10 of U.S. Patent No. 10,598,101.

f. Dependent claim 16 by specifically including all the aforementioned elements of claim 10 and, in addition, wherein the first fuel source comprises LPG and the second fuel source comprises gasoline, as called for in claim 16 of U.S. Patent No. 10,598,101.

g. Independent claim 18 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: 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 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; wherein the valve assembly comprises: two fuel inputs, with a first fuel input connected to the first fuel source and a second fuel input connected to the second fuel source; and two fuel outputs supplying fuel from only one of the first fuel source or the second fuel source, wherein the valve assembly comprises a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 18 of U.S. Patent No. 10,598,101.

h. Dependent claim 19 by specifically including all the aforementioned elements of claim 18 and, in addition, wherein the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 19 of U.S. Patent No. 10,598,101.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 131(a)–(i) infringe at least claims 1, 2, 8, 9, 10, 11, 16, 18, and 19 of U.S. Patent No. 10,598,101.

133. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model WGen 9500DF, a multi-fuel Generator;

e. Model iGen 4500DFc, a multi-fuel Generator;

f. Model iGen 4500DFcv, a multi-fuel Generator;

g. Model iGen 5000DF, a multi-fuel Generator;

h. Model iGen 5000DFc, a multi-fuel Generator;

i. Model WGen 3600DFcv, a multi-fuel Generator;

j. Model WGen 3600DFv, a multi-fuel Generator; and

k. Model WGen 5300DFcv, a multi-fuel Generator.

134. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 131, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1, 2, 8, 9, 10, 11 16, 18, and 19 of U.S. Patent No. 10,598,101. The foregoing Westinghouse generator models infringe:

a. Independent claim 1 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: 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 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; wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and wherein the first fuel valve and the second fuel valve are mechanical valves, as called for in claim 1 of U.S. Patent No. 10,598,101.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 2 of U.S. Patent No. 10,598,101.

c. Dependent claim 8 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the first fuel valve is attached

Champion - EX2051, Page 70 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

to a liquefied petroleum gas (LPG) fuel source and wherein the second fuel valve is attached to a gasoline source, as called for in claim 8 of U.S. Patent No. 10,598,101.

d. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, wherein the mechanical valve of each of the first fuel valve and the second fuel valve is a non-solenoid valve, as called for in claim 9 of U.S. Patent No. 10,598,101.

e. Independent claim 10 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: 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 at least one valve handle positioned on and operably connected to the valve assembly to actuate the valve assembly to enable one of the first fuel flow and the second fuel flow to the engine; wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and wherein the at least one valve handle is mechanically coupled to the first fuel valve and the second fuel valve to selectively open and close the first fuel valve and the second fuel valve responsive to actuation thereof, as called for in claim 10 of U.S. Patent No. 10,598,101.

f. Dependent claim 16 by specifically including all the aforementioned elements of claim 10 and, in addition, wherein the first fuel source comprises LPG and the second fuel source comprises gasoline, as called for in claim 16 of U.S. Patent No. 10,598,101.

g. Independent claim 18 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: 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 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; wherein the valve assembly comprises: two fuel inputs, with a first fuel input connected to the first fuel source and a second fuel input connected to the second fuel source; and two fuel outputs supplying fuel from only one of the first fuel source or the second fuel source, wherein the valve assembly comprises a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 18 of U.S. Patent No. 10,598,101.

h. Dependent claim 19 by specifically including all the aforementioned elements of claim 18 and, in addition, wherein the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 19 of U.S. Patent No. 10,598,101.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 133(a)–(k) infringe at least claims 1, 2, 8, 9, 10, 11, 16, 18, and 19 of U.S. Patent No. 10,598,101.

135. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 10,598,101.

136. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 10,598,101.

137. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

138. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT IX: INFRINGEMENT OF U.S. PATENT NO. 11,306,667

139. Paragraphs 1 through 138 are incorporated by reference as if fully set forth herein.

140. U.S. Patent No. 11,306,667 is titled "DUAL FUEL SELECTOR SWITCH." U.S. Patent No. 11,306,667 was duly and legally issued on April 19, 2022. A true and correct copy of U.S. Patent No. 11,306,667 is attached as Exhibit I.

141. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 11,306,667 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

142. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,306,667:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 9500DFc, a multi-fuel Generator;

d. Model WGen 7500DF, a multi-fuel Generator;

e. Model WGen 10500TFc, a multi-fuel Generator;

f. Model WGen 9500TFc, a multi-fuel Generator; and

g. Model WGen 11500TFc, a multi-fuel Generator.

143. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that each of the foregoing Westinghouse

generator models include all of the elements of at least claims 1–9 of U.S. Patent No. 11,306,667. The foregoing Westinghouse Generator Models infringe:

a. Independent claim 1 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector a selector having a valve assembly fluidly connected to each of a first fuel source and a second fuel source, 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 including two fuel inputs, with a first fuel input connected to the first fuel source and a second fuel input connected to the second fuel source, and two fuel outputs for selectively supplying fuel to an engine from the first fuel source or the second fuel source; and 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, as called for in claim 1 of U.S. Patent No. 11,306,667.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, 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, as called for in claim 2 of U.S. Patent No. 11,306,667.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, the valve assembly has a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 3 of U.S. Patent No. 11,306,667.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 3 and, in addition, the first fuel valve and the second fuel

valve are non-solenoid, mechanical valves, as called for in claim 4 of U.S. Patent No. 11,306,667.

e. Dependent claim 5 by specifically including all the aforementioned elements of claim 3 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 5 of U.S. Patent No. 11,306,667.

f. Dependent claim 6 by specifically including all the aforementioned elements of claim 1 and, in addition, a carburetor solenoid switch configured to activate an associated carburetor solenoid when actuated, as called for in claim 6 of U.S. Patent No. 11,306,667.

g. Dependent claim 7 by specifically including all the aforementioned elements of claim 6 and, in addition, 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, as called for in claim 7 of U.S. Patent No. 11,306,667.

h. Dependent claim 8 by specifically including all the aforementioned elements of claim 7 and, in addition, when the selector switch is in a second position, the carburetor solenoid allows the second fuel flow to the engine, as called for in claim 8 of U.S. Patent No. 11,306,667.

i. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, the first fuel source is an LPG fuel source and wherein the second fuel source is a gasoline source, as called for in claim 9 of U.S. Patent No. 11,306,667.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 142(a)–(g) infringe at least claims 1-9 of U.S. Patent No. 11,306,667.

144. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model iGen 4500DFc, a multi-fuel Generator;

e. Model iGen 4500DFcv, a multi-fuel Generator;

f. Model iGen 5000DF, a multi-fuel Generator; and

g. Model iGen 5000DFc, a multi-fuel Generator.

145. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 142, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1–9 of U.S. Patent No. 11,306,667. The foregoing Westinghouse Generator Models infringe:

a. Independent claim 1 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector a selector having a valve assembly fluidly connected to each of a first fuel source and a second fuel source, 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 including two fuel inputs, with a first fuel input connected to the first fuel source and a second fuel input connected to the second fuel source, and two fuel outputs for selectively supplying fuel to an engine from the first fuel source or the second fuel source; and 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, as called for in claim 1 of U.S. Patent No. 11,306,667.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, 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, as called for in claim 2 of U.S. Patent No. 11,306,667.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, the valve assembly has a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 3 of U.S. Patent No. 11,306,667.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 3 and, in addition, the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 4 of U.S. Patent No. 11,306,667.

e. Dependent claim 5 by specifically including all the aforementioned elements of claim 3 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 5 of U.S. Patent No. 11,306,667.

f. Dependent claim 6 by specifically including all the aforementioned elements of claim 1 and, in addition, a carburetor solenoid switch configured to activate an associated carburetor solenoid when actuated, as called for in claim 6 of U.S. Patent No. 11,306,667.

g. Dependent claim 7 by specifically including all the aforementioned elements of claim 6 and, in addition, 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, as called for in claim 7 of U.S. Patent No. 11,306,667.

h. Dependent claim 8 by specifically including all the aforementioned elements of claim 7 and, in addition, when the selector switch is in a second position, the carburetor solenoid allows the second fuel flow to the engine, as called for in claim 8 of U.S. Patent No. 11,306,667.

i. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, the first fuel source is an LPG fuel source and wherein the second fuel source is a gasoline source, as called for in claim 9 of U.S. Patent No. 11,306,667.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 144(a)–(g) infringe at least claims 1–9 of U.S. Patent No. 11,306,667.

