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21 *Attorneys for Plaintiff Champion
22 Power Equipment, Inc.*

23 IN THE UNITED STATES DISTRICT COURT
24 FOR THE DISTRICT OF ARIZONA

25 Champion Power Equipment, Inc.,
26
27 Plaintiff,
28
29 v.
30 Firman Power Equipment Inc,
31
32 Defendant.

No.

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

33 CHAMPION POWER EQUIPMENT, INC. (“Champion”) by and through its
34 undersigned attorneys, Ziolkowski Patent Solutions Group, SC and Snell & Wilmer L.L.P.,
35 hereby files this complaint for patent infringement against FIRMAN POWER
36 EQUIPMENT INC. (“Firman”) and alleges as follows:
37
38

THE PARTIES

1
2 1. Champion is a duly organized and operating Nevada corporation whose
3 principal place of business is located at 12039 Smith Avenue, Santa Fe Springs, California
4 90670. Champion designs and sells single-fuel and multi-fuel generators, power stations,
5 log splitters, chipper shredders, leaf blowers, tillers, chainsaws, cultivators, lawn edgers,
6 augers, string trimmers, pressure washers, water pumps, snow blowers, winches, hoists,
7 accessories, and other equipment.

8 2. Champion goes to great lengths in protecting its proprietary intellectual
9 property and expends considerable resources in obtaining patents in the United States and
10 other foreign jurisdictions. Champion has filed over 70 patent applications and has been
11 awarded 53 U.S. patents.

12 3. Firman is a duly organized and operating Arizona Corporation whose
13 principal place of business is located at 8644 W Ludlow Dr., Peoria, Arizona 85381. Upon
14 information and belief, Firman imports and sells single-fuel and multi-fuel generators,
15 power stations, log splitters, and accessories that directly compete with Champion. Firman
16 advertises its products for sale nationally and has advertised, marketed, and sold products
17 infringing Champion’s intellectual property rights within the State of Arizona, this district,
18 and all other states and territories of the United States.

19 4. Firman hired a key Champion employee, Mr. Greg Montgomery
20 (“Montgomery”), as its President in 2015 and shortly thereafter began importing and selling
21 generators having Champion technology incorporated therein. Montgomery worked at
22 Champion from 2005 until December 12, 2014. Montgomery was the Vice President of
23 Sales for Champion and a key employee who had intimate and confidential knowledge of
24 Champion’s product development, designs, operation, componentry, goals, testing,
25 shipment timeframes, customer information, customer demands, and all relevant
26 information regarding Champion’s novel developments regarding dual-fuel and multi-fuel
27 generators.
28

1 5. Montgomery attended strategic design meetings at Champion’s worldwide
2 research and product development center in Waukesha, Wisconsin numerous times,
3 including a multi-day “Product Meeting” held on July 8–10, 2014 where he met with the
4 design team for the multi-fuel generators at the Champion research center, including the
5 Vice President of Engineering, Mark Sarder, the lead inventor on the Champion
6 dual/multi-fuel patents asserted herein.

7 6. Montgomery also attended a high-level, confidential Webex meeting that
8 included Champion ownership, top management, and engineering for the 3100W Dual Fuel
9 Generator on October, 30, 2014 to discuss “Sales Opportunities,” “Product Structure,”
10 “Production Schedule,” and “Development Challenges,” that included the lead inventor and
11 Vice President of Engineering, Mark Sarder.

12 7. On November 18, 2014, less than one month prior to Montgomery’s departure
13 from Champion, Montgomery accessed the “Dual Fuel Switch mock-up” via email.

14 8. During these meetings, along with many others and many other internal email
15 communications, Montgomery acquired the technical information from Champion that
16 allowed Firman to produce dual-fuel and multi-fuel generators and acquired from Mr.
17 Sarder subject matter information of patents asserted herein. According to public records,
18 Firman has not filed for a single patent application in the United States and has no issued
19 patents.

20 9. In 2016, Firman changed its color scheme to mimic that of Champion’s. Prior
21 to 2016, Firman used a green and black color scheme and a red and black color scheme,
22 then in early 2016, just one year after appointing Montgomery President of Firman, Firman
23 changed its color scheme to yellow and black, essentially the same as Champion’s color
24 scheme.

25 10. Champion has sent Firman cease and desist demands. Firman has ignored
26 those demands and continues to sell infringing generators.

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28

JURISDICTION AND VENUE

1
2 11. This is an action for patent infringement under the patent laws of the United
3 States, 35 U.S.C. §§ 271, *et seq.*

4 12. This Court has jurisdiction over the subject matter of this patent infringement
5 action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

6 13. This Court has personal jurisdiction over Firman because Firman has
7 committed acts of patent infringement within the State of Arizona giving rise to this action.
8 Firman’s electronic commerce advertisements, offers for sale, and sales have established at
9 least minimum contacts with the forum such that the exercise of jurisdiction over it would
10 not offend traditional notions of fair play and substantial justice.

