

CHAMPION’S INFRINGEMENT CONTENTIONS FOR
U.S. PATENT NO. 10,221,780
AS ASSERTED AGAINST
FIRMAN MODEL WH02942 ET AL.
FILING DATE: JUNE 12, 2015
PRIORITY DATE: JUNE 12, 2015

I. Firman Model WH02942¹:



II. Brief Description:

The Firman Model WH02942 is a dual fuel inverter portable generator. Model WH02942 produces 3,200W (Starting)/2,900W (Running) when using gasoline or 2,900W (Starting)/2,600W (Running) when using liquified petroleum gas (“LPG”; also known as propane). Model WH02942 can operate up to 9 hours with a 1.8-gallon gasoline tank. Model WH02942 has a battery-operated electric start and a recoil starter for its 171cc engine with a low oil shutoff and -cast-iron cylinder sleeve. Model WH02942 also includes five receptacles, circuit breaker protection, and a control panel with a three-in-one data minder monitor. Model WH02942 allows for connection to another Firman inverter generator for parallel operation. Model WH02942 also has a muffler with a spark arrestor, a housing, and 5.5" -never-flat tires.

III. Accused Instrumentalities:

Together with Model WH02942, the following Firman models (a)–(g) are the Accused Instrumentalities that are alleged to infringe claims 1, 2, 6–9, 11, and 13–15 (the “Asserted Claims”) of U.S. Patent No. 10,221,780 (the “’780 Patent”).

- a. Model WH02942F, a refurbished dual fuel inverter portable generator;

¹ While the product includes a “WH3200iE” label, this generator is Model WH02942. *See WH02942 Owner’s Manual*, p. 1.

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- b. Model WH03041, a dual fuel inverter portable generator;
- c. Model WH03042, a dual fuel inverter portable generator;
- d. Model WH03242, a dual fuel inverter portable generator;
- e. Model WH03242F, a refurbished dual fuel inverter portable generator;
- f. Model WH03342, a dual fuel inverter portable generator;
- g. Model WH03344, a dual fuel inverter portable generator.

IV. Images of Accused Instrumentalities -(a)-(g):



V. Protocol:

For purposes of analyzing the Asserted Claims of the '780 Patent against the -above-identified Firman generator models, Model WH02942 is considered representative. All of the -above-referenced Firman generator models include components for switching between gaseous fuel and liquid fuel that infringe the claims of the '780 Patent in the same manner as discussed herein with respect to Model WH02942 and are thus all Accused Instrumentalities. In all Accused Instrumentalities, the gaseous fuel is LPG, and the liquid fuel is gasoline.

² While the product includes a "WH3200iE" label, this generator is Model WH02942F (refurbished Model WH02942). See *WH02942 Owner's Manual*, p. 1.

³ While the product includes a "WH3300i" label, this generator is Model WH03041. See *WH03041 Owner's Manual*, p. 1.

⁴ While the product includes a "WH3300iE" label, this generator is Model WH03042. See *WH03042 Owner's Manual*, p. 1.

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Accordingly, while the claim chart provided below in Section VIII is illustrated with reference to Model WH02942, each element in the claim chart is found in the other Accused Instrumentalities identified above in Paragraphs -(a)-(g) of Section III in the same manner as illustrated with reference to Model WH02942.

VI. Priority Dates

The priority date for each of the Asserted Claims of the '780 Patent is 6/12/2015.

VII. Statement Regarding Contributory and Induced Infringement

The claimed multi-fuel engine operates on different fuels, like a liquid fuel (e.g., gasoline) or a gaseous fuel (e.g., liquid petroleum gas or propane), but a gaseous fuel tank (e.g., an LPG tank), the gaseous fuel in the gaseous fuel tank, and liquid fuel in the liquid fuel tank (e.g., gasoline in a gasoline tank) are not required for infringement unless explicitly claimed in the Asserted Claims. Nonetheless, to the extent the Court construes any claim to require a gaseous fuel tank, gaseous fuel in the gaseous fuel tank, or liquid fuel in a liquid fuel tank, Firman contributes to or induces infringement by instructing its users to use a gaseous fuel tank, gaseous fuel, and to fill the liquid fuel tank in order to operate the multi-fuel engine.

Firman induces infringement of various Asserted Claims by specifically instructing its customers to attach an LPG tank to the engine and to put liquid fuel in the liquid fuel tank. [See Firman Owner's Manual for Model Number WH02942 at 13 ("ADD FUEL 1. Gasoline . . . Use regular UNLEADED gasoline with the generator engine with a minimum 87 octane") (*emphasis in original*) and ("2 - Connecting Liquid Petroleum Gas (LPG/Propane) Cylinder), and at 20 (providing instructions for operating generator, including "connect[ing] the regulator (A) to both LPG cylinder and generator").] To the extent the Court construes any Asserted Claim to require an LPG tank, gaseous fuel, or liquid fuel for infringement, when Firman's customers use the Accused Instrumentalities with a filled LPG tank connected and with fuel in the liquid fuel tank, the infringement of any such Asserted Claims is completed. As such, Firman's instructions to customers to connect a filled LPG tank and fill the liquid fuel tank before operation of the Accused Instrumentalities constitutes indirect infringement.

For the same reasons, Firman's conduct also constitutes contributory infringement. To the extent the Court's claim construction requires an LPG tank, gaseous fuel, or liquid fuel for infringement, Firman supplies its customers every component necessary to infringe the Asserted Claims except the filled LPG tank and the liquid fuel. Because the Owner's Manual for the Model WH02942 generator instructs customers to connect a filled LPG

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tank to the generator, [*see id.*], and to fill the liquid fuel tank with fuel, [*id.*], Firman knew that the Model WH02942 would be used to infringe any applicable Asserted Claims. By connecting and using the Accused Instrumentalities with a filled LPG tank connected or with liquid fuel in the liquid fuel tank, Firman’s customers complete the infringement of such Asserted Claims. As such, Firman’s conduct also constitutes contributory infringement of such Asserted Claims.

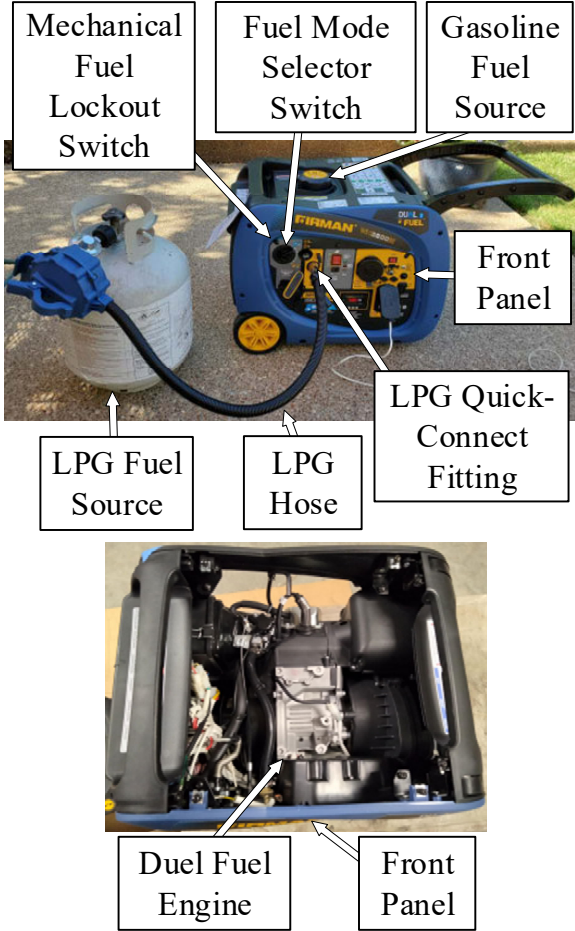
Champion incorporates this Section VII by reference into any element of any asserted claim that is construed to require attachment of a gaseous fuel tank, gaseous fuel, or filling of the liquid fuel tank with fuel.

VIII. Claim Chart:

’780 Patent Claims	Accused Instrumentality Components Illustrated with Respect to Model WH02942
1. (Preamble) A mechanical fuel lockout switch for a dual fuel engine comprising:	Although not necessary for infringement ⁵ , the preamble of claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) as follows:

⁵ The preambles of the Asserted Claims of the ’780 Patent are not limiting and therefore should not be part of the infringement analysis. *See Artic Cat Inc. v. GEP Power Prods., Inc.*, 919 F.3d 1320, 1328 (Fed. Cir. 2019) (“We have long ruled that ‘a preamble is not limiting where a patentee defines a structurally complete invention in the claim body and uses the preamble only to state a purpose or intended use for the invention.’”) (*quoting Cataline Mktg. Int’l, Inc. v. Coolsavings.com, Inc.*, 289 F.3d 801, 808 (Fed. Cir. 2002)). Nonetheless, Champion provides general description of Model WH02942 next to the preamble to show how it meets the preamble and to assist in the infringement analysis by giving an overview of the Accused Instrumentalities. Champion incorporates this footnote by reference in the preambles of all the Asserted Claims.

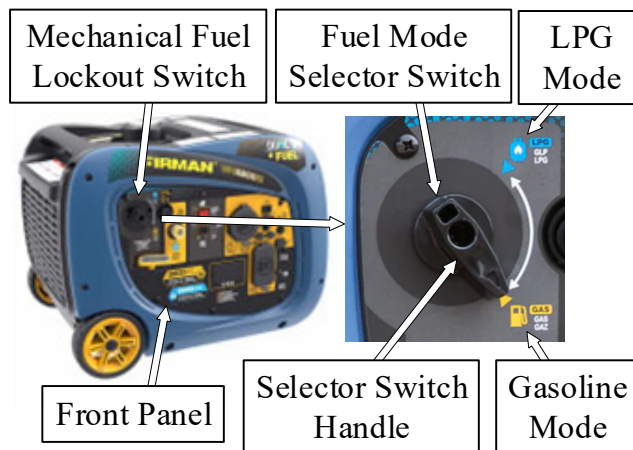
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	 The diagram consists of two photographs. The top photograph shows the exterior of the generator with labels: 'Mechanical Fuel Lockout Switch', 'Fuel Mode Selector Switch', 'Gasoline Fuel Source', 'Front Panel', 'LPG Quick-Connect Fitting', 'LPG Hose', and 'LPG Fuel Source'. The bottom photograph shows the engine compartment with labels: 'Duel Fuel Engine' and 'Front Panel'. A dual fuel engine is any engine that is configured to operate on at least two fuels. Model WH02942 includes a dual fuel engine that may run on fuel from either of two fuel sources. One fuel source is a liquid fuel source in the form of a gasoline tank, and the other fuel source is a gaseous fuel source in the form of a pressurized LPG tank. Both fuel sources feed fuel to the engine via respective fuel lines.
(a) a mechanical fuel valve actuateable	Element (a) of claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally ⁶ as follows:

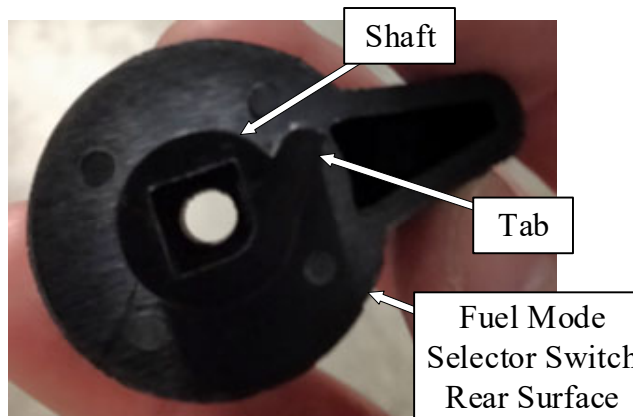
⁶ To the extent further discovery or claim construction reveals that any of the Accused Instrumentalities do not literally infringe the '780 Patent, Champion reserves the right to argue the Accused Instrumentalities infringe any of the Asserted Claims of the '780 Patent

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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



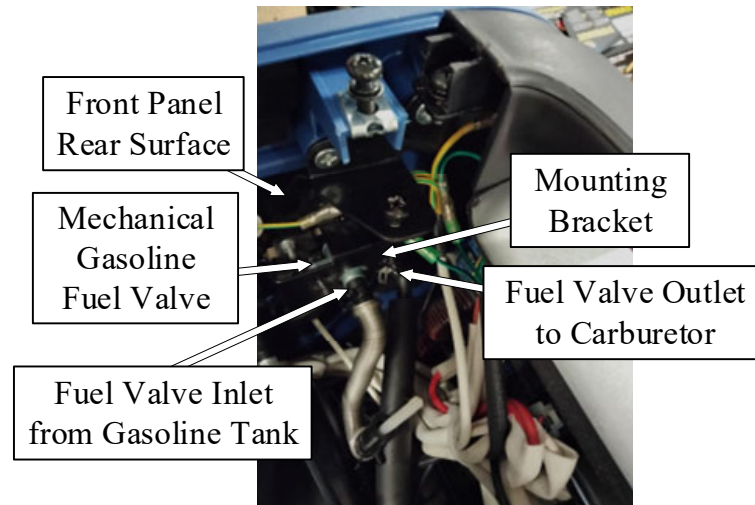
The Model WH02942 fuel mode selector switch (“selector switch”) is rotatable between an LPG Mode and a Gasoline Mode via a handle on the front of the selector switch.



