From: Eric Huang <erichuang@quinnemanuel.com>
Sent: Monday, August 4, 2025 10:04 AM
To: HB - Champion; Tim Ziolkowski; Ahmed, Sharif; Jacob Fritz; Robyn Templin; Hitchens, A. Lauren
Cc: QE-HarborFreight-Champion; Houston, Michael R.; Dodd, Kimberly K.
Subject: RE: HFT v. Champion
Attachments: Sotera Plus (101 667 896) Stipulation(17195327_1).pdf

[EXTERNAL EMAIL]

Counsel,

As you are aware, Harbor Freight has filed a petition for *inter partes* review ("IPR") challenging certain claims of U.S. Patent Nos. 10,598,101; 11,306,667; and 11,905,896. With regard to the prior art grounds in those petitions and in this litigation, Harbor Freight stipulates to the following, as provided in the attached stipulation:

"WHEREAS, Harbor Freight has filed petitions for *inter partes* review ("IPR") challenging certain claims (including all asserted claims here) of the '101 patent, the '667 patent, and the '896 patent in IPR Nos. IPR2025-00951, IPR2025-01099, and IPR2025-01228, respectively ("Subject Petitions").

Harbor Freight hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to a Subject Petition, Harbor Freight will not pursue in this litigation invalidity of the challenged claims for the specific patent in the instituted IPR for said Subject Petition based on: (i) the specific grounds raised in said petition, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on system prior art (either alone or in combination with other references) that directly corresponds to a printed publication reference asserted as part of a ground raised in said instituted (and not vacated) petition."

As you are also aware, Harbor Freight has also filed IPR petitions on U.S. Patent Nos. 10,393,034; 11,143,120; 10,221,780; and 11,492,985, which are all pending institution decisions, and Harbor Freight intends to petition for IPRs on the remaining patents-in-suit in short order: U.S. Patent Nos. 10,697,398; 11,143,145; 11,530,654; 11,840,970; 11,905,895; and 11,761,390. I confirm that Harbor Freight intends to stipulate to the same scope for each of the pending IPR petitions as well as subsequent IPR petitions on patents-in-suit in the above captioned case.

We look forward to our meet and confer tomorrow regarding the request to stay this litigation pending outcome of all IPRs on all patents-in-suit, which would include the proceedings from petitions on the 3 patents that are the subject of this stipulation and from other IPR petitions on the patents-in-suit.

Thank you.

Eric

eric huang | **quinn emanuel urquhart & sullivan, llp**
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From: Eric Huang
Sent: Tuesday, July 22, 2025 11:00 PM
To: HB - Champion <hb-champion@huschblackwell.com>; Tim Ziolkowski <tjz@zpatents.com>; Ahmed, Sharif <sharif.ahmed@huschblackwell.com>; Jacob Fritz <jmf@zpatents.com>; Robyn Templin <rlt@zpatents.com>; Hitchens, A. Lauren <lauren.hitchens@huschblackwell.com>
Cc: QE-HarborFreight-Champion <qe-harborfreight-champion@quinnemanuel.com>; Houston, Michael R. <MHouston@foley.com>; Dodd, Kimberly K. <KDodd@foley.com>
Subject: HFT v. Champion

Counsel,

As you are aware, Harbor Freight has filed a petition for *inter partes* review ("IPR") challenging certain claims of U.S. Patent 10,393,034. With regard to the prior art grounds in that petition and in this litigation, Harbor Freight stipulates to the following, as provided in the attached stipulation:

"Harbor Freight hereby stipulates, broader than the stipulation made by the Petitioner in Sotera that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to Harbor Freight's petition against Plaintiff's U.S. Patent No. 10,393,034 in IPR2025-00805, Harbor Freight will not pursue in this litigation invalidity of the claims challenged in that petition based on: (i) the specific grounds raised in IPR2025-00805, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on system prior art (either alone or in combination with other references) that directly corresponds to a printed publication reference asserted as part of a ground raised in IPR2025-00805 (e.g., the DF-972 engine, which directly corresponds to the DF-972 workshop manual). To be clear, this stipulation does not cover other system prior art. For example, because a manual for the Kubota DF-972 engine is relied upon as part of a ground in IPR2025-00805, the DF-972 engine is covered by this stipulation. However, other systems/engines are not covered, even if similar to the DF-972 engine."