11 14. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(a),
12 1391(b), 1391(c), and 1400(b) for at least the reasons that: (1) Firman resides in this district;
13 and (2) Firman has committed acts within this district giving rise to this action and does
14 business in this district, including sales, offers for sale, and providing service and/or support
15 to its customers in this district.

16 **COUNT I: INFRINGEMENT OF U.S. PATENT NO. 10,221,780**

17 15. Paragraphs 1 through 14 are incorporated by reference as if fully set forth
18 herein.

19 16. U.S. Patent No. 10,221,780 is titled “DUAL FUEL LOCKOUT SWITCH
20 FOR GENERATOR ENGINE.” U.S. Patent No. 10,221,780 was duly and legally issued
21 on March 5, 2019. A true and correct copy of U.S. Patent No. 10,221,780 is attached as
22 Exhibit A.

23 17. Champion is the lawful assignee of the entire right, title, and interest in and
24 to U.S. Patent No. 10,221,780 and possesses all rights of recovery under the patent,
25 including the right to recover damages for past infringement.

26 18. Champion has acquired and inspected the following Firman generator models
27 that Firman has been and is making, using, selling, or offering for sale within the United
28 States, or importing into the United States:

- 1 a. Model H03651, a dual fuel portable generator;
- 2 b. Model H03652, a dual fuel portable generator;
- 3 c. Model H05751, a dual fuel portable generator;
- 4 d. Model H05752, a dual fuel portable generator;
- 5 e. Model H05753, a dual fuel portable generator;
- 6 f. Model H07552, a dual fuel portable generator;
- 7 g. Model H07553, a dual fuel portable generator;
- 8 h. Model H08051, a dual fuel portable generator;
- 9 i. Model H08053, a dual fuel portable generator;
- 10 j. Model T04073, a tri fuel portable generator;
- 11 k. Model T07571, a tri fuel portable generator;
- 12 l. Model T07573, a tri fuel portable generator;
- 13 m. Model T08071, a tri fuel portable generator;
- 14 n. Model T08072, a tri fuel portable generator;
- 15 o. Model T09275, a tri fuel portable generator;
- 16 p. Model T09371, a tri fuel portable generator;
- 17 q. Model WH02942, a dual fuel inverter portable generator;
- 18 r. Model WH03041, a dual fuel inverter portable generator;
- 19 s. Model WH03042, a dual fuel inverter portable generator;
- 20 t. Model WH03242, a dual fuel inverter portable generator;
- 21 u. Model WH03344, a dual fuel inverter portable generator;
- 22 v. Model WH03562OF, a dual fuel open frame inverter portable generator;

23 and

- 24 w. Model WH03662OF, a dual fuel open frame inverter portable generator.

25 19. Upon acquisition, disassembly as needed, review of owner’s manuals and
26 electrical schematics, and inspection, it was determined that each of the foregoing Firman
27 generator models includes all of the elements of at least claims 1, 8, and 15 of U.S. Patent
28 No. 10,221,780 and, specifically, that each of the foregoing Firman generator models

1 includes a mechanical fuel lockout switch that communicates a first fuel source to a dual
2 fuel engine and prevents communication between a second fuel source and the dual fuel
3 engine when a mechanical fuel valve is in a first position and that communicates the second
4 fuel source to the dual fuel engine and interrupts the first fuel source communication with
5 the dual fuel engine when in a second position and also include a fuel lockout apparatus that
6 prevents actuation of the mechanical fuel valve to the first position when the second fuel
7 source communicates with the dual fuel engine and that is configured to prevent the second
8 fuel source from coupling to a second fuel line while the mechanical fuel valve is in the first
9 position and permit the second fuel source to couple to the second fuel line while the
10 mechanical fuel valve is in the second position, as called for in claims 1, 8, and/or 15 of
11 U.S. Patent No. 10,221,780. Therefore, each of the foregoing Firman generator models
12 infringes at least claims 1, 8, and 15 of U.S. Patent No. 10,221,780.

13 20. Upon information and belief, Firman has been and is now making, using,
14 selling, or offering for sale within the United States, or importing into the United States, the
15 following additional generator models:

- 16 a. Model H03654, a dual fuel portable generator;
- 17 b. Model H05754, a dual fuel portable generator;
- 18 c. Model H07554, a dual fuel portable generator;
- 19 d. Model H08052, a dual fuel portable generator;
- 20 e. Model T07571F, a refurbished tri fuel portable generator;
- 21 f. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 22 g. Model WH03242F, a refurbished dual fuel inverter portable generator;

23 and

- 24 h. Model WH03342, a dual fuel inverter portable generator.