The selector switch engages a mechanical fuel valve that is a mechanical gasoline fuel valve (the “mechanical fuel valve”; referred to herein as the “gasoline valve”) positioned behind the front panel of the generator via a shaft on the back of the selector switch. As the selector switch rotates, the selector switch actuates the gasoline valve. The gasoline valve is positioned between the gasoline tank and the engine.

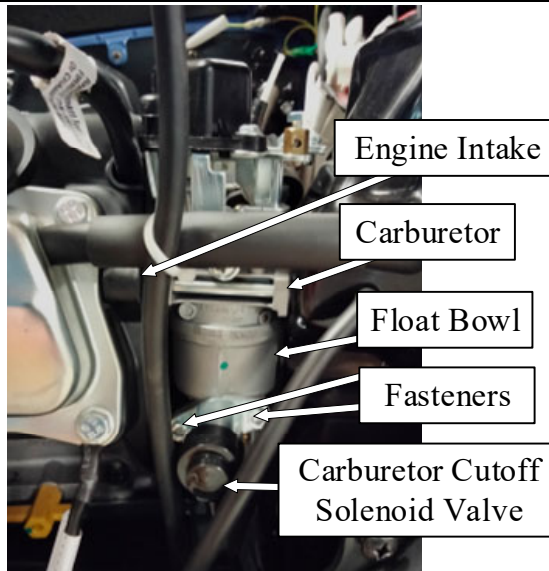
under the doctrine of equivalents. Champion incorporates this footnote by reference into each element of each Asserted Claim that Champion alleges is literally infringed by the Accused Instrumentalities.

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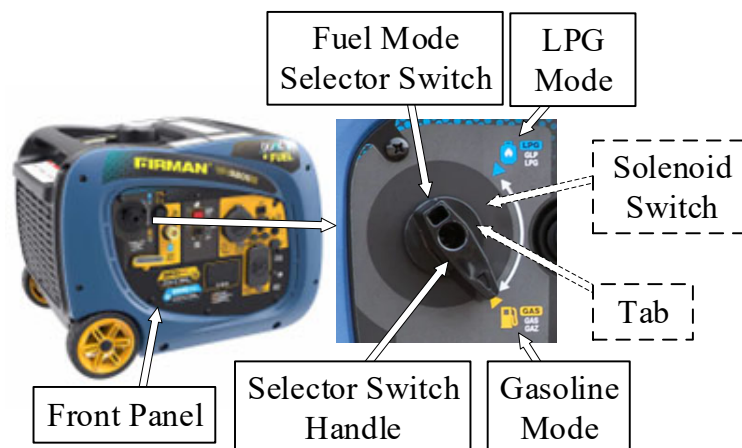


By actuating the gasoline valve between its open and closed positions, the selector switch permits or prevents fuel flow to the dual fuel generator from the gasoline tank through the gasoline fuel line and a pressurized LPG tank through the gaseous fuel line. When the selector switch rotates to Gasoline Mode, the selector switch actuates a mechanical portion of the gasoline fuel valve to an open position (one claimed position) to allow gasoline to flow to the engine. In addition, when the selector switch is Gasoline Mode, a mechanical portion of the carburetor cutoff solenoid valve (the “carburetor solenoid”) is in an open position to allow gasoline to flow through the carburetor.

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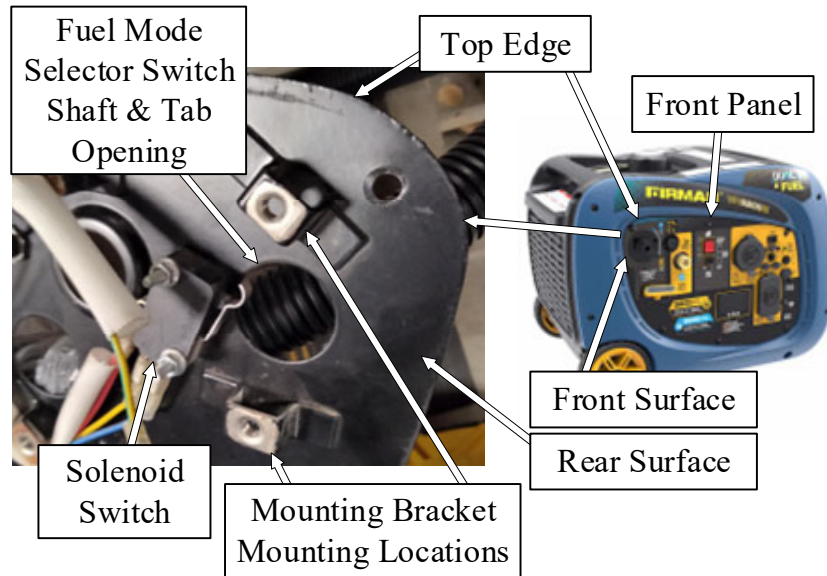


When the selector switch rotates to LPG Mode, the selector switch actuates a mechanical portion of the gasoline valve to a closed position (the other claimed position) to prevent gasoline from flowing to the engine, and a tab on the selector switch engages an electrical switch (the “solenoid switch”). The solenoid switch causes a mechanical portion of the carburetor solenoid to actuate to a closed position to prevent gasoline from flowing through the carburetor and causes an LPG cutoff solenoid valve (the “LPG solenoid”) on an LPG hose to actuate to an open position.



(Dashed lines indicate components hidden behind the selector switch and/or front panel)

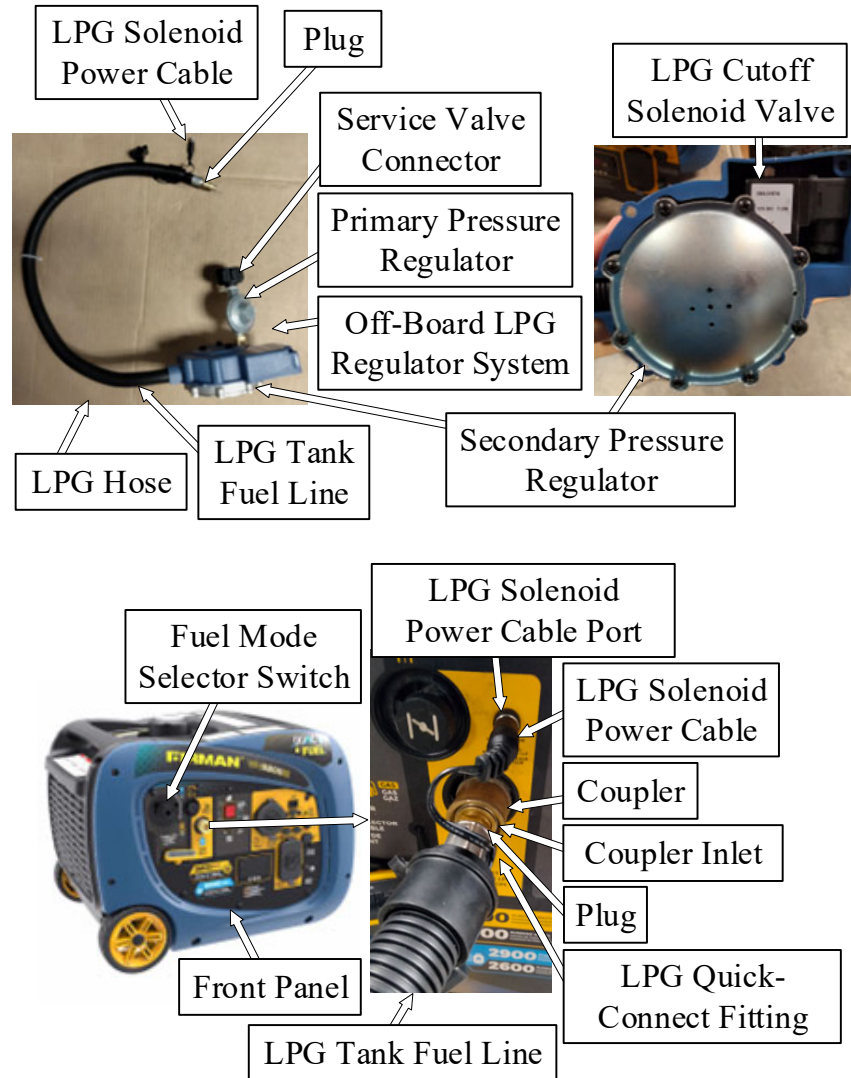
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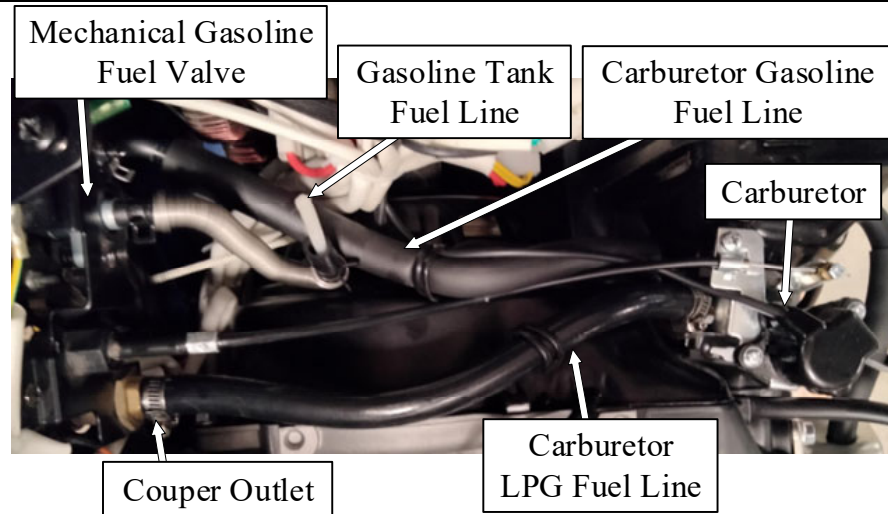
The LPG solenoid is coupled to an -off-board LPG regulator system on the LPG hose. A mechanical portion of the LPG solenoid selectively opens and closes an LPG tank fuel line of the LPG hose that is couplable to the generator via an LPG quick-connect fitting (the "LPG fitting") including a plug on the LPG hose and a coupler on the front panel of the generator. A carburetor LPG fuel line connects the LPG fitting coupler to the carburetor. The LPG solenoid receives

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power via an LPG solenoid power cable plugged into an LPG solenoid power cable port on the front panel.



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Since actuating the gasoline valve to the closed position results in the carburetor solenoid actuating to the closed position and the LPG solenoid actuating to the open position, actuation of the gasoline valve to the closed position allows communication between an LPG tank and the engine for operation on LPG.

In view of the above, the gasoline valve is a “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.”

Firman infringes element (a) of claim 1 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the gasoline valve is actuatable between an open and closed position configure to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman’s acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.

