UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CHAMPION POWER EQUIPMENT, INC.

Plaintiff / Counter-Defendant

v.

GENERAC POWER SYSTEMS, INC.

Defendant / Counter-Plaintiff.

Case No. 24-cv-1281

JURY TRIAL DEMANDED

DEFENDANT'S STIPULATION REGARDING INVALIDITY CONTENTIONS

WHEREAS Champion has asserted one or more of U.S. Patent Nos. 11,905,895 ("the '895 patent"), 11,761,390 ('the '390 patent"), 11,840,970 ("the '970 patent"), 11,530,654 ("the '654 patent"), 10,697,398 ("the '398 patent"), and 11,143,145 ("the '145 patent"), among other patents, against Generac;

WHEREAS, Generac has alleged that the asserted claims of one or more of the '895 patent, '390 patent, '970 patent, '654 patent, '398 patent, and '145 patent are invalid based on prior art;

WHEREAS, Generac has filed or will soon file petitions for *inter partes* review ("IPR") challenging certain claims (including all asserted claims here) of the '895 patent (IPR2025-01384), '390 patent (IPR2025-01438), '970 patent (IPR2025-

01463), ’654 patent (IPR2025-1423), ’398 patent (IPR2025-01271), and ’145 patent (IPR2025-1457) (“Subject Petitions”).

Generac 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, Generac will not pursue in this litigation invalidity of the claims for the specific patent challenged in the instituted IPR for said Subject Petition based on: (i) the specific grounds raised in the 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 Subject Petition for the instituted (and not vacated) IPR.

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 IPR2025-01384, the XP4400EH generator is covered by this stipulation. However, other systems/engines are not covered, even if similar to the XP4400EH generator.

Respectfully submitted,

Dated: September 2, 2025

By: /s/ Thomas J. Leach

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CERTIFICATE OF SERVICE

I, Taylor Stemler, hereby certify that on September 2, 2025 I caused a true and correct copy of the foregoing document to be served upon the following counsel for Plaintiff via email service:

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