25 21. Upon review of images, owner's manuals, and electrical schematics of the
26 foregoing Firman generator models and comparisons of the images, owner's manuals, and
27 electrical schematics of the foregoing Firman generator models to those of the Firman
28 generator models listed in Paragraph 18, it was determined that each of the foregoing

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1 Firman generator models includes all of the elements of at least claims 1, 8, and 15 of U.S.
2 Patent No. 10,221,780 and, specifically, that each of the foregoing Firman generator models
3 includes a mechanical fuel lockout switch that communicates a first fuel source to a dual
4 fuel engine and prevents communication between a second fuel source and the dual fuel
5 engine when a mechanical fuel valve is in a first position and that communicates the second
6 fuel source to the dual fuel engine and interrupts the first fuel source communication with
7 the dual fuel engine when in a second position and also include a fuel lockout apparatus that
8 prevents actuation of the mechanical fuel valve to the first position when the second fuel
9 source communicates with the dual fuel engine and that is configured to prevent the second
10 fuel source from coupling to a second fuel line while the mechanical fuel valve is in the first
11 position and permit the second fuel source to couple to the second fuel line while the
12 mechanical fuel valve is in the second position, as called for in claims 1, 8, and/or 15 of
13 U.S. Patent No. 10,221,780. Therefore, each of the foregoing Firman generator models
14 infringes at least claims 1, 8, and 15 of U.S. Patent No. 10,221,780.

15 22. Champion has no adequate remedy at law against Firman’s acts of
16 infringement and will suffer irreparable harm unless Firman is preliminarily and
17 permanently enjoined from its infringement of U.S. Patent No. 10,221,780.

18 23. Upon information and belief, Firman’s infringement has been willful,
19 deliberate, and with knowledge of Champion’s rights under U.S. Patent No. 10,221,780.

20 24. Firman, by way of its infringing activity, has caused and continues to cause
21 Champion to suffer damages in an amount to be determined at trial.

22 **COUNT II: INFRINGEMENT OF U.S. PATENT NO. 10,393,034**

23 25. Paragraphs 1 through 24 are incorporated by reference as if fully set forth
24 herein.

25 26. U.S. Patent No. 10,393,034 is titled “FUEL SYSTEM FOR A MULTI-FUEL
26 INTERNAL COMBUSTION ENGINE.” U.S. Patent No. 10,393,034 was duly and legally
27 issued on August 27, 2019. A true and correct copy of U.S. Patent No. 10,393,034 is
28 attached as Exhibit B.

1 27. Champion is the lawful assignee of the entire right, title, and interest in and
2 to U.S. Patent No. 10,393,034 and possesses all rights of recovery under the patent,
3 including the right to recover damages for past infringement.

4 28. Champion has acquired and inspected the following Firman generator models
5 that Firman has been and is making, using, selling, or offering for sale within the United
6 States, or importing into the United States:

- 7 a. Model H03651, a dual fuel portable generator;
- 8 b. Model H03652, a dual fuel portable generator;
- 9 c. Model H05751, a dual fuel portable generator;
- 10 d. Model H05752, a dual fuel portable generator;
- 11 e. Model H05753, a dual fuel portable generator;
- 12 f. Model H07552, a dual fuel portable generator;
- 13 g. Model H07553, a dual fuel portable generator;
- 14 h. Model H08051, a dual fuel portable generator;
- 15 i. Model H08053, a dual fuel portable generator;
- 16 j. Model T04073, a tri fuel portable generator;
- 17 k. Model T07571, a tri fuel portable generator;
- 18 l. Model T07573, a tri fuel portable generator;
- 19 m. Model T08071, a tri fuel portable generator;
- 20 n. Model T08072, a tri fuel portable generator;
- 21 o. Model T09275, a tri fuel portable generator;
- 22 p. Model T09371, a tri fuel portable generator;
- 23 q. Model WH02942, a dual fuel inverter portable generator;
- 24 r. Model WH03041, a dual fuel inverter portable generator;
- 25 s. Model WH03042, a dual fuel inverter portable generator;
- 26 t. Model WH03242, a dual fuel inverter portable generator;
- 27 u. Model WH03344, a dual fuel inverter portable generator;

1 v. Model WH03562OF, a dual fuel open frame inverter portable generator;
2 and

3 w. Model WH03662OF, a dual fuel open frame inverter portable generator.