146. Champion has acquired and inspected the following Westinghouse generator model that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,306,667:

a. Model WGen 5300DFv, a multi-fuel Generator.

147. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that Westinghouse Model WGen 5300DFv includes all of the elements of at least claims 1–5, and 9 of U.S. Patent No. 11,306,667. The foregoing Westinghouse Generator Models infringe:

a. Independent claim 1 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector a selector having a valve assembly fluidly connected to each of a first fuel source and a second fuel source, 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 including two fuel inputs, with a first fuel input connected to the first fuel source and a second fuel input

connected to the second fuel source, and two fuel outputs for selectively supplying fuel to an engine from the first fuel source or the second fuel source; and 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, as called for in claim 1 of U.S. Patent No. 11,306,667.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, 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, as called for in claim 2 of U.S. Patent No. 11,306,667.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, the valve assembly has a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 3 of U.S. Patent No. 11,306,667.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 3 and, in addition, the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 4 of U.S. Patent No. 11,306,667.

e. Dependent claim 5 by specifically including all the aforementioned elements of claim 3 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 5 of U.S. Patent No. 11,306,667.

f. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, the first fuel source is an LPG fuel

source and wherein the second fuel source is a gasoline source, as called for in claim 9 of U.S. Patent No. 11,306,667.

Therefore, the aforementioned Westinghouse generator model listed in Paragraph 146(a) infringes at least claims 1–5 and 9 of U.S. Patent No. 11,306,667.

148. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DFcv, a multi-fuel Generator;

b. Model WGen 3600DFv, a multi-fuel Generator; and

c. Model WGen 5300DFcv, a multi-fuel Generator.

149. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 146, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 1–5 and 9 of U.S. Patent No. 11,306,667. The foregoing Westinghouse Generator Models infringe:

a. Independent claim 1 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector a selector having a valve assembly fluidly connected to each of a first fuel source and a second fuel source, 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 including two fuel inputs, with a first fuel input connected to the first fuel source and a second fuel input connected to the second fuel source, and two fuel outputs for selectively supplying fuel to an engine from the first fuel source or the second fuel source; and 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, as called for in claim 1 of U.S. Patent No. 11,306,667.

b. Dependent claim 2 by specifically including all the aforementioned elements of claim 1 and, in addition, 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, as called for in claim 2 of U.S. Patent No. 11,306,667.

c. Dependent claim 3 by specifically including all the aforementioned elements of claim 1 and, in addition, the valve assembly has a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 3 of U.S. Patent No. 11,306,667.

d. Dependent claim 4 by specifically including all the aforementioned elements of claim 3 and, in addition, the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 4 of U.S. Patent No. 11,306,667.

e. Dependent claim 5 by specifically including all the aforementioned elements of claim 3 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 5 of U.S. Patent No. 11,306,667.

f. Dependent claim 9 by specifically including all the aforementioned elements of claim 1 and, in addition, the first fuel source is an LPG fuel source and wherein the second fuel source is a gasoline source, as called for in claim 9 of U.S. Patent No. 11,306,667.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 148(a)–(c) infringe at least claims 1–5 and 9 of U.S. Patent No. 11,306,667.

150. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 11,306,667.

151. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,306,667.

152. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and have actual notice of all of Champion's patents and published patent applications as of their publication dates.

153. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

COUNT X: INFRINGEMENT OF U.S. PATENT NO. 11,905,896

154. Paragraphs 1 through 153 are incorporated by reference as if fully set forth herein.

155. U.S. Patent No. 11,905,896 is titled "DUAL FUEL SELECTOR SWITCH." U.S. Patent No. 11,905,896 was duly and legally issued on February 20, 2024. A true and correct copy of U.S. Patent No. 11,905,896 is attached as Exhibit J.

156. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 11,905,896 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

157. Champion has acquired and inspected the following Westinghouse generator models that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,905,896:

a. Model WGen 3600DFc, a multi-fuel Generator;

b. Model iGen 4500DF, a multi-fuel Generator;

c. Model WGen 9500DFc, a multi-fuel Generator;

d. Model WGen 5300DFc, a multi-fuel Generator;

e. Model WGen 7500DF, a multi-fuel Generator;

f. Model WGen 10500TFc, a multi-fuel Generator;

g. Model WGen 9500TFc, a multi-fuel Generator; and

h. Model WGen 11500TFc, a multi-fuel Generator.

158. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, 35, 36, 37, and 38 of U.S. Patent No. 11,905,896. The foregoing Westinghouse generator models infringe:

a. Independent claim 7 by specifically including fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising a first mechanical fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second mechanical fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and a selector switch movable with respect to the valve assembly to allow a user to manually select the first fuel flow or the second fuel flow , as called for in claim 7 of U.S. Patent No. 11,905,896.

b. Dependent claim 8 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 8 of U.S. Patent No. 11,905,896.

c. Dependent claim 14 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the first fuel valve is couplable to a liquefied petroleum gas (LPG) fuel source; and the second fuel valve is

couplable to a gasoline source, as called for in claim 14 of U.S. Patent No. 11,905,896.

d. Independent claim 15 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and at least one valve handle mechanically coupled to the first fuel valve and the second fuel valve to selectively open and close the first fuel valve and the second fuel valve responsive to actuation thereof so as to enable the first fuel flow to the engine or the second fuel flow to the engine, as called for in claim 15 of U.S. Patent No. 11,905,896.

e. Dependent claim 16 by specifically including all the aforementioned elements of claim 15 and, in addition, wherein the at least one valve handle enables only one of the first and second fuel flows to the engine at a given time, as called for in claim 16 of U.S. Patent No. 11,905,896.

f. Independent claim 30 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising: two fuel inputs comprising: a first fuel input couplable to the first fuel source; and a second fuel input couplable to the second fuel source; and two fuel outputs configured to

selectively supply fuel to the engine from the first fuel source or the second fuel source; and a selector switch positioned on the valve assembly to allow a user to manually select the first fuel flow or the second fuel flow, as called for in claim 30 of U.S. Patent No. 11,905,896.

g. Dependent claim 31 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the two fuel outputs are configured to selectively supply fuel to the engine from only one of the first and second fuel sources 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, as called for in claim 31 of U.S. Patent No. 11,905,896.

h. Dependent claim 32 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 32 of U.S. Patent No. 11,905,896.

i. Dependent claim 34 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 34 of U.S. Patent No. 11,905,896.

j. Dependent claim 35 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 35 of U.S. Patent No. 11,905,896.

k. Dependent claim 36 by specifically including all the aforementioned elements of claim 30 and, in addition, a carburetor solenoid switch

configured to activate an associated carburetor solenoid when actuated, as called for in claim 36 of U.S. Patent No. 11,905,896.

l. Dependent claim 37 by specifically including all the aforementioned elements of claim 36 and, in addition, 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 prohibit the second fuel flow to the engine, as called for in claim 37 of U.S. Patent No. 11,905,896.

m. Dependent claim 38 by specifically including all the aforementioned elements of claim 37 and, in addition, wherein, when the selector switch is in a second position, the carburetor solenoid allows the second fuel flow to the engine, as called for in claim 38 of U.S. Patent No. 11,905,896.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 157(a)–(h) infringe at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, 35, 36, 37, and 38 of U.S. Patent No. 11,905,896.

159. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DF, a multi-fuel Generator;

b. Model WGen 5300DF, a multi-fuel Generator;

c. Model WGen 7500DFc, a multi-fuel Generator;

d. Model WGen 9500DF, a multi-fuel Generator;

e. Model iGen 4500DFc, a multi-fuel Generator;

f. Model iGen 4500DFcv, a multi-fuel Generator;

g. Model iGen 5000DF, a multi-fuel Generator; and

h. Model iGen 5000DFc, a multi-fuel Generator.

160. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph

157, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, 35, 36, 37, and 38 of U.S. Patent No. 11,905,896. The foregoing Westinghouse generator models infringe:

a. Independent claim 7 by specifically including fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising a first mechanical fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second mechanical fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and a selector switch movable with respect to the valve assembly to allow a user to manually select the first fuel flow or the second fuel flow , as called for in claim 7 of U.S. Patent No. 11,905,896.

b. Dependent claim 8 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 8 of U.S. Patent No. 11,905,896.

c. Dependent claim 14 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the first fuel valve is couplable to a liquefied petroleum gas (LPG) fuel source; and the second fuel valve is couplable to a gasoline source, as called for in claim 14 of U.S. Patent No. 11,905,896.

d. Independent claim 15 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and operable

