

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GENERAC POWER SYSTEMS, INC.,
Petitioner,

v.

CHAMPION POWER EQUIPMENT, INC.,
Patent Owner.

IPR2025-01271
Patent 10,697,398 B2

Before JON M. JURGOVAN, ERIC C. JESCHKE, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

JESCHKE, *Administrative Patent Judge*.

ORDER

Denying Patent Owner's Unopposed Motion for Entry
of a Joint Proposed Amended Protective Order
Denying Patent Owner's Unopposed Motion to Seal
37 C.F.R. §§ 42.14, 42.54

I. BACKGROUND

Patent Owner, Champion Power Systems, Inc., timely filed its Patent Owner's Response, along with Exhibits 2126 through 2136 in support. *See* Paper 30 (Patent Owner's Response). All documents are available to the public, except for Exhibit 2132, which Patent Owner filed confidentially with no redacted public version. With the filing of its Response, Patent Owner filed the pending Motion to Seal and to Enter a Joint Proposed Amended Protective Order. *See* Paper 31 ("Motion" or "Mot."). Petitioner does not oppose the Motion. *See* Mot. 3. For the reasons below, we *deny as moot* Patent Owner's Motion.

II. DISCUSSION

A. Motion for Entry of the Joint Proposed Amended Protective Order

In the Motion, Patent Owner provides a copy of a Joint Proposed Amended Protective Order (Mot., Appendix A) and also provides a track-changes version showing the proposed changes from the default protective order provided in the Board's Consolidated Trial Practice Guide to the Joint Proposed Amended Protective Order (Mot., Appendix B). Because we deny the Motion to Seal (*see* § II.B), we *deny as moot* the Motion for Entry of the Joint Proposed Amended Protective Order.

B. Motion to Seal

Exhibit 2132 as currently filed in this proceeding is a 144-page document originally created by the National Fire Protection Association, titled "NFPA 58 – Liquefied Petroleum Gas Code." Patent Owner states that Exhibit 2132 "consists of confidential third-party information procured pursuant to a license agreement which prohibits public disclosure." Mot. 2.

On June 2, 2026, the Board convened a conference call to discuss the pending Motion, with attorney Thomas Leach attending for Petitioner and attorneys Joseph Staley and Thomas Finch attending for Patent Owner. Ex. 3003 (correspondence regarding the conference call). During the call, the panel and counsel reached a resolution that disposes of the pending Motion while furthering the public's ability to comprehend the proceeding.

As discussed and agreed upon by both parties on the call, (1) the Board will *expunge* the current version of Exhibit 2132 and (2) Patent Owner is *authorized to file* as a public document a revised version of Exhibit 2132 that includes (a) the cover page, (b) cited page 32, with all but the text of section 5.21.2.3 redacted, and (c) a page showing the URL to access the full version of "NFPA 58 – Liquefied Petroleum Gas Code." Having received the agreement of both parties on the pending issues, we *deny as moot* the Motion to Seal.

III. CONCLUSION

For the reasons above, we *deny as moot* Patent Owner's Motion to Seal and for Entry of a Protective Order.

It is hereby:

ORDERED that the Motion to Seal and for Entry of a Protective Order is *denied as moot*;

FURTHER ORDERED that the current version of Exhibit 2132 is *expunged*; and

FURTHER ORDERED that Patent Owner is *authorized to file* as a public document a revised version of Exhibit 2132, as specified above.

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