4 29. Upon acquisition, disassembly as needed, review of owner's manuals and
5 electrical schematics, and inspection, it was determined that each of the foregoing Firman
6 generator models includes all of the elements of at least claims 1, 11, and 18 of U.S. Patent
7 No. 10,393,034 and, specifically, that each of the foregoing Firman generator models
8 includes a liquid or carburetor cutoff solenoid coupled to a carburetor to open and close a
9 liquid fuel path to an engine downstream from a float bowl of the carburetor and selectively
10 engage engine operation on liquid fuel; a gaseous cutoff or fuel valve coupled to open and
11 close a gaseous fuel source to the engine, to control fuel flow through a gaseous fuel line,
12 and to selectively engage engine operation on gaseous fuel; a switch selectively coupling a
13 power source to the liquid cutoff solenoid to open and close the liquid fuel path; and an
14 electro-mechanical valve system coupled to the engine and operated by an electrical switch
15 powered by one of an alternator, a battery, and a magneto that controls fuel flow to the
16 engine from a liquid fuel source and a pressurized fuel source, as called for in claims 1, 11,
17 and/or 18 of U.S. Patent No. 10,393,034. Therefore, each of the foregoing Firman generator
18 models infringes at least claims 1, 11, and 18 of U.S. Patent No. 10,393,034.

19 30. Upon information and belief, Firman has been and is now making, using,
20 selling, or offering for sale within the United States, or importing into the United States, the
21 following additional generator models:

- 22 a. Model H03654, a dual fuel portable generator;
- 23 b. Model H05754, a dual fuel portable generator;
- 24 c. Model H07554, a dual fuel portable generator;
- 25 d. Model H08052, a dual fuel portable generator;
- 26 e. Model T07571F, a refurbished tri fuel portable generator;
- 27 f. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 28

1 g. Model WH03242F, a refurbished dual fuel inverter portable generator;
2 and

3 h. Model WH03342, a dual fuel inverter portable generator.

4 31. Upon review of images, owner's manuals, and electrical schematics of the
5 foregoing Firman generator models and comparisons of the images, owner's manuals, and
6 electrical schematics of the foregoing Firman generator models to those of the Firman
7 generator models listed in Paragraph 28, it was determined that each of the foregoing
8 Firman generator models includes all of the elements of at least claims 1, 11, and 18 of U.S.
9 Patent No. 10,393,034 and, specifically, that each of the foregoing Firman generator models
10 includes a liquid or carburetor cutoff solenoid coupled to a carburetor to open and close a
11 liquid fuel path to an engine downstream from a float bowl of the carburetor and selectively
12 engage engine operation on liquid fuel; a gaseous cutoff or fuel valve coupled to open and
13 close a gaseous fuel source to the engine, to control fuel flow through a gaseous fuel line,
14 and to selectively engage engine operation on gaseous fuel; a switch selectively coupling a
15 power source to the liquid cutoff solenoid to open and close the liquid fuel path; and an
16 electro-mechanical valve system coupled to the engine and operated by an electrical switch
17 powered by one of an alternator, a battery, and a magneto that controls fuel flow to the
18 engine from a liquid fuel source and a pressurized fuel source, as called for in claims 1, 11,
19 and/or 18 of U.S. Patent No. 10,393,034. Therefore, each of the foregoing Firman generator
20 models infringes at least claims 1, 11, and 18 of U.S. Patent No. 10,393,034.

21 32. Champion has no adequate remedy at law against Firman's acts of
22 infringement and will suffer irreparable harm unless Firman is preliminarily and
23 permanently enjoined from its infringement of U.S. Patent No. 10,393,034.

24 33. Upon information and belief, Firman's infringement has been willful,
25 deliberate, and with knowledge of Champion's rights under U.S. Patent No. 10,393,034.

26 34. Firman, by way of its infringing activity, has caused and continues to cause
27 Champion to suffer damages in an amount to be determined at trial.
28

COUNT III: INFRINGEMENT OF U.S. PATENT NO. 10,598,101

35. Paragraphs 1 through 34 are incorporated by reference as if fully set forth herein.

36. U.S. Patent No. 10,598,101 is titled “DUAL FUEL SELECTOR SWITCH.” U.S. Patent No. 10,598,101 was duly and legally issued on March 24, 2020. A true and correct copy of U.S. Patent No. 10,598,101 is attached as Exhibit C.

37. Champion is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 10,598,101 and possesses all rights of recovery under the patent, including the right to recover damages for past infringement.

38. Champion has acquired and inspected the following Firman generator models that Firman has been and is making, using, selling, or offering for sale within the United States, or importing into the United States:

- a. Model H03651, a dual fuel portable generator;
- b. Model H03652, a dual fuel portable generator;
- c. Model H05751, a dual fuel portable generator;
- d. Model H05752, a dual fuel portable generator;
- e. Model H05753, a dual fuel portable generator;
- f. Model H07552, a dual fuel portable generator;
- g. Model H07553, a dual fuel portable generator;
- h. Model H08051, a dual fuel portable generator;
- i. Model H08053, a dual fuel portable generator;
- j. Model T04073, a tri fuel portable generator;
- k. Model T07571, a tri fuel portable generator;
- l. Model T07573, a tri fuel portable generator;
- m. Model T08071, a tri fuel portable generator;
- n. Model T08072, a tri fuel portable generator;
- o. Model T09275, a tri fuel portable generator;
- p. Model T09371, a tri fuel portable generator;

1 q. Model WH03562OF, a dual fuel open frame inverter portable generator;
2 and

3 r. Model WH03662OF, a dual fuel open frame inverter portable generator.