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(b) a fuel lockout apparatus coupled to the mechanical fuel valve;	Element (b) of claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The selector switch is a fuel lockout apparatus coupled to the gasoline valve (the mechanical fuel valve). As explained in more detail below, when the selector switch is in either Gasoline Mode or LPG Mode, the selector switch allows the gasoline tank or the LPG tank, respectively, to couple (directly or indirectly) to and provide fuel to the engine and prevents the other of the LPG tank or the gasoline tank, respectively, from coupling (directly or indirectly) to and providing fuel to the engine.⁷ Thus, in each Fuel Mode, the selector switch couples one fuel source to the engine and locks out the other fuel source to prevent the delivery of multiple fuels to the engine at the same time.
(c) wherein the mechanical fuel lockout switch:	Element (c) of claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The mechanical fuel lockout switch includes a valve assembly, an electrical switch engaged by a tab on the selector switch, and the selector switch (the fuel lockout apparatus). The valve assembly includes the gasoline valve (the mechanical fuel valve), the carburetor solenoid, and the LPG solenoid. As similarly explained above with respect to element (a) of claim 1, the engagement of the solenoid switch by the selector switch tab when in LPG Mode causes the carburetor solenoid to actuate to a closed position to prevent gasoline from flowing through the carburetor to the engine and causes a

⁷ In other words, when the fuel mode of Model WH02942 is in the Gasoline Mode, the selector switch “prevents connection of the second fuel source (e.g., LPG) when the first fuel source (e.g., gasoline) is in use and permits connection of the second fuel source when the mechanical fuel valve is closed,” consistent with the Court’s Order [ECF 280]. This functionality is provided, for example, by this structure (including the “shaft”) directing the closing of the mechanical fuel valve while also permitting connection of the second fuel source in the accused instrumentality. In the Court’s Order, the Court noted that patent description language including “communicating” and “interrupts the . . . communication” as “support[ing] the first half of the tentative construction,” *i.e.*, “prevents connection . . .” language. Accordingly, communicating and connecting can be understood to have similar plain meanings according to the Court’s Order.

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	mechanical portion of the LPG solenoid to actuate to an open position to allow LPG to flow through the off-board LPG regulator system and the carburetor to the engine. The LPG solenoid receives power via an LPG solenoid power cable plugged into an LPG solenoid power cable port on the front panel. When the selector switch rotates to Gasoline Mode, the tab disengages from the solenoid switch. The disengagement causes the carburetor solenoid to actuate to an open position to allow gasoline to flow through the carburetor to the engine and causes a mechanical portion of the LPG solenoid to actuate to a closed position to prevent LPG from flowing through the off-board LPG regulator system.
(c)(1) 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	Element (c)(1) of claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: Either of the gasoline tank or an LPG tank may be a first fuel source. If the first fuel source is the gasoline tank, the first position of the gasoline valve (the mechanical fuel valve) is the open position. When the selector switch is in Gasoline Mode, the gasoline valve (the mechanical fuel valve) is in the open position, and the solenoid switch is disengaged such that the carburetor solenoid is in the open position and the LPG solenoid is in the closed position. Thus, when the gasoline valve is in the open position, the mechanical fuel lockout switch communicates the gasoline tank to the engine and prevents communication between the LPG tank and the engine. As such, when the LPG solenoid is closed, the LPG solenoid prevents coupling between the LPG tank and the engine. If the first fuel source is an LPG tank, the first position of the gasoline valve (the mechanical fuel valve) is the closed position. When the selector switch is in LPG Mode, the gasoline valve and the carburetor solenoid are in the closed position, and the LPG solenoid is in the open position. As such, when the gasoline valve is closed, the gasoline valve prevents coupling between the gasoline tank and the engine. Thus, when the gasoline valve is in the closed position, the mechanical fuel lockout switch communicates an LPG tank to the engine and prevents communication between the gasoline tank and the engine.

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	Firman infringes element (c)(1) of claim 1 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the selector switch can be in either Gasoline Mode or LPG Mode and exclude communication with either the LPG tank or liquid fuel tank, respectively, without gasoline being in the liquid fuel tank or an LPG tank being coupled to the generator. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(c)(2) 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	Element (c)(2) of claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: If the first fuel source is the gasoline tank, the second fuel source is an LPG tank, and the second position of the gasoline valve (the mechanical fuel valve) is the closed position. When the selector switch rotates to LPG Mode from Gasoline Mode, the selector switch actuates the gasoline valve (the mechanical fuel valve) to the closed position, and the selector switch tab engages the solenoid switch to actuate the carburetor solenoid to the closed position and actuate the LPG solenoid to the open position. Thus, when the gasoline valve is in the closed position, the mechanical fuel lockout switch communicates the LPG tank to the engine and interrupts the gasoline tank communication with the engine. If the first fuel source is an LPG tank, the second fuel source is the gasoline tank, and the second position of the gasoline valve (the mechanical fuel valve) is the open position. When the selector switch rotates to Gasoline Mode from LPG Mode, the selector switch tab disengages the solenoid switch to actuate the LPG solenoid to the closed position, and the selector switch actuates the gasoline valve to the open position. Thus, when the gasoline valve is in the open position, the mechanical fuel lockout switch communicates the

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	gasoline tank to the engine and interrupts an LPG tank communication with the engine. Firman infringes element (c)(2) of claim 1 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the selector switch can be in either Gasoline Mode or LPG Mode and exclude communication with either the LPG tank or liquid fuel tank, respectively, without gasoline being in the liquid fuel tank or an LPG tank being coupled to the generator. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(d) wherein the fuel lockout apparatus is configured to:	Element (d) of claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: As explained above with respect to element (b) of claim 1, the selector switch is the fuel lockout apparatus. The selector switch is configured as described below.
(d)(1) prevent the second fuel source from coupling to the second fuel line while the mechanical fuel valve is in the first position; and	Element (d)(1) of Claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: If the first fuel source is the gasoline tank, the second fuel source is an LPG tank, and the first position of the gasoline valve (the mechanical fuel valve) is the open position. When the selector switch is in Gasoline Mode, the gasoline valve (the mechanical fuel valve) is in the open position, and the selector switch is configured to prevent the LPG tank from coupling (directly or indirectly) to the LPG tank fuel line on the LPG hose extending between the LPG tank and the LPG fitting on the front panel and from coupling to the carburetor LPG fuel line between the LPG fitting and the carburetor by preventing actuation of the LPG solenoid. Since the solenoid switch cannot be engaged to actuate the LPG solenoid to the open position without

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	rotating the selector switch to LPG Mode, the LPG solenoid cannot be in the open position when the selector switch is in Gasoline Mode. As such, when the LPG solenoid is closed, the LPG solenoid prevents coupling between the LPG tank and the LPG fuel line. If the first fuel source is an LPG tank, the second fuel source is the gasoline tank, the first position of the gasoline valve (the mechanical fuel valve) is the closed position. When the selector switch is in LPG Mode, the gasoline valve is in the closed position, and the selector switch is configured to prevent the gasoline tank from coupling (directly or indirectly) to the carburetor gasoline fuel line extending between the gasoline valve and the carburetor by preventing actuation of the gasoline valve and the carburetor solenoid. As such, when the gasoline valve is closed, the gasoline valve prevents coupling between the gasoline tank and the gasoline fuel line. Since the gasoline valve cannot be actuated to the open position and solenoid switch cannot be engaged to open the carburetor solenoid without rotating the selector switch to Gasoline Mode, the gasoline valve and the carburetor solenoid cannot be opened when the selector switch is in LPG Mode. Firman infringes element (d)(1) of claim 1 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the selector switch is configured to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(d)(2) permit the second fuel source to couple to the second fuel line while the mechanical fuel	Element (d)(2) of Claim 1 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: If the first fuel source is the gasoline tank, the second fuel source is an LPG tank, and the second position of the gasoline valve (the

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valve is in the second position.	mechanical fuel valve) is the closed position. When the selector switch is in LPG Mode, the gasoline valve (the mechanical fuel valve) is in the closed position, and the selector switch tab engages the solenoid switch to actuate the LPG solenoid to the open position and the carburetor solenoid to the closed position. By opening the LPG solenoid, the selector switch permits the LPG tank to couple (directly or indirectly) to the LPG tank fuel line. Thus, the selector switch permits the LPG tank to couple to the LPG tank fuel line when the gasoline valve is in the closed position, thus LPG is enabled to flow from the LPG tank to the engine. If the first fuel source is an LPG tank, the second fuel source is the gasoline tank, the second position of the gasoline valve (the mechanical fuel valve) is the open position. When the selector switch is in Gasoline Mode, the gasoline valve and the carburetor solenoid are in the open position, and the LPG solenoid is in the closed position. By opening the gasoline valve, the selector switch permits the gasoline tank to couple (directly or indirectly) to the carburetor gasoline fuel line extending between the gasoline valve and the carburetor. By opening the carburetor solenoid, the selector switch permits gasoline to flow through the carburetor to the engine, thus gasoline is enabled to flow from the gasoline tank to the engine. Thus, the selector switch permits the gasoline tank to couple to the carburetor gasoline fuel line connecting the gasoline valve and the carburetor when the gasoline valve is in the open position. Firman infringes element (d)(2) of claim 1 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the selector switch is configured to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
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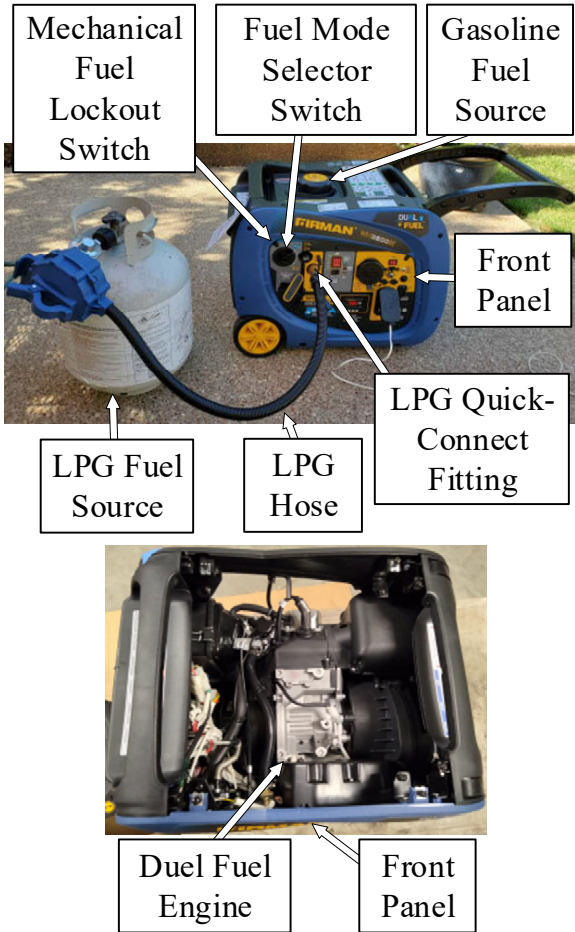
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2. The mechanical fuel lockout switch for a dual fuel engine of claim 1, wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the second fuel source communicates with the dual fuel engine.	Claim 2 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: Champion incorporates by reference in claim 2 the contentions set forth above for Claim 1. When the selector switch (the fuel lockout apparatus) is in LPG Mode, the gasoline valve (the mechanical fuel valve) is in the closed position, the LPG solenoid is in the open position, the LPG tank is in communication with the engine, and the gasoline tank is not in communication with the engine. As soon as the selector switch rotates out of LPG Mode, the selector switch tab disengages the solenoid switch to actuate the LPG solenoid to the closed position. Thus, the LPG tank is no longer in communication with the engine, and the gasoline valve is still in the closed position (i.e., it did not yet actuate to the open position). Accordingly, the selector switch prevents actuation of the gasoline valve to the open position when the selector switch is in LPG Mode and the LPG tank is communicating with the engine. Firman infringes claim 2 even when an LPG tank is not attached to the generator because the fuel lockout switch prevents actuation of the gasoline valve to the open position when the selector switch is in LPG Mode, irrespective of whether an LPG tank is coupled to the generator. But even were an LPG tank required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator, and the infringement is complete when the user attaches the LPG tank. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
6. The mechanical fuel lockout switch for a dual fuel engine of claim 1, wherein the mechanical fuel valve and the fuel lockout apparatus operate together to	Claim 6 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: Champion incorporates by reference in claim 6 the contentions set forth above for Claim 1. The gasoline valve (the mechanical fuel valve) and the selector switch (the fuel lockout apparatus) operate together to ensure that gasoline from the gasoline tank and LPG from the LPG tank are not