Champion - EX2051, Page 87 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228

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, the valve assembly comprising a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and at least one valve handle mechanically coupled to the first fuel valve and the second fuel valve to selectively open and close the first fuel valve and the second fuel valve responsive to actuation thereof so as to enable the first fuel flow to the engine or the second fuel flow to the engine, as called for in claim 15 of U.S. Patent No. 11,905,896.

e. Dependent claim 16 by specifically including all the aforementioned elements of claim 15 and, in addition, wherein the at least one valve handle enables only one of the first and second fuel flows to the engine at a given time, as called for in claim 16 of U.S. Patent No. 11,905,896.

f. Independent claim 30 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising: two fuel inputs comprising: a first fuel input couplable to the first fuel source; and a second fuel input couplable to the second fuel source; and two fuel outputs configured to selectively supply fuel to the engine from the first fuel source or the second fuel source; and a selector switch positioned on the valve assembly to allow a user to manually select the first fuel flow or the second fuel flow, as called for in claim 30 of U.S. Patent No. 11,905,896.

g. Dependent claim 31 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the two fuel outputs are configured to selectively supply fuel to the engine from only one of the first and second fuel sources 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, as called for in claim 31 of U.S. Patent No. 11,905,896.

h. Dependent claim 32 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 32 of U.S. Patent No. 11,905,896.

i. Dependent claim 34 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 34 of U.S. Patent No. 11,905,896.

j. Dependent claim 35 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 35 of U.S. Patent No. 11,905,896.

k. Dependent claim 36 by specifically including all the aforementioned elements of claim 30 and, in addition, a carburetor solenoid switch configured to activate an associated carburetor solenoid when actuated, as called for in claim 36 of U.S. Patent No. 11,905,896.

l. Dependent claim 37 by specifically including all the aforementioned elements of claim 36 and, in addition, 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 prohibit the second fuel flow to the engine, as called for in claim 37 of U.S. Patent No. 11,905,896.

m. Dependent claim 38 by specifically including all the aforementioned elements of claim 37 and, in addition, wherein, when the selector switch is in a second position, the carburetor solenoid allows the second fuel flow to the engine, as called for in claim 38 of U.S. Patent No. 11,905,896.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 159(a)–(h) infringe at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, 35, 36, 37, and 38 of U.S. Patent No. 11,905,896.

161. Champion has acquired and inspected the following Westinghouse generator model that Defendants have been and are making, using, selling, or offering for sale within the United States, or importing into the United States, and that infringe one or more claims of U.S. Patent No. 11,905,896:

a. Model WGen 5300DFv, a multi-fuel Generator.

162. Upon acquisition, disassembly as needed, review of the owner's manual and electrical schematics, and inspection, it was determined that the aforementioned Westinghouse generator model includes all of the elements of at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, and 35 of U.S. Patent No. 11,905,896. The foregoing Westinghouse Generator Model infringes:

a. Independent claim 7 by specifically including fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising a first mechanical fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second mechanical fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and a selector switch movable with respect to the valve assembly to allow a user

to manually select the first fuel flow or the second fuel flow , as called for in claim 7 of U.S. Patent No. 11,905,896.

b. Dependent claim 8 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 8 of U.S. Patent No. 11,905,896.

c. Dependent claim 14 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the first fuel valve is couplable to a liquefied petroleum gas (LPG) fuel source; and the second fuel valve is couplable to a gasoline source, as called for in claim 14 of U.S. Patent No. 11,905,896.

d. Independent claim 15 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and at least one valve handle mechanically coupled to the first fuel valve and the second fuel valve to selectively open and close the first fuel valve and the second fuel valve responsive to actuation thereof so as to enable the first fuel flow to the engine or the second fuel flow to the engine, as called for in claim 15 of U.S. Patent No. 11,905,896.

e. Dependent claim 16 by specifically including all the aforementioned elements of claim 15 and, in addition, wherein the at least one valve handle

enables only one of the first and second fuel flows to the engine at a given time, as called for in claim 16 of U.S. Patent No. 11,905,896.

f. Independent claim 30 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising: two fuel inputs comprising: a first fuel input couplable to the first fuel source; and a second fuel input couplable to the second fuel source; and two fuel outputs configured to selectively supply fuel to the engine from the first fuel source or the second fuel source; and a selector switch positioned on the valve assembly to allow a user to manually select the first fuel flow or the second fuel flow, as called for in claim 30 of U.S. Patent No. 11,905,896.