4 39. Upon acquisition, disassembly as needed, review of owner's manuals and
5 electrical schematics, and inspection, it was determined that each of the foregoing Firman
6 generator models includes all of the elements of at least claim 18 of U.S. Patent No.
7 10,598,101 and, specifically, that each of the foregoing Firman generator models includes
8 a selector switch positioned on a valve assembly to allow a user to manually select one of a
9 first fuel flow and a second fuel flow from a first fuel source and a second fuel source,
10 respectively, to an engine of a dual fuel generator, the valve assembly including a first fuel
11 input connected to the first fuel source, a second fuel input connected to the second fuel
12 source, two fuel outputs supplying fuel from only one of the first fuel source or the second
13 fuel source, a first fuel valve having open and closed positions to selectively control the
14 first fuel flow to the engine, and a second fuel valve having open and closed positions to
15 selectively control the second fuel flow to the engine, as called for in claim 18 of U.S. Patent
16 No. 10,598,101. Therefore, each of the following Firman generator models infringes at
17 least claim 18 of U.S. Patent No. 10,598,101.

18 40. Champion has also acquired and inspected the following Firman generator
19 models that Firman has been and is making, using, selling, or offering for sale within the
20 United States, or importing into the United States:

- 21 a. Model WH02942, a dual fuel inverter portable generator;
22 b. Model WH03041, a dual fuel inverter portable generator;
23 c. Model WH03042, a dual fuel inverter portable generator;
24 d. Model WH03242, a dual fuel inverter portable generator; and
25 e. Model WH03344, a dual fuel inverter portable generator.

26 41. Upon acquisition, disassembly as needed, review of owner's manuals and
27 electrical schematics, and inspection, it was determined that each of the foregoing Firman
28 generator models includes all of the elements of at least claims 17 and 18 of U.S. Patent

1 No. 10,598,101. Each of the foregoing Firman generator models specifically includes a
2 selector switch having a first fuel mode in which a solenoid switch and a fuel solenoid are
3 in closed positions and a second fuel mode in which the solenoid switch and the fuel
4 solenoid are in open positions, wherein the selector switch triggers the solenoid switch when
5 changed from the second fuel mode to the first fuel mode, so as to cause the solenoid switch
6 and the fuel solenoid to operate in the closed positions, and wherein positioning of the
7 selector switch in the first fuel mode and the second fuel mode enables a selection of one
8 of a first fuel flow and a second fuel flow from a first fuel source and a second fuel source,
9 respectively, to an engine of a dual fuel generator, as called for in claim 17 of U.S. Patent
10 No. 10,598,101. Additionally, each of the foregoing Firman generator models specifically
11 includes a selector switch positioned on a valve assembly to allow a user to manually select
12 one of a first fuel flow and a second fuel flow from a first fuel source and a second fuel
13 source, respectively, to an engine of a dual fuel generator, the valve assembly including a
14 first fuel input connected to the first fuel source, a second fuel input connected to the second
15 fuel source, two fuel outputs supplying fuel from only one of the first fuel source or the
16 second fuel source, a first fuel valve having open and closed positions to selectively control
17 the first fuel flow to the engine, and a second fuel valve having open and closed positions
18 to selectively control the second fuel flow to the engine, as called for in claim 18 of U.S.
19 Patent No. 10,598,101. Therefore, each of the foregoing Firman generator models infringes
20 at least claims 17 and 18 of U.S. Patent No. 10,598,101.

21 42. Upon information and belief, Firman has been and is now making, using,
22 selling, or offering for sale within the United States, or importing into the United States, the
23 following additional generator models:

- 24 a. Model H03654, a dual fuel portable generator;
- 25 b. Model H05754, a dual fuel portable generator;
- 26 c. Model H07554, a dual fuel portable generator;
- 27 d. Model H08052, a dual fuel portable generator; and
- 28 e. Model T07571F, a refurbished tri fuel portable generator.