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ensure that fuel from the first fuel source and fuel from the second fuel source are not simultaneously delivered to the dual fuel engine.	simultaneously delivered to the engine. When the selector switch is in Gasoline Mode, the gasoline valve and carburetor solenoid are in the open position to allow delivery of gasoline to the engine, and the LPG solenoid is the closed position to prevent delivery of LPG to the engine. When the selector switch is in LPG Mode, the LPG solenoid is open to allow delivery of LPG to the engine, and the gasoline valve and carburetor solenoid are closed to prevent delivery of gasoline to the engine. Hence, the gasoline valve and the selector switch operate together such that they do not allow delivery of both gasoline and LPG to the engine simultaneously. Firman infringes claim 6 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the selector switch is configured to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
7. The mechanical fuel lockout switch for a dual fuel engine of claim 6, wherein the first fuel source provides liquid fuel from a liquid fuel tank to the dual fuel engine and the second fuel source provides gaseous fuel from a pressurized fuel	Claim 7 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) literally as follows: Champion incorporates by reference in claim 7 the contentions set forth above for claims 1 and 6. The gasoline tank is the first fuel source that provides liquid gasoline to the engine, and the LPG tank is the second fuel source that provides LPG to the engine. Firman infringes claim 7 by inducing and contributing to infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing

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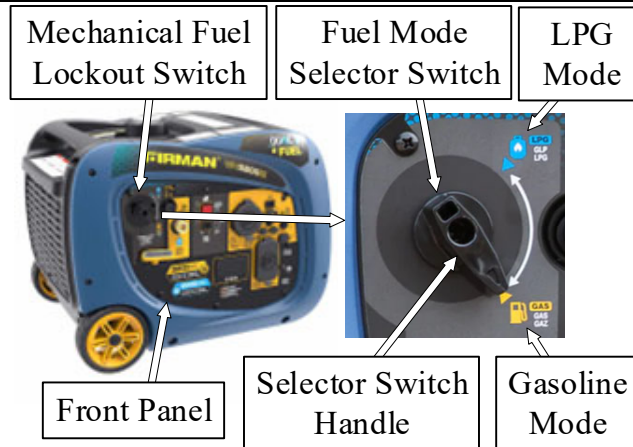
container to the dual fuel engine.	infringement are discussed in Section VII, which are incorporated herein by reference.
8. (Preamble) A method of assembling a mechanical fuel lockout switch for an internal combustion engine comprising:	The preamble of claim 8 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) as follows: As explained in more detail below, the components of Model WH02942 are arranged in a manner such that they had to be assembled as claimed to include a mechanical fuel lockout switch for an internal combustion engine. The manner of infringement is the importation of Model WH02942 (and, thereby, the remaining Accused Instrumentalities outlined in (a)–(g) above) into the United States.  The diagram consists of two photographs. The top photograph shows the external components of the generator: a white 'LPG Fuel Source' tank connected to a blue 'LPG Quick-Connect Fitting' and 'LPG Hose', which leads to the 'Front Panel' of the blue generator. A 'Gasoline Fuel Source' is also indicated. A 'Fuel Mode Selector Switch' is located on the front panel. A 'Mechanical Fuel Lockout Switch' is shown separately with an arrow pointing to the selector switch area. The bottom photograph shows the internal 'Dual Fuel Engine' with an arrow pointing to the 'Front Panel' area. A dual fuel engine is any engine that is configured to operate on at least two fuels. Model WH02942 includes a dual fuel internal

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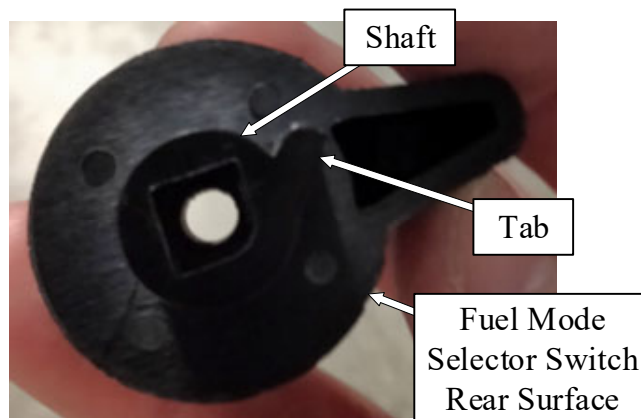
	combustion engine that may run on fuel from either of two fuel sources. One fuel source is a liquid fuel source in the form of a gasoline tank, and the other fuel source is a gaseous fuel source in the form of a pressurized LPG tank. Both fuel sources feed fuel to the engine via respective fuel lines.
(a) 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;	Element (a) of claim 8 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The method of assembling the mechanical fuel lockout switch of Model WH02942 includes providing the dual fuel internal combustion engine configured to operate on liquid gasoline from the gasoline tank and gaseous LPG from the LPG tank. Firman infringes element (a) of claim even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the generator is configured to operate on LPG and gasoline irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(b) coupling a mechanical fuel valve to the internal combustion engine actuateable between a first position and a second position to selectively control fuel flow to the internal combustion engine	Element (b) of claim 8 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows:

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from the first fuel source through a first fuel line and the second fuel source through a second fuel line; and

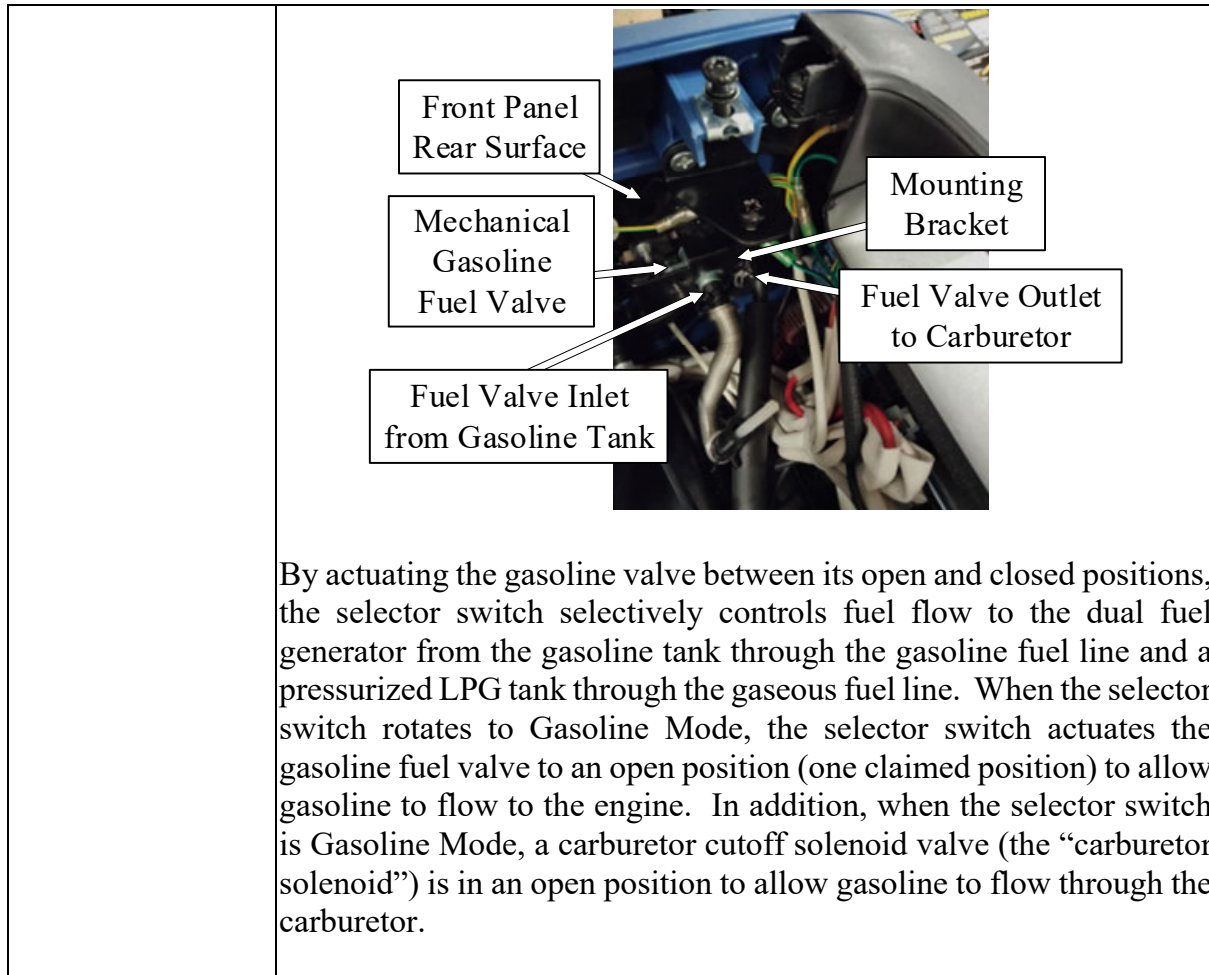


The Model WH02942 fuel mode selector switch (“selector switch”) is rotatable between an LPG Mode and a Gasoline Mode via a handle on the front of the selector switch.

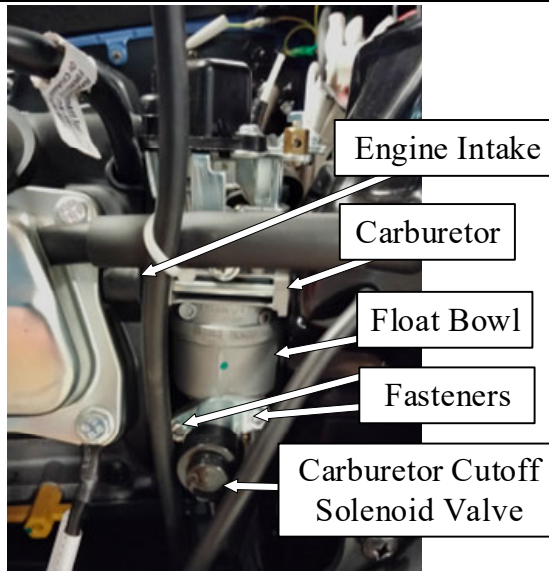


The selector switch engages a mechanical fuel valve that is a mechanical gasoline fuel valve (the “mechanical fuel valve”; referred to herein as the “gasoline valve”) positioned behind the front panel of the generator via a shaft on the back of the selector switch. As the selector switch rotates, the selector switch actuates the gasoline valve. The gasoline valve is positioned between the gasoline tank and the engine.