g. Dependent claim 31 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the two fuel outputs are configured to selectively supply fuel to the engine from only one of the first and second fuel sources 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, as called for in claim 31 of U.S. Patent No. 11,905,896.

h. Dependent claim 32 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine, as called for in claim 32 of U.S. Patent No. 11,905,896.

i. Dependent claim 34 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the first fuel valve and the

second fuel valve are non-solenoid, mechanical valves, as called for in claim 34 of U.S. Patent No. 11,905,896.

j. Dependent claim 35 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 35 of U.S. Patent No. 11,905,896.

Therefore, the aforementioned Westinghouse generator model listed in Paragraph 161(a) infringes at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, and 35 of U.S. Patent No. 11,905,896.

163. Upon information and belief, Defendants have been and are now making, using, selling, or offering for sale within the United States, or importing into the United States, the following additional generator models:

a. Model WGen 3600DFcv, a multi-fuel Generator;

b. Model WGen 3600DFv, a multi-fuel Generator; and

c. Model WGen 5300DFcv, a multi-fuel Generator.

164. Upon review of images and the owner's manuals of the foregoing Westinghouse generator models and comparisons of the images and owner's manuals of the foregoing Westinghouse generator models to those of the Westinghouse generator model listed in Paragraph 161, it was determined that the foregoing Westinghouse generator models include all of the elements of at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, and 35 of U.S. Patent No. 11,905,896. The foregoing Westinghouse generator models infringe:

a. Independent claim 7 by specifically including fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising a first mechanical fuel valve having open and closed positions to selectively control the first fuel flow to

the engine; and a second mechanical fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and a selector switch movable with respect to the valve assembly to allow a user to manually select the first fuel flow or the second fuel flow , as called for in claim 7 of U.S. Patent No. 11,905,896.

b. Dependent claim 8 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 8 of U.S. Patent No. 11,905,896.

c. Dependent claim 14 by specifically including all the aforementioned elements of claim 7 and, in addition, wherein the first fuel valve is couplable to a liquefied petroleum gas (LPG) fuel source; and the second fuel valve is couplable to a gasoline source, as called for in claim 14 of U.S. Patent No. 11,905,896.

d. Independent claim 15 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open and closed positions to selectively control the second fuel flow to the engine; and at least one valve handle mechanically coupled to the first fuel valve and the second fuel valve to selectively open and close the first fuel valve and the second fuel valve responsive to actuation thereof so as to enable the first fuel flow to the

engine or the second fuel flow to the engine, as called for in claim 15 of U.S. Patent No. 11,905,896.

e. Dependent claim 16 by specifically including all the aforementioned elements of claim 15 and, in addition, wherein the at least one valve handle enables only one of the first and second fuel flows to the engine at a given time, as called for in claim 16 of U.S. Patent No. 11,905,896.

f. Independent claim 30 by specifically including a fuel selector for use with a dual fuel generator, the fuel selector comprising: a valve assembly fluidly couplable to each of a first fuel source and a second fuel source and 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, the valve assembly comprising: two fuel inputs comprising: a first fuel input couplable to the first fuel source; and a second fuel input couplable to the second fuel source; and two fuel outputs configured to selectively supply fuel to the engine from the first fuel source or the second fuel source; and a selector switch positioned on the valve assembly to allow a user to manually select the first fuel flow or the second fuel flow, as called for in claim 30 of U.S. Patent No. 11,905,896.

g. Dependent claim 31 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the two fuel outputs are configured to selectively supply fuel to the engine from only one of the first and second fuel sources 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, as called for in claim 31 of U.S. Patent No. 11,905,896.

h. Dependent claim 32 by specifically including all the aforementioned elements of claim 30 and, in addition, wherein the valve assembly comprises: a first fuel valve having open and closed positions to selectively control the first fuel flow to the engine; and a second fuel valve having open

and closed positions to selectively control the second fuel flow to the engine, as called for in claim 32 of U.S. Patent No. 11,905,896.

i. Dependent claim 34 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the first fuel valve and the second fuel valve are non-solenoid, mechanical valves, as called for in claim 34 of U.S. Patent No. 11,905,896.

j. Dependent claim 35 by specifically including all the aforementioned elements of claim 32 and, in addition, wherein the selector switch provides for manual actuation of the first fuel valve and the second fuel valve between the open and closed positions, as called for in claim 35 of U.S. Patent No. 11,905,896.