1 43. Upon review of images, owner’s manuals, and electrical schematics of the
2 foregoing Firman generator models and comparisons of the images, owner’s manuals, and
3 electrical schematics of the foregoing Firman generator models to those of the Firman
4 generator models listed in Paragraphs 38 and 40, it was determined that each of the
5 foregoing Firman generator models includes all of the elements of at least claim 18 of U.S.
6 Patent No. 10,598,101 and, specifically, that each of the foregoing Firman generator models
7 includes a selector switch positioned on a valve assembly to allow a user to manually select
8 one of a first fuel flow and a second fuel flow from a first fuel source and a second fuel
9 source, respectively, to an engine of a dual fuel generator, the valve assembly including a
10 first fuel input connected to the first fuel source, a second fuel input connected to the second
11 fuel source, two fuel outputs supplying fuel from only one of the first fuel source or the
12 second fuel source, a first fuel valve having open and closed positions to selectively control
13 the first fuel flow to the engine, and a second fuel valve having open and closed positions
14 to selectively control the second fuel flow to the engine, as called for in claim 18 of U.S.
15 Patent No. 10,598,101. Therefore, each of the foregoing Firman generator models infringes
16 at least claim 18 of U.S. Patent No. 10,598,101.

17 44. Upon information and belief, Firman also has been and is now making, using,
18 selling, or offering for sale within the United States, or importing into the United States, the
19 following additional generator models:

- 20 a. Model WH02942F, a refurbished dual fuel inverter portable generator;
21 b. Model WH03242F, a refurbished dual fuel inverter portable generator;
22 and
23 c. Model WH03342, a dual fuel inverter portable generator.

24 45. Upon review of images, owner’s manuals, and electrical schematics of the
25 foregoing Firman generator models and comparisons of the images, owner’s manuals, and
26 electrical schematics of the foregoing Firman generator models to those of the Firman
27 generator models listed in Paragraphs 38 and 40, it was determined that each of the
28 foregoing Firman generator models includes all of the elements of at least claims 17 and 18

1 of U.S. Patent No. 10,598,101. Each of the foregoing Firman generator models specifically
2 includes a selector switch having a first fuel mode in which a solenoid switch and a fuel
3 solenoid are in closed positions and a second fuel mode in which the solenoid switch and
4 the fuel solenoid are in open positions, wherein the selector switch triggers the solenoid
5 switch when changed from the second fuel mode to the first fuel mode, so as to cause the
6 solenoid switch and the fuel solenoid to operate in the closed positions, and wherein
7 positioning of the selector switch in the first fuel mode and the second fuel mode enables a
8 selection of one of a first fuel flow and a second fuel flow from a first fuel source and a
9 second fuel source, respectively, to an engine of a dual fuel generator, as called for in claim
10 17 of U.S. Patent No. 10,598,101. Additionally, each of the foregoing Firman generator
11 models specifically includes a selector switch positioned on a valve assembly to allow a
12 user to manually select one of a first fuel flow and a second fuel flow from a first fuel source
13 and a second fuel source, respectively, to an engine of a dual fuel generator, the valve
14 assembly including a first fuel input connected to the first fuel source, a second fuel input
15 connected to the second fuel source, two fuel outputs supplying fuel from only one of the
16 first fuel source or the second fuel source, a first fuel valve having open and closed positions
17 to selectively control the first fuel flow to the engine, and a second fuel valve having open
18 and closed positions to selectively control the second fuel flow to the engine, as called for
19 in claim 18 of U.S. Patent No. 10,598,101. Therefore, each of the foregoing Firman
20 generator models infringes at least claims 17 and 18 of U.S. Patent No. 10,598,101.

21 46. Champion has no adequate remedy at law against Firman's acts of
22 infringement and will suffer irreparable harm unless Firman is preliminarily and
23 permanently enjoined from its infringement of U.S. Patent No. 10,598,101.

24 47. Upon information and belief, Firman's infringement has been willful,
25 deliberate, and with knowledge of Champion's rights under U.S. Patent No. 10,598,101.

26 48. Firman, by way of its infringing activity, has caused and continues to cause
27 Champion to suffer damages in an amount to be determined at trial.
28

COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 10,697,398

1
2 49. Paragraphs 1 through 48 are incorporated by reference as if fully set forth
3 herein.

4 50. U.S. Patent No. 10,697,398 is titled “BATTERYLESS DUAL FUEL
5 ENGINE WITH LIQUID FUEL CUT-OFF.” U.S. Patent No. 10,697,398 was duly and
6 legally issued on June 30, 2020. A true and correct copy of U.S. Patent No. 10,697,398 is
7 attached as Exhibit D.

8 51. Champion is the lawful assignee of the entire right, title, and interest in and
9 to U.S. Patent No. 10,697,398 and possesses all rights of recovery under the patent,
10 including the right to recover damages for past infringement.