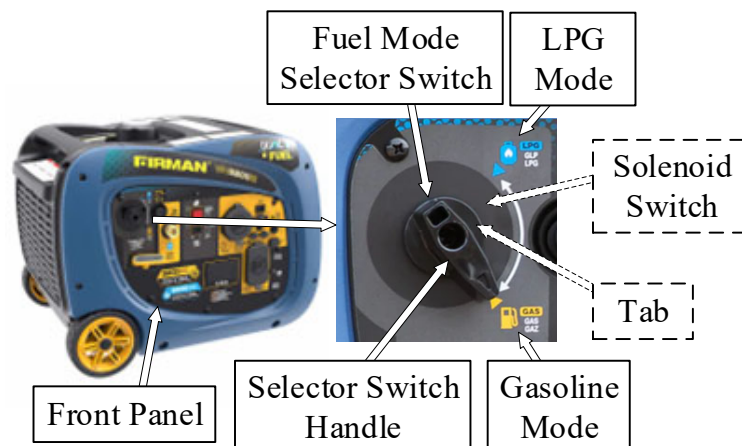
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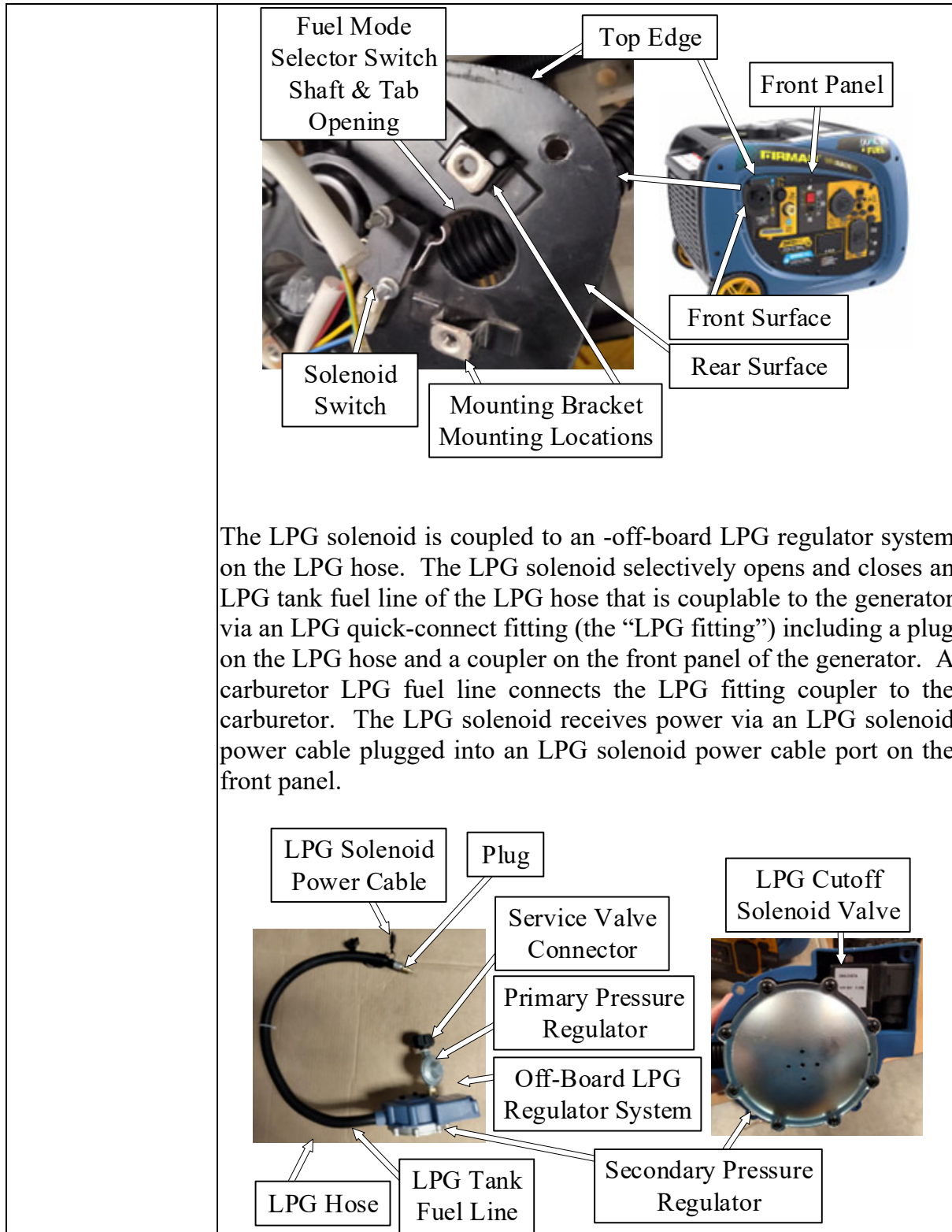


When the selector switch rotates to LPG Mode, the selector switch actuates the gasoline valve to a closed position (the other claimed position) to prevent gasoline from flowing to the engine, and a tab on the selector switch engages an electrical switch (the “solenoid switch”). The solenoid switch causes the carburetor solenoid to actuate to a closed position to prevent gasoline from flowing through the carburetor and causes an LPG cutoff solenoid valve (the “LPG solenoid”) on an LPG hose to actuate to an open position.

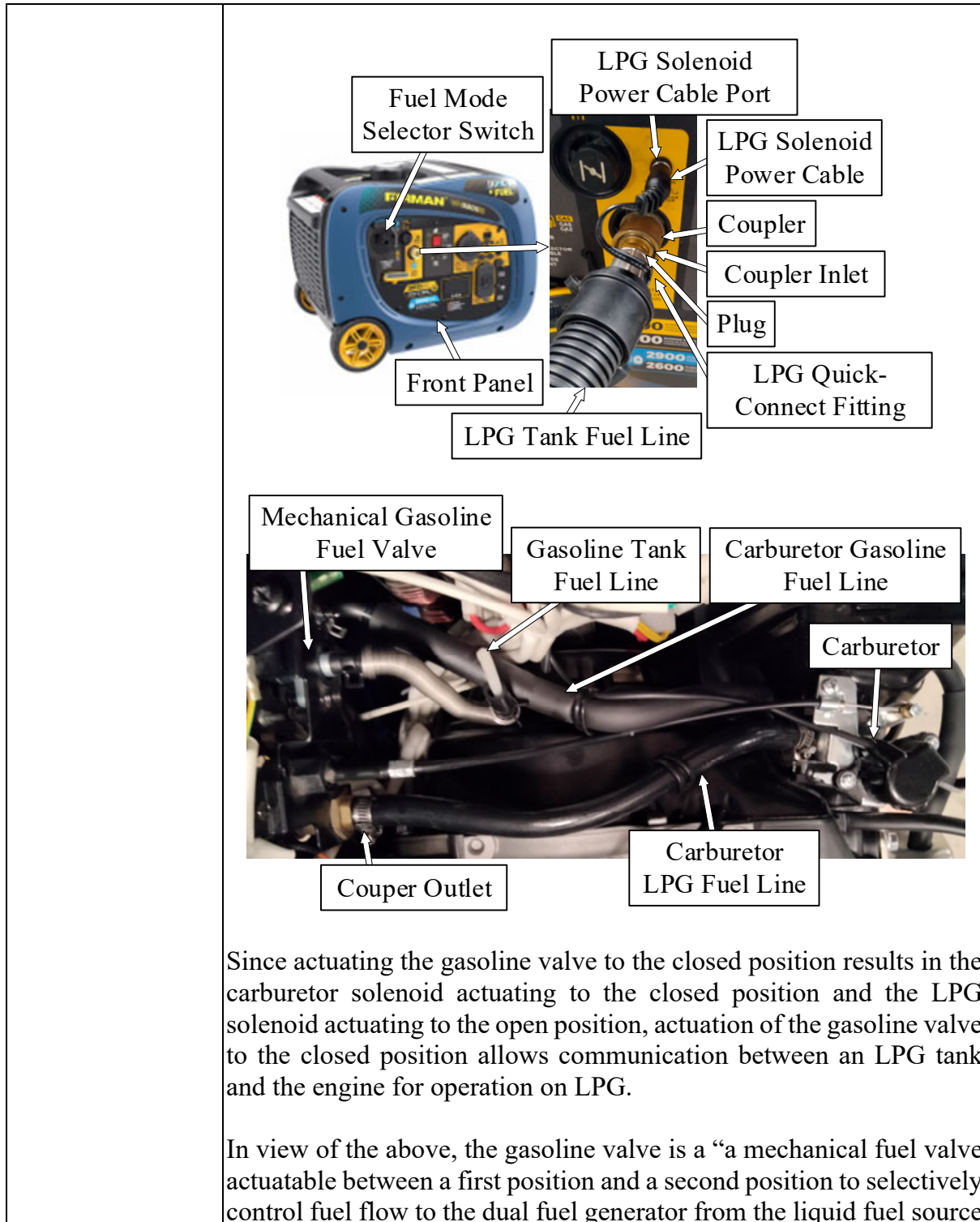


(Dashed lines indicate components hidden behind the selector switch and/or front panel)

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	through the liquid fuel line and the pressurized fuel source through the gaseous fuel line.” Thus, the method of assembling the mechanical fuel lockout switch of Model WH02942 includes 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. Firman infringes element (b) of claim 8 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the gasoline valve is actuatable between an open and closed position configure to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman’s acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(c) coupling a fuel lockout apparatus to the mechanical fuel valve;	Element (c) of claim 8 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The selector switch is a fuel lockout apparatus coupled to the gasoline valve (the mechanical fuel valve). As explained in more detail below, when the selector switch is in either Gasoline Mode or LPG Mode, the selector switch allows the gasoline tank or the LPG tank, respectively, to couple (directly or indirectly) to and provide fuel to the engine and prevents the other of the LPG tank or the gasoline tank, respectively, from (directly or indirectly) coupling to and providing fuel to the

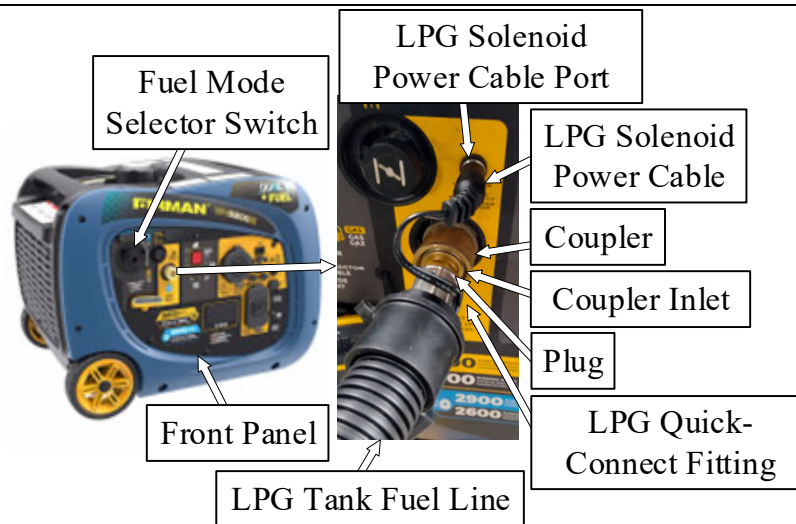
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	engine. ⁸ Thus, in each Fuel Mode, the selector switch couples one fuel source to the engine and locks out the other fuel source to prevent the delivery of multiple fuels to the engine at the same time.
(d) wherein when the mechanical fuel valve is in the first position, the fuel lockout apparatus communicates the first fuel source to the internal combustion engine and prevents the second fuel source from coupling to the internal combustion engine, and actuation of the mechanical fuel valve to the second position causes the fuel lockout apparatus to permit the second fuel source to couple to	Element (d) of claim 8 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The mechanical fuel lockout switch includes a valve assembly, an electrical switch engaged by a tab on the selector switch, and the selector switch (the fuel lockout apparatus). The valve assembly includes the gasoline valve (the mechanical fuel valve), the carburetor solenoid, and the LPG solenoid. As similarly explained above with respect to element (b) of claim 8, the engagement of the solenoid switch by the selector switch tab when in LPG Mode causes the carburetor solenoid to actuate to a closed position to prevent gasoline from flowing through the carburetor to the engine and causes a mechanical portion of the LPG solenoid to actuate to an open position to allow LPG to flow through the -off-board LPG regulator system and the carburetor to the engine. The LPG solenoid receives power via an LPG solenoid power cable plugged into an LPG solenoid power cable port on the front panel.

⁸ In other words, when the fuel mode of Model WH02942 is in the Gasoline Mode, the selector switch “prevents connection of the second fuel source (e.g., LPG) when the first fuel source (e.g., gasoline) is in use and permits connection of the second fuel source when the mechanical fuel valve is closed,” consistent with the Court’s Order [ECF 280]. This functionality is provided, for example, by this structure (including the “shaft”) directing the closing of the mechanical fuel valve while also permitting connection of the second fuel source in the accused instrumentality. In the Court’s Order, the Court noted that patent description language including “communicating” and “interrupts the . . . communication” as “support[ing] the first half of the tentative construction,” *i.e.*, “prevents connection . . .” language. Accordingly, communicating and connecting can be understood to have similar plain meanings according to the Court’s Order.

