

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MWE INVESTMENTS, LLC,
HARBOR FREIGHT TOOLS USA, INC., and
GENERAC POWER SYSTEMS, INC.,
Petitioners

v.

CHAMPION POWER EQUIPMENT, INC.,
Patent Owner.

U.S. Patent No. 11,143,145

Title: BATTERYLESS DUAL FUEL ENGINE WITH LIQUID FUEL CUT-OFF

Inter Partes Review No. IPR2025-01457

**UNOPPOSED MOTION TO WITHDRAW MWE INVESTMENTS, LLC
AS A NAMED PETITIONER**

UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,143,155 (“145 Patent”)
1002	File History of U.S. Patent No. 11, 143,155 (“145 File History”)
1003	Declaration of Dr. Mahdi Shahbakhti
1004	JPS61283734A (Original) (“Nakafushi”)
1005	Certified Translation of JPS61283734A (“Nakafushi”)
1006	Small Engine Technology, Second Edition, Schuster, William A, (1999) (“Schuster”)
1007	U.S. Patent No. 5,301,644 (“Olmr”)
1008	U.S. Patent No 1,931,698 (“Holzapfel”)
1009	Kubota DF-972-E2 Workshop Manual (“Workshop Manual”)
1010	Declaration from Mr. James Strepek re Kubota Manuals
1011	Declaration from Mr. Scott Schlabach re Kubota Manuals
1012	U.S. Patent No. 5,161,496 (“Matsushima”)
1013	U.S. Patent No. 6,213,083 (“Winberg”)
1014	Champion’s Infringement Contentions with Respect to Petitioner Generac’s Model PM4500DF and GP7500E DF Generators
1015	U.S. Patent No. 3,718,000 (“Walker”)
1016	DuroMax XP4400EH Operator’s Manual (“DuroMax”)
1017	Declaration of David Raskin (dated May 7, 2025)
1018-1089	Reserved.
1090	Settlement Agreement

I. INTRODUCTION

In email messages dated January 5, 2026, and January 9, 2026, the Board authorized Petitioners Harbor Freight Tools USA, Inc. (“Harbor Freight”) and MWE Investments, LLC (“MWE”) to file motions to withdraw from the petitions for inter partes review IPR2025-00805, -00951, -01099, -01121, -01185, -01228, -01271, -01272, -01384, -01423, -01438, -01457, -01463.

Because Generac Power Systems, Inc. (“Generac”) also is a Petitioner, and because Generac does not independently seek to withdraw the Petition, this will not result in the termination of IPR2025-00805, -00951, -01099, -01121, -01185, -01228, -01271, -01272, -01384, -01423, -01438, -01457, -01463, directed, respectively, to U.S. Patent Nos. 10,393,034 (“’034 Patent”); 10,598,101 (“’101 Patent”); 11,306,667 (“’667 Patent”); 11,143,120 (“’120 Patent”); 10,221,780 (“’780 Patent”); 11,905,896 (“’896 Patent”); 10,697,398 (“’398 Patent”); 11,492,985 (“’985 Patent”); 11,905,895 (“’895 Patent”); 11,530,654 (“’654 Patent”); 11,761,390 (“’390 Patent”); 11,143,145 (“’145 Patent”); and 11,840,970 (“’970 Patent”) (collectively, the “Challenged Patents”).

MWE and Champion Power Equipment, Inc. (“Champion” or “Patent Owner”) reached an agreement (the “Settlement Agreement”) to resolve their disputes. Pursuant to 37 C.F.R. § 42.74(b), the Settlement Agreement is in writing, and a true and correct copy is being filed as Confidential Exhibit 1090. The

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Settlement Agreement is being filed electronically with access to “Board Only.” A “*Joint Request to File Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317 and 37 C.F.R. § 42.74*” is filed concurrently with this Unopposed Motion to Withdraw, to treat the Settlement Agreement as business confidential information and to keep it separate from the files of the involved patent pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c).

On December 30, 2025, in the related litigation¹ between Patent Owner and MWE, the court granted a dismissal with prejudice of Champion’s complaint asserting, *inter alia*, the Challenged Patents. Generac was not a named party in the MWE Litigation and is still a defendant in a separate litigation² filed by Champion asserting, *inter alia*, the Challenged Patents. Generac intends to remain as Petitioner in IPR2025-00805, -00951, -01099, -01121, -01185, -01228, -01271, -01272, -01384, -01423, -01438, -01457, -01463.

MWE respectfully requests the Board withdraw MWE as a Petitioner for *inter partes* review, leaving Generac as Petitioner in IPR2025-01457. Patent Owner does not oppose.

¹ *Champion Power Equipment Inc. v. Westinghouse Elec. Corp. et al.*, 2:25-cv-00844 (D. Nev.) (the “MWE Litigation”).

² *Champion Power Equipment Inc. v. Generac Power Systems Inc.*, 24-cv-01281-LA (E.D. Wis.) (the “Generac Litigation”).

Pursuant to 37 C.F.R. §42.10(e), MWE further requests the withdrawal of its counsel, Thomas A. Walsh, Thomas A. Rammer, and Alexas D. Siliunas. Per the Power of Attorney already on file (Paper 2), the remaining Petitioner, Generac, designates the following as lead counsel and backup counsel in this proceeding going forward:

New Lead Counsel	Back-Up Counsel
Thomas J. Leach Reg. No. 53,188 MERCHANT & GOULD P.C. 150 South Fifth Street, Suite 2200 Minneapolis, MN 55402 Phone: 612-336-4665 Fax: 612-332-9081 tleach@merchantgould.com USPTO Reg. No. 53,188	Taylor R. Stemler Reg. No. 79,777 MERCHANT & GOULD P.C. Minneapolis, MN 55402 150 South Fifth Street, Suite 2200 Phone: 612-371-5215 Fax: 612-332-9081 TStemler@MerchantGould.com USPTO Reg. No. 79,777

II. ARGUMENT

Patent Owner will not be prejudiced by withdrawal of MWE. Generac remains a Petitioner and Patent Owner will still receive the same briefing opportunities on the same schedule as before. The lack of any such prejudice is evidenced by Patent Owner's non-opposition to the filing of this motion to withdraw MWE as a named Petitioner.

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III. CONCLUSION

MWE respectfully requests to withdraw from the petition for inter partes review of IPR2025-01457, respectfully requests the withdrawal of its counsel, Thomas A. Walsh, Thomas A. Rammer, and Alexas D. Siliunas, and respectfully requests the substitution of new lead counsel.

Date: January 12, 2026

Respectfully submitted,

By: /Thomas A. Walsh/

Thomas A. Walsh
Registration No. 45,196
ICE MILLER LLP
One American Square, Suite 2900
Indianapolis, IN 46282
Counsel for Petitioner MWE
Lead Counsel for Co-Petitioners

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 12, 2026, a true and correct copy of the foregoing **UNOPPOSED MOTION TO WITHDRAW MWE INVESTMENTS, LLC AS A NAMED PETITIONER** was filed through the P-TACTS system along with service to the email addresses listed below:

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Date: January 12, 2026

By: /Thomas A. Walsh/

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