11 52. Champion has acquired and inspected the following Firman generator models
12 that Firman has been and is making, using, selling, or offering for sale within the United
13 States, or importing into the United States:

- 14 a. Model H03651, a dual fuel portable generator;
- 15 b. Model H03652, a dual fuel portable generator;
- 16 c. Model H05751, a dual fuel portable generator;
- 17 d. Model H05752, a dual fuel portable generator;
- 18 e. Model H05753, a dual fuel portable generator;
- 19 f. Model H07552, a dual fuel portable generator;
- 20 g. Model H07553, a dual fuel portable generator;
- 21 h. Model H08051, a dual fuel portable generator;
- 22 i. Model H08053, a dual fuel portable generator;
- 23 j. Model T04073, a tri fuel portable generator;
- 24 k. Model T07571, a tri fuel portable generator;
- 25 l. Model T07573, a tri fuel portable generator;
- 26 m. Model T08071, a tri fuel portable generator;
- 27 n. Model T08072, a tri fuel portable generator;
- 28 o. Model T09275, a tri fuel portable generator;

- 1 p. Model T09371, a tri fuel portable generator;
- 2 q. Model WH02942, a dual fuel inverter portable generator;
- 3 r. Model WH03041, a dual fuel inverter portable generator;
- 4 s. Model WH03042, a dual fuel inverter portable generator;
- 5 t. Model WH03242, a dual fuel inverter portable generator;
- 6 u. Model WH03344, a dual fuel inverter portable generator;
- 7 v. Model WH03562OF, a dual fuel open frame inverter portable generator;
- 8 and
- 9 w. Model WH03662OF, a dual fuel open frame inverter portable generator.

10 53. Upon acquisition, disassembly as needed, review of owner’s manuals and
11 electrical schematics, and inspection, it was determined that each of the foregoing Firman
12 generator models includes all of the elements of at least claims 1 and 57 of U.S. Patent No.
13 10,697,398. Each of the foregoing Firman generator models specifically includes a switch
14 to change operation of an engine between gaseous fuel and liquid fuel, a liquid fuel valve
15 positioned along a liquid fuel line coupling a liquid fuel source to a carburetor, a gaseous
16 fuel valve positioned along a gaseous fuel line coupling a gaseous fuel source to the
17 carburetor, and a liquid fuel cut-off incorporated into the carburetor to interrupt liquid fuel
18 upon actuation of the switch from liquid to gaseous fuel, as called for in claim 1 of U.S.
19 Patent No. 10,697,398. Additionally, each of the foregoing Firman generator models was
20 assembled by specifically coupling a switch to an engine to change operation of the engine
21 between gaseous fuel and liquid fuel and attaching a liquid fuel cut-off to a carburetor to
22 close a fuel passage extending from a float bowl of the carburetor to a throat to the
23 carburetor to provide liquid fuel upon actuation of the switch from liquid to gaseous fuel,
24 as called for in claim 57 of U.S. Patent No. 10,697,398. Therefore, each of the foregoing
25 Firman generator models infringes at least claims 1 and 57 of U.S. Patent No. 10,697,398.

26 54. Upon information and belief, Firman has been and is now making, using,
27 selling, or offering for sale within the United States, or importing into the United States, the
28 following additional generator models:

- 1 a. Model H03654, a dual fuel portable generator;
- 2 b. Model H05754, a dual fuel portable generator;
- 3 c. Model H07554, a dual fuel portable generator;
- 4 d. Model H08052, a dual fuel portable generator;
- 5 e. Model T07571F, a refurbished tri fuel portable generator;
- 6 f. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 7 g. Model WH03242F, a refurbished dual fuel inverter portable generator;
- 8 and
- 9 h. Model WH03342, a dual fuel inverter portable generator.

10 55. Upon review of images, owner’s manuals, and electrical schematics of the
11 foregoing Firman generator models and comparisons of the images, owner’s manuals, and
12 electrical schematics of the foregoing Firman generator models to those of the Firman
13 generator models listed in Paragraph 52, it was determined that each of the foregoing
14 Firman generator models includes all of the elements of at least claims 1 and 57 of U.S.
15 Patent No. 10,697,398. Each of the foregoing Firman generator models specifically
16 includes a switch to change operation of an engine between gaseous fuel and liquid fuel, a
17 liquid fuel valve positioned along a liquid fuel line coupling a liquid fuel source to a
18 carburetor, a gaseous fuel valve positioned along a gaseous fuel line coupling a gaseous fuel
19 source to the carburetor, and a liquid fuel cut-off incorporated into the carburetor to interrupt
20 liquid fuel upon actuation of the switch from liquid to gaseous fuel, as called for in claim 1
21 of U.S. Patent No. 10,697,398. Additionally, each of the foregoing Firman generator
22 models was assembled by specifically coupling a switch to an engine to change operation
23 of the engine between gaseous fuel and liquid fuel and attaching a liquid fuel cut-off to a
24 carburetor to close a fuel passage extending from a float bowl of the carburetor to a throat
25 to the carburetor to provide liquid fuel upon actuation of the switch from liquid to gaseous
26 fuel, as called for in claim 57 of U.S. Patent No. 10,697,398. Therefore, each of the
27 foregoing Firman generator models infringes at least claims 1 and 57 of U.S. Patent No.
28 10,697,398.