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the internal combustion engine, and interrupts the first fuel source communication with the internal combustion engine; and



When the selector switch rotates to Gasoline Mode, the tab disengages from the solenoid switch. The disengagement causes a mechanical portion of the carburetor solenoid to actuate to an open position to allow gasoline to flow through the carburetor to the engine and causes a mechanical portion of the LPG solenoid to actuate to a closed position to prevent LPG from flowing through the -off-board LPG regulator system.

With respect to element (d) of claim 8 specifically, when the selector switch is in Gasoline Mode, the selector switch has rotated the gasoline valve to the open position (the claimed first position) to communicate gasoline to the engine. At the same time, the selector switch is configured to prevent the LPG tank from coupling to the LPG tank fuel line on the LPG hose extending between the LPG tank and the LPG fitting on the front panel and from coupling to the carburetor LPG fuel line between the LPG fitting and the carburetor by preventing actuation of the LPG solenoid. Since the LPG solenoid switch cannot be engaged to open the LPG solenoid without rotating the selector switch to LPG Mode from Gasoline Mode, the LPG solenoid cannot be opened when the selector switch is in Gasoline Mode. As such, when the LPG solenoid is closed, the LPG solenoid prevents coupling between the LPG tank and the internal combustion engine.

When the selector switch rotates from Gasoline Mode to LPG Mode, the selector switch actuates the gasoline valve to the closed position

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	to interrupt the flow of gasoline from the gasoline tank to the engine. In addition, upon reaching LPG Mode, the selector switch tab engages the LPG solenoid switch to actuate the LPG solenoid to the open position and the carburetor solenoid to the closed position. By opening the LPG solenoid, the selector switch permits the LPG tank to couple to the LPG tank fuel line. Thus, in actuating the gasoline valve from the open position to the closed position, the selector switch permits the LPG tank to couple to the LPG tank fuel line and prevents coupling between the gasoline tank and the engine. As such, when the gasoline valve is closed, the gasoline valve prevents coupling between the gasoline tank and the internal combustion engine. Firman infringes element (d) of claim 8 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the gasoline valve is actuatable between an open and closed position configure to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(e) 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.	Element (e) of claim 8 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: When the selector switch (the fuel lockout apparatus) is in LPG Mode, the gasoline valve (the mechanical fuel valve) is in the closed position (the second position), the LPG solenoid is in the open position, LPG is enabled to flow from the LPG tank to the internal combustion engine, and the LPG tank is coupled to the engine. As soon as the selector switch rotates out of LPG Mode, the selector switch tab disengages the solenoid switch to actuate a mechanical portion of the LPG solenoid to the closed position. Thus, the LPG tank is no longer connected, directly or indirectly, to the engine, and the gasoline valve is still in the closed position (i.e., has not yet actuated to the closed

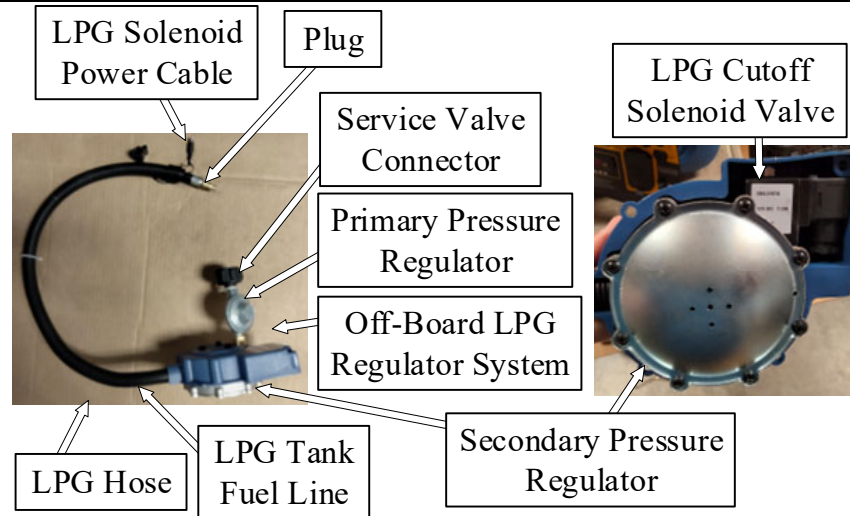
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	position). Accordingly, the selector switch prevents actuation of the gasoline valve to the open position when the an LPG tank is coupled to the engine. Firman infringes element (e) of claim 8 even when an LPG tank is not attached to the generator because the selector switch prevents actuation of the gasoline valve to the open position when the LPG tank is capable of being in communication with the engine, irrespective of whether the tank is in communication with the engine. But even were an LPG tank required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator, and the infringement is complete when the user attaches the LPG tank. Firman’s acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
9. (Preamble) The method of claim 8, wherein the fuel lockout apparatus is further configured to:	The preamble of claim 9 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: Champion incorporates by reference in claim 9 the contentions set forth above for claim 8. As explained above with respect to claim 8, the fuel mode selector switch is the claimed fuel lockout apparatus.
(a) prevent coupling of the second fuel source to the second fuel line while the mechanical fuel valve is in the first position; and	Element (a) of claim 9 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: When the selector switch is in Gasoline Mode, the gasoline valve (the mechanical fuel valve) is in the open position (the claimed first position), and the selector switch is configured to prevent the LPG tank from coupling (directly or indirectly) to the LPG tank fuel line by preventing actuation of the LPG solenoid. Since the LPG solenoid switch cannot be engaged to open the LPG solenoid without rotating the selector switch to LPG Mode, the LPG solenoid cannot be opened when the selector switch is in Gasoline Mode.

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	Firman infringes element (a) of claim 9 even when an LPG tank is not attached to the generator because fuel lockout apparatus is <i>configured</i> to prevent coupling of the LPG tank to the LPG fuel line when the gasoline valve is open. But even were an LPG tank required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator, and the infringement is complete when the user attaches the LPG tank. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(b) permit coupling of the second fuel source to the second fuel line while the mechanical fuel valve is in the second position.	Element (b) of claim 9 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: When the selector switch is in LPG Mode, the gasoline valve (the mechanical fuel valve) is in the closed position (the claimed second position), and the selector switch tab engages the LPG solenoid switch to open the LPG solenoid. By opening the LPG solenoid, the selector switch permits the LPG tank to couple (directly or indirectly) to the LPG tank fuel line. Thus, the selector switch permits the LPG tank to couple to the LPG tank fuel line when the gasoline valve is in the closed position.
11. The method of claim 8, further comprising 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.	Claim 11 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: Champion incorporates by reference in claim 11 the contentions set forth above for Claim 8.

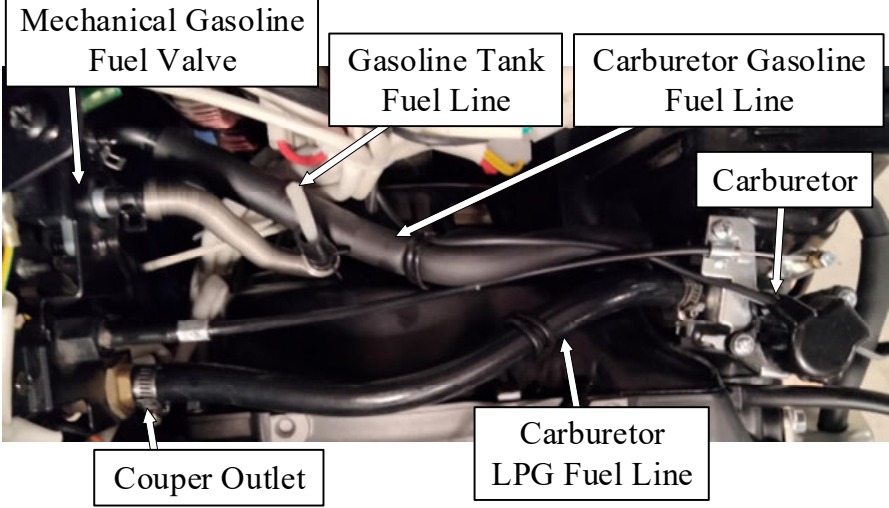
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Model WH02942 includes an LPG hose that includes a plug of the LPG fitting, a --two-stage off-board fuel regulator system including primary and secondary regulators, a service valve connector that couples the -off-board fuel regulator system to a service valve of an LPG tank, and the LPG tank fuel line coupling the -off-board fuel regulator system to the LPG quick-connect inlet on the front panel. The -off-board fuel regulator system reduces the pressure of the LPG from an LPG tank, and the LPG tank fuel line delivers the LPG to the LPG fitting for delivery to the engine via the carburetor LPG fuel line between the LPG fitting and the carburetor.

Firman infringes claim 11 even when an LPG tank is not attached to the generator because the fuel regulator system is configured to reduce the pressure of LPG from an LPG tank to be delivered to the engine, irrespective of whether it is actually coupled to an LPG tank. But even were an LPG tank required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator, and the infringement is complete when the user attaches the LPG tank. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.

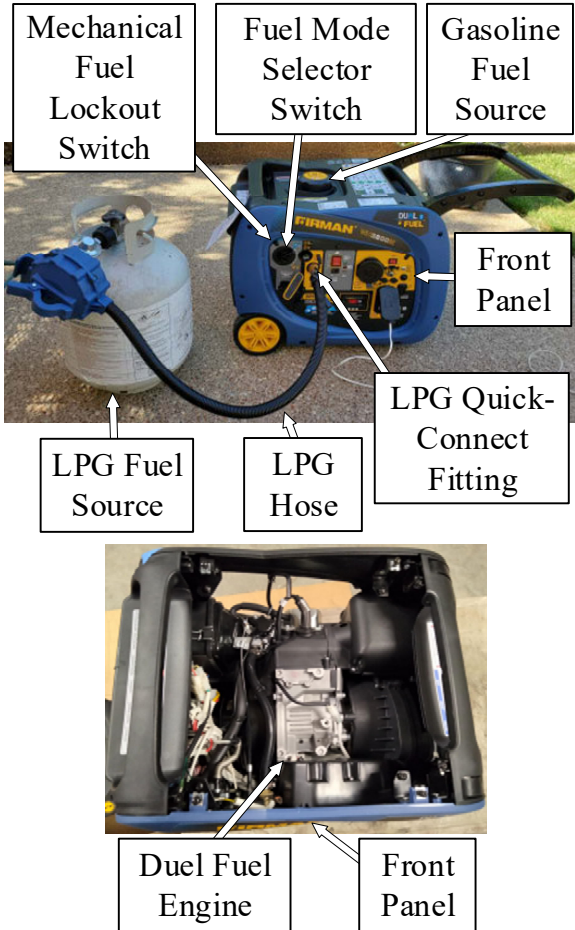
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13. (Preamble) The method of claim 11, further comprising:	The preamble of claim 13 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: Champion incorporates by reference in claim 14 the contentions set forth above for Claims 8 and 11.
(a) coupling one end of a -quick-disconnect hose coupling to an inlet on the internal combustion engine for the second fuel source; and	Element (a) of claim 13 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The method of assembling the mechanical fuel lockout switch for the internal combustion engine of Model WH02942 includes coupling the coupler of the LPG fitting to the engine via the carburetor LPG fuel line between the coupler outlet and the carburetor. Firman infringes element (a) of claim 13 even when an LPG tank is not attached to the generator because the coupling does not actually occur on the LPG tank but is instead “for” the LPG tank. But even were an LPG tank required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator, and the infringement is complete when the user attaches the LPG tank. Firman’s acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.