Therefore, the aforementioned Westinghouse generator models listed in Paragraph 163(a)–(c) infringe at least claims 7, 8, 14, 15, 16, 30, 31, 32, 34, and 35 of U.S. Patent No. 11,905,896.

165. Champion has no adequate remedy at law against Defendants' acts of infringement and will suffer irreparable harm unless Defendants are preliminarily and permanently enjoined from their infringement of U.S. Patent No. 11,905,896.

166. Upon information and belief, Defendants' infringement has been willful, deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,905,896.

167. Upon information and belief, at least as of June 19, 2020 and August 16, 2024, the dates Champion sent MWE correspondence demanding (1) the cessation of infringement or (2) license by Defendants of Champion's patents, Defendants have monitored Champion's patents and published patent applications and had actual notice of all of Champion's patents and published patent applications as of their publication dates.

168. Defendants, by way of their infringing activity, have caused and continue to cause Champion to suffer damages in an amount to be determined at trial.

PRAYER FOR RELIEF

Wherefore, Champion prays for judgment against WESTINGHOUSE ELECTRIC CORPORATION, WESTINGHOUSE ELECTRIC AND MANUFACTURING COMPANY

LLC, MIDWEST EQUIPMENT SALES, LLC, and MWE INVESTMENTS, LLC, granting Champion the following relief:

A. That this Court adjudge and decree that U.S. Patent No. 10,221,780 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

B. That this Court adjudge and decree that U.S. Patent No. 10,393,034 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

C. That this Court adjudge and decree that U.S. Patent No. 10,598,101 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

D. That this Court adjudge and decree that U.S. Patent No. 10,697,398 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

E. That this Court adjudge and decree that U.S. Patent No. 11,143,120 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

F. That this Court adjudge and decree that U.S. Patent No. 11,143,145 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

G. That this Court adjudge and decree that U.S. Patent No. 11,306,667 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

H. That this Court adjudge and decree that U.S. Patent No. 11,492,985 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

I. That this Court adjudge and decree that U.S. Patent No. 11,905,895 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the

patent;

J. That this Court adjudge and decree that U.S. Patent No. 11,905,896 is valid and enforceable against Defendants and that Defendants have infringed and continue to infringe the patent;

K. That this Court grant injunctions enjoining the aforesaid acts of infringement by Defendants, their officers, agents, servants, employees, subsidiaries, and attorneys, and those acting in concert with them, including related individuals and entities, customers, representatives, original equipment manufacturers ("OEMs"), dealers, and distributors;

L. That this Court enter an award to Champion of such damages as it shall prove at trial against Defendants that are adequate to compensate Champion for said infringement as permitted under the Patent Act;

M. That this Court order an award to Champion of up to three times the amount of compensatory damages because of Defendants' willful infringement and any enhanced damages as provided by 35 U.S.C. § 284;

N. That this Court render a finding that this case is "exceptional" and award Champion its costs and reasonable attorneys' fees, as provided by 35 U.S.C. § 285;

O. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 10,221,780;

P. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 10,393,034;

Q. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 10,598,101;

R. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 10,697,398;

S. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 11,143,120;

T. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 11,143,145;

U. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 11,306,667;

V. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 11,492,985;

W. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 11,905,895;

X. That this Court award Champion any profits that Champion lost due to Defendants' infringement of U.S. Patent No. 11,905,896;

Y. That this Court award Champion pre-judgment and post-judgment interests to the maximum extent allowed under the law; and

Z. That this Court grant to Champion such other, further, and different relief as may be just and proper.

JURY TRIAL DEMAND

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Champion respectfully demands a trial by jury of any and all issues triable of right before a jury.

Dated: May ___, 2025

SNELL & WILMER L.L.P.

By: _____

Randal S. Weide
David G. Barker
Zachary G. Schroeder

Timothy J. Ziolkowski
Jacob M. Fritz
ZIOLKOWSKIN PATENT SOLUTIONS GROUP, SC

Champion - EX2051, Page 99 of 99
Generac Power Systems, Inc. et al v. Champion Power Equip., Inc.
IPR2025-01228