As you are also aware, Harbor Freight has also filed IPR petitions on U.S. Patent Nos. 11,143,120; 10,598,101; 11,306,667; 10,221,780; and 11,905,896, which are all pending institution decisions, and Harbor Freight intends to petition for IPRs on the remaining patents-in-suit in short order: U.S. Patent Nos. 10,697,398; 11,143,145; 11,530,654; 11,492,985; 11,840,970; 11,905,895; and 11,761,390. I confirm that Harbor Freight intends to stipulate to the same scope for each of the pending IPR petitions as well as subsequent IPR petitions on patents-in-suit in the above captioned case.

I also write to confirm that Harbor Freight intends to seek a stay of this litigation in its entirety pending final resolution of all pending IPRs on the patents-in-suit. **Please advise us of your position and whether Champion will agree to such a stay.**

Thank you.

Eric

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Attorneys for Plaintiff Harbor Freight Tools USA, Inc.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

HARBOR FREIGHT TOOLS USA, INC., Plaintiff, vs. CHAMPION POWER EQUIPMENT, INC., Defendant.	Case No. 2:24-cv-08722-SVW-AS **PLAINTIFF HARBOR FREIGHT TOOLS USA, INC.'S STIPULATION REGARDING INVALIDITY GROUNDS FOR THE '101, '667, AND '896 PATENTS** Hon. Stephen V. Wilson Hon. Alka Sagar

WHEREAS, Champion has asserted U.S. Patent Nos. 10,598,101 ("the '101 patent"), 11,306,667 ("the '667 patent"), and 11,905,896 ("the '896 patent") against Harbor Freight (Dkt. 47);

WHEREAS, Harbor Freight has alleged that the asserted claims of the '101 patent, the '667 patent, and the '896 patent are invalid based on prior art (Dkt. 55);

WHEREAS, Harbor Freight has filed petitions for *inter partes* review ("IPR") challenging certain claims (including all asserted claims here) of the '101 patent, the '667 patent, and the '896 patent in IPR Nos. IPR2025-00951, IPR2025-01099, and IPR2025-01228, respectively ("Subject Petitions").

Harbor Freight hereby stipulates, broader than the stipulation made by the Petitioner in *Sotera* that, if the PTAB institutes an IPR (and does not subsequently vacate institution) in response to a Subject Petition, Harbor Freight will not pursue in this litigation invalidity of the challenged claims for the specific patent in the instituted IPR for said Subject Petition based on: (i) the specific grounds raised in said petition, (ii) any other grounds that could have reasonably been raised before the PTAB in that instituted proceeding (i.e., any ground that could have reasonably been raised under §§ 102 or 103 on the basis of prior art patents or printed publications), or (iii) any ground based on system prior art (either alone or in combination with other references) that directly corresponds to a printed publication reference asserted as part of a ground raised in said instituted (and not vacated) petition.

To be clear, this stipulation does not cover other system prior art. For example, because a manual for the DuroMax XP4400EH generator is relied upon as part of a ground in IPR2025-00951, the XP4400EH generator is covered by this stipulation. However, other systems/engines are not covered, even if similar to the XP4400EH generator.

DATED: August 4, 2025

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By *\/s/ Eric Huang*

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Attorneys for Plaintiff Harbor Freight Tools USA, Inc.

CERTIFICATE OF SERVICE

I, Eric Huang, hereby certify that on August 4, 2025, a copy of the foregoing **STIPULATION REGARDING INVALIDITY GROUNDS FOR THE '101, '667, AND '896 PATENTS** was served via email on all attorneys of record.

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