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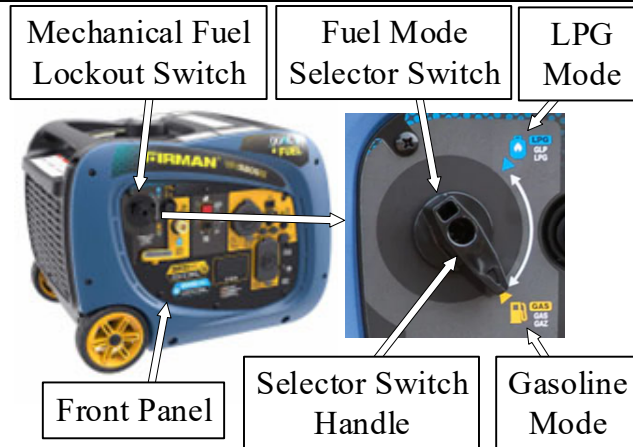
(b) coupling a mating end of the -quick-disconnect hose coupling to an outlet of the fuel regulator system.	Element (b) of claim 13 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The method of assembling the mechanical fuel lockout switch for the internal combustion engine of Model WH02942 includes coupling the plug of the LPG fitting on the LPG hose to the outlet of the -off-board LPG regulator system via the LPG tank fuel line.
14. The method of claim 8, further comprising providing gasoline in a liquid fuel tank as the first fuel source and LPG in a pressurized fuel container as the second fuel source.	Claim 14 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: Champion incorporates by reference in claim 14 the contentions set forth above for Claim 8. The method of assembling the mechanical fuel lockout switch for the internal combustion engine of Model WH02942 includes providing the gasoline tank, but Firman does not sell Model WH02942 with gasoline in the gasoline tank or with the LPG tank. However, in providing Model WH02942 with the dual fuel internal combustion engine that operates on gasoline from the gasoline tank and LPG from the LPG tank, Firman actively induces its customers to purchase gasoline for the gasoline tank and both LPG and an LPG tank for use in operating Model WH02942, thus causing others to provide the claimed gasoline and LPG in the LPG tank. Model WH02942 is not designed to provide power without either gasoline or LPG. Firman knew that inducing its customers to purchase gasoline or LPG for use with Model WH02942 constituted patent infringement at least as of the filing of Champion’s First Amended Complaint and Demand for Jury Trial [Document 24]. Firman infringes claim 14 by inducing and contributing to infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman’s acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.

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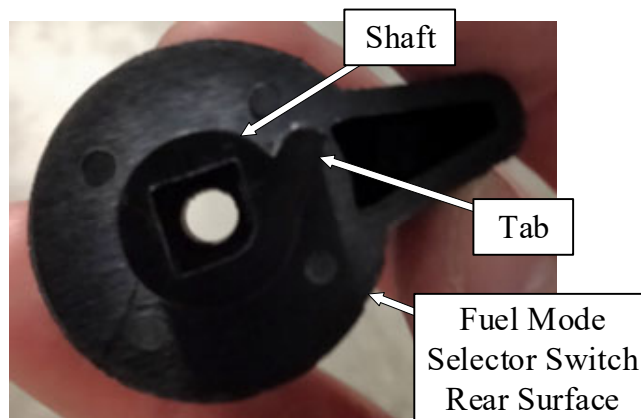
15. (Preamble) A mechanical fuel lockout switch for a dual fuel engine comprising:	The preamble of claim 15 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) as follows:  A dual fuel engine is any engine that is configured to operate on at least two fuels. Model WH02942 includes a dual fuel engine that may run on fuel from either of two fuel sources. One first fuel source is a liquid fuel source in the form of a gasoline tank, and the other fuel source is a gaseous fuel source in the form of a pressurized LPG tank. Both fuel sources feed fuel to the engine via respective fuel lines.
(a) a mechanical fuel valve actuateable between a first position and a	Element (a) of claim 15 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows:

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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

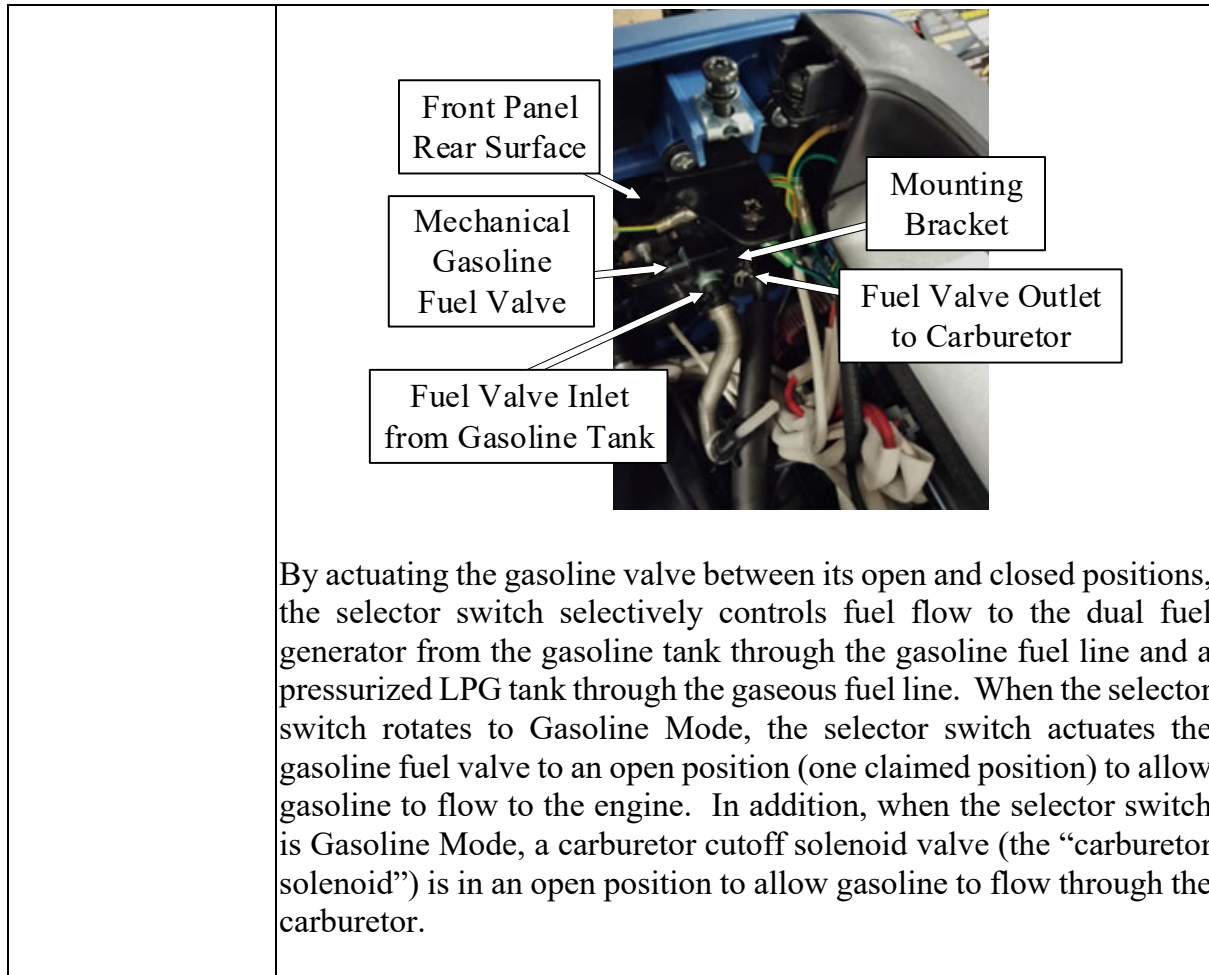


The Model WH02942 fuel mode selector switch (“selector switch”) is rotatable between an LPG Mode and a Gasoline Mode via a handle on the front of the selector switch.

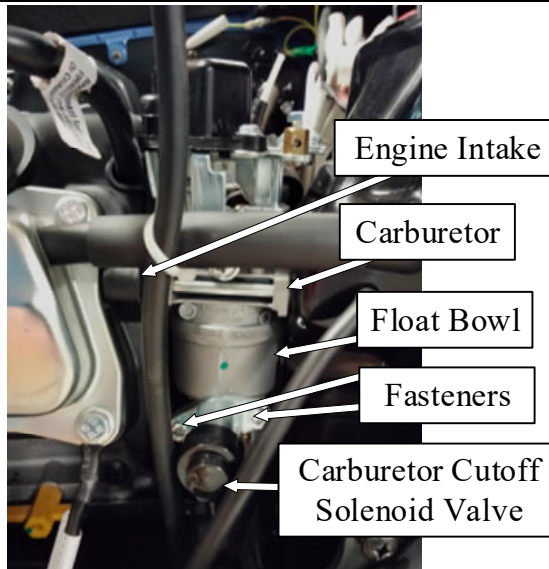


The selector switch engages a mechanical fuel valve that is a mechanical gasoline fuel valve (the “mechanical fuel valve”; referred to herein as the “gasoline valve”) positioned behind the front panel of the generator via a shaft on the back of the selector switch. As the selector switch rotates, the selector switch actuates the gasoline valve. The gasoline valve is positioned between the gasoline tank and the engine.

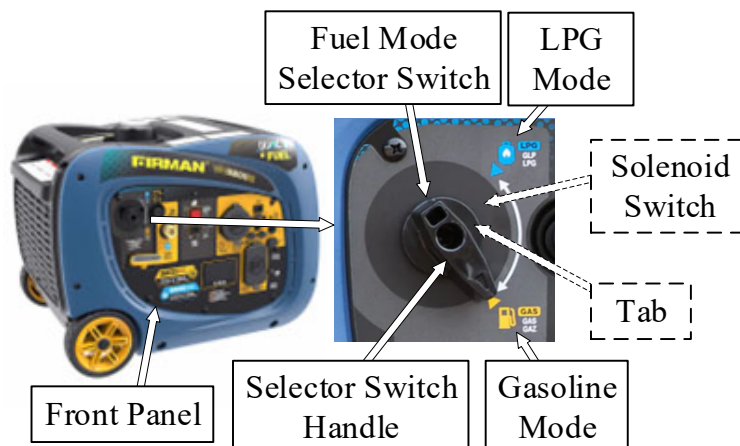
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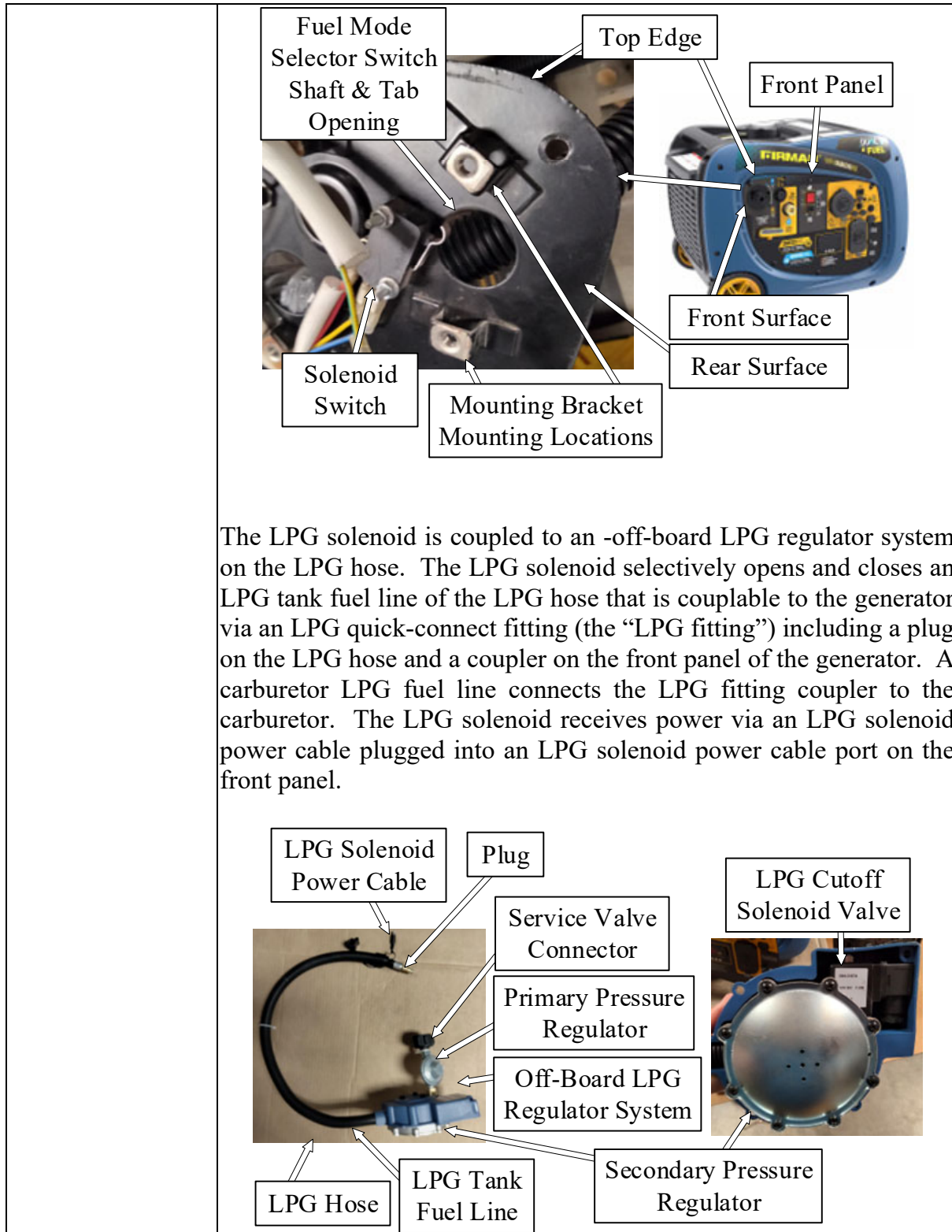


When the selector switch rotates to LPG Mode, the selector switch actuates the gasoline valve to a closed position (the other claimed position) to prevent gasoline from flowing to the engine, and a tab on the selector switch engages an electrical switch (the “solenoid switch”). The solenoid switch causes the carburetor solenoid to actuate to a closed position to prevent gasoline from flowing through the carburetor and causes an LPG cutoff solenoid valve (the “LPG solenoid”) on an LPG hose to actuate to an open position.

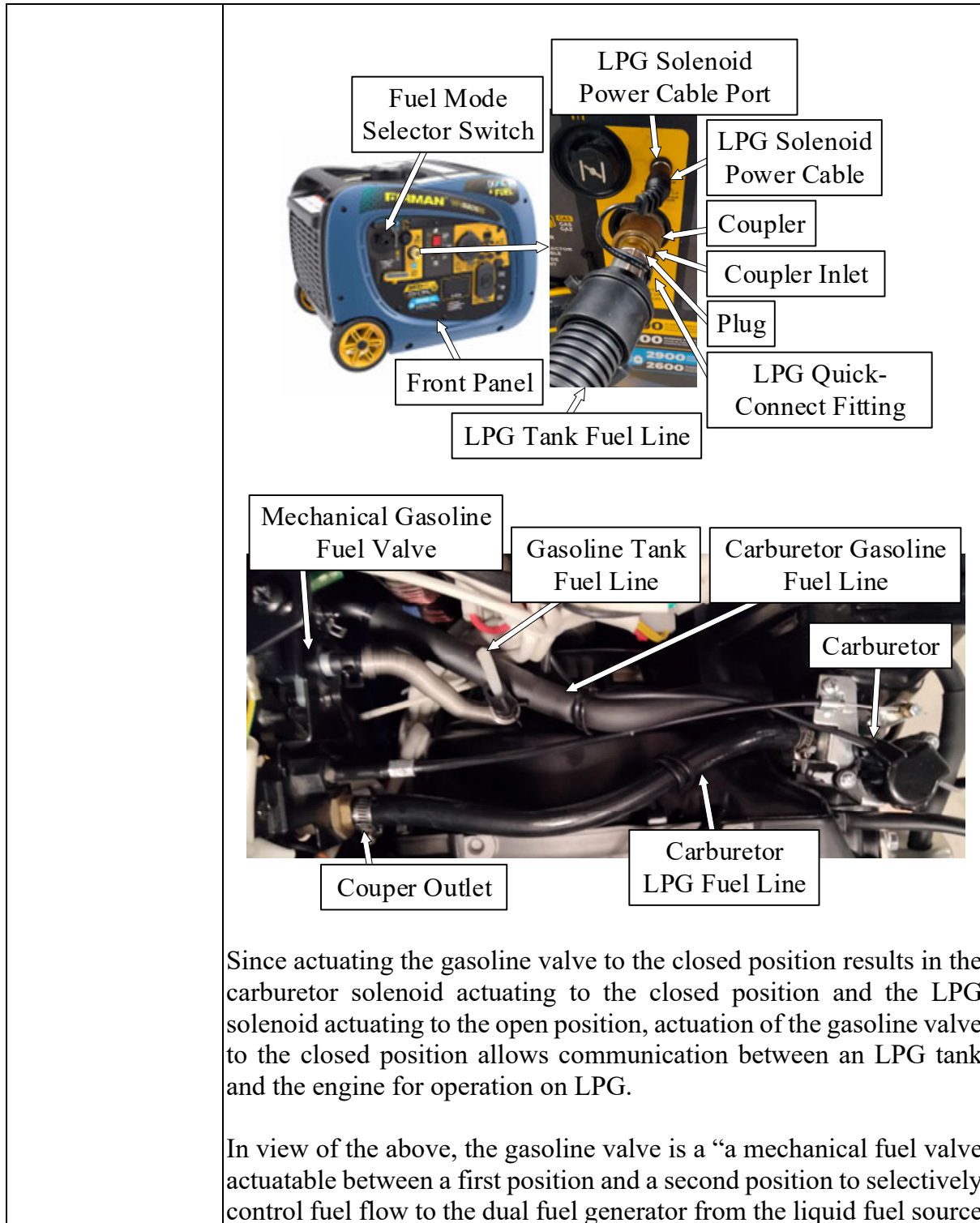


(Dashed lines indicate components hidden behind the selector switch and/or front panel)

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	through the liquid fuel line and the pressurized fuel source through the gaseous fuel line.” Firman infringes element (a) of claim 15 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the gasoline valve is actuatable between an open and closed position configure to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman’s acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference. Firman infringes element (a) of claim 15 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the gasoline valve is actuatable between an open and closed position configure to control the flow of either LPG and gasoline, irrespective of whether an LPG tank is coupled to the generator or whether gasoline is in the liquid fuel tank. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman’s acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(b) a fuel lockout apparatus coupled to the mechanical fuel valve;	Element (b) of claim 15 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The selector switch is a fuel lockout apparatus coupled to the gasoline valve (the “mechanical fuel valve”). As explained in more detail below, when the selector switch is in either Gasoline Mode or LPG Mode, the selector switch allows the gasoline tank or the LPG tank, respectively, to couple (directly or indirectly) to and provide fuel to

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	the engine and prevents the other of the LPG tank or the gasoline tank, respectively, from coupling (directly or indirectly) to and providing fuel to the engine. ⁹ Thus, in each Fuel Mode, the selector switch couples one fuel source to the engine and locks out the other fuel source to prevent the delivery of multiple fuels to the engine at the same time.
(c) wherein the mechanical fuel lockout switch:	Element (c) of claim 15 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: The mechanical fuel lockout switch includes a valve assembly, an electrical switch engaged by a tab on the selector switch, and the selector switch (the fuel lockout apparatus). The valve assembly includes the gasoline valve, the carburetor solenoid, and the LPG solenoid. As similarly explained above with respect to element (a) of claim 15, the engagement of the solenoid switch by the selector switch tab when in LPG Mode causes the carburetor solenoid to actuate to a closed position to prevent gasoline from flowing through the carburetor to the engine and causes the LPG solenoid to actuate to an open position to allow LPG to flow through the off-board LPG regulator system and the carburetor to the engine. The LPG solenoid receives power via an LPG solenoid power cable plugged into an LPG solenoid power cable port on the front panel.

⁹ In other words, when the fuel mode of Model WH02942 is in the Gasoline Mode, the selector switch “prevents connection of the second fuel source (e.g., LPG) when the first fuel source (e.g., gasoline) is in use and permits connection of the second fuel source when the mechanical fuel valve is closed,” consistent with the Court’s Order [ECF 280]. This functionality is provided, for example, by this structure (including the “shaft”) directing the closing of the mechanical fuel valve while also permitting connection of the second fuel source in the accused instrumentality. In the Court’s Order, the Court noted that patent description language including “communicating” and “interrupts the . . . communication” as “support[ing] the first half of the tentative construction,” *i.e.*, “prevents connection . . .” language. Accordingly, communicating and connecting can be understood to have similar plain meanings according to the Court’s Order.

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	When the selector switch rotates to Gasoline Mode, the tab disengages from the solenoid switch. The disengagement causes the carburetor solenoid to actuate to an open position to allow gasoline to flow through the carburetor to the engine and causes the LPG solenoid to actuate to a closed position to prevent LPG from flowing through the -off-board LPG regulator system.
(c)(1) 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	Element (c)(1) of claim 15 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: When the selector switch is in Gasoline Mode, the gasoline valve is in the open position, and the solenoid switch is disengaged such that the carburetor solenoid is in the open position and the LPG solenoid is in the closed position. Thus, when the gasoline valve is in the open position, the mechanical fuel lockout switch communicates the gasoline tank to the engine and prevents communication between the LPG tank and the engine. Likewise, when the selector switch rotates to LPG Mode from Gasoline Mode, the selector switch actuates the gasoline valve to the closed position, and the selector switch tab engages the solenoid switch to close the carburetor solenoid and open the LPG solenoid. Thus, when the gasoline valve is in the closed position, the mechanical fuel lockout switch communicates the LPG tank to the engine and interrupts the gasoline tank communication with the engine. As such, when the LPG solenoid is closed, the LPG solenoid prevents coupling between the LPG tank and the engine. Firman infringes element (c)(1) of claim 15 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the selector switch can be in either Gasoline Mode or LPG Mode and exclude communication with either the LPG tank or liquid fuel tank, respectively, without gasoline being in the liquid fuel tank or an LPG tank being coupled to the generator. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.

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(c)(2) 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	Element (c)(2) of claim 15 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: When the selector switch rotates to LPG Mode from Gasoline Mode, the selector switch actuates the gasoline valve to the closed position, and the selector switch tab engages the solenoid switch to actuate the carburetor solenoid to the closed position and actuates the LPG solenoid to the open position. Thus, when the gasoline valve is in the closed position, the mechanical fuel lockout switch communicates the LPG tank to the engine and prevents coupling between the gasoline tank and the engine. Likewise, when the selector switch is in Gasoline Mode, the gasoline valve is in the open position and the solenoid switch to open the carburetor solenoid and close the LPG solenoid. Thus, when the gasoline valve is in the open position, the mechanical fuel lockout switch communicates the gasoline tank to the engine and prevents coupling between the LPG tank and the engine. Firman infringes element (c)(2) of claim 1 even when an LPG tank is not attached to the generator and when gasoline is not present in the liquid fuel source because the selector switch can be in either Gasoline Mode or LPG Mode and exclude communication with either the LPG tank or liquid fuel tank, respectively, without gasoline being in the liquid fuel tank or an LPG tank being coupled to the generator. But even were an LPG tank and gasoline required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator and fill the liquid fuel source with gasoline, and the infringement is complete when the user attaches the LPG tank and fills the liquid fuel source with gasoline. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
(d) wherein the fuel lockout apparatus prevents actuation of the mechanical fuel valve to the first position when the	Element (d) of claim 15 is found within Model WH02942 (and, thereby, the remaining models outlined in (a)–(g) above) directly and literally as follows: When the selector switch is in LPG Mode, the gasoline valve is in the closed position, the LPG solenoid is in the open position, and the LPG tank is in communication with the engine. When the selector switch

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second fuel source communicates with the dual fuel engine.	rotates out of LPG Mode, the selector switch tab disengages the solenoid switch to actuate the LPG solenoid to the closed position. Thus, the LPG tank is no longer in communication with the engine, and the gasoline valve is still in the closed position (i.e., it did not actuate). Accordingly, the selector switch prevents actuation of the gasoline valve to the open position when the selector switch is in LPG Mode and the LPG tank is coupling to the engine. Firman infringes element (d) of claim 2 even when an LPG tank is not attached to the generator because the fuel lockout switch prevents actuation of the gasoline valve to the open position when the selector switch is in LPG Mode, irrespective of whether an LPG tank is coupled to the generator. But even were an LPG tank required for infringement, Firman induces and contributes to that infringement by instructing the user to attach an LPG tank to the generator, and the infringement is complete when the user attaches the LPG tank. Firman's acts contributing to and inducing infringement are discussed in Section VII, which are incorporated herein by reference.
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