1 56. Champion has no adequate remedy at law against Firman’s acts of
2 infringement and will suffer irreparable harm unless Firman is preliminarily and
3 permanently enjoined from its infringement of U.S. Patent No. 10,697,398.

4 57. Upon information and belief, Firman’s infringement has been willful,
5 deliberate, and with knowledge of Champion’s rights under U.S. Patent No. 10,697,398.

6 58. Firman, by way of its infringing activity, has caused and continues to cause
7 Champion to suffer damages in an amount to be determined at trial.

8 **COUNT V: INFRINGEMENT OF U.S. PATENT NO. 11,143,120**

9 59. Paragraphs 1 through 58 are incorporated by reference as if fully set forth
10 herein.

11 60. U.S. Patent No. 11,143,120 is titled “FUEL SYSTEM FOR A MULTI-FUEL
12 INTERNAL COMBUSTION ENGINE.” U.S. Patent No. 11,143,120 was duly and legally
13 issued on October 12, 2021. A true and correct copy of U.S. Patent No. 11,143,120 is
14 attached as Exhibit E.

15 61. Champion is the lawful assignee of the entire right, title, and interest in and
16 to U.S. Patent No. 11,143,120 and possesses all rights of recovery under the patent,
17 including the right to recover damages for past infringement.

18 62. Champion has acquired and inspected the following Firman generator models
19 that Firman has been and is making, using, selling, or offering for sale within the United
20 States, or importing into the United States:

- 21 a. Model H03651, a dual fuel portable generator;
- 22 b. Model H03652, a dual fuel portable generator;
- 23 c. Model H05751, a dual fuel portable generator;
- 24 d. Model H05752, a dual fuel portable generator;
- 25 e. Model H05753, a dual fuel portable generator;
- 26 f. Model H07552, a dual fuel portable generator;
- 27 g. Model H07553, a dual fuel portable generator;
- 28 h. Model H08051, a dual fuel portable generator;

- 1 i. Model H08053, a dual fuel portable generator;
- 2 j. Model T04073, a tri fuel portable generator;
- 3 k. Model T07571, a tri fuel portable generator;
- 4 l. Model T07573, a tri fuel portable generator;
- 5 m. Model T08071, a tri fuel portable generator;
- 6 n. Model T08072, a tri fuel portable generator;
- 7 o. Model T09275, a tri fuel portable generator;
- 8 p. Model T09371, a tri fuel portable generator;
- 9 q. Model WH02942, a dual fuel inverter portable generator;
- 10 r. Model WH03041, a dual fuel inverter portable generator;
- 11 s. Model WH03042, a dual fuel inverter portable generator;
- 12 t. Model WH03242, a dual fuel inverter portable generator;
- 13 u. Model WH03344, a dual fuel inverter portable generator;
- 14 v. Model WH03562OF, a dual fuel open frame inverter portable generator;
- 15 and
- 16 w. Model WH03662OF, a dual fuel open frame inverter portable generator.

17 63. Upon acquisition, disassembly as needed, review of owner’s manuals and
18 electrical schematics, and inspection, it was determined that each of the foregoing Firman
19 generator models includes all of the elements of at least claim 12 of U.S. Patent No.
20 11,143,120 and, specifically, that each of the foregoing Firman generator models includes
21 a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from
22 a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized
23 fuel source through a gaseous fuel line and includes a fuel regulator system having a primary
24 pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel
25 supplied from the pressurized fuel source to a reduced pressure and a secondary pressure
26 regulator coupled to the primary pressure regulator to regulate fuel supplied from the
27 primary pressure regulator to a desired pressure for delivery through the gaseous fuel line
28 to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120. Therefore,

1 each of the foregoing Firman generator models infringes at least claim 12 of U.S. Patent
2 No. 11,143,120.

3 64. Upon information and belief, Firman has been and is now making, using,
4 selling, or offering for sale within the United States, or importing into the United States, the
5 following additional generator models:

- 6 a. Model H03654, a dual fuel portable generator;
- 7 b. Model H05754, a dual fuel portable generator;
- 8 c. Model H07554, a dual fuel portable generator;
- 9 d. Model H08052, a dual fuel portable generator;
- 10 e. Model T07571F, a refurbished tri fuel portable generator;
- 11 f. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 12 g. Model WH03242F, a refurbished dual fuel inverter portable generator;

13 and

- 14 h. Model WH03342, a dual fuel inverter portable generator.

15 65. Upon review of images, owner's manuals, and electrical schematics of the
16 foregoing Firman generator models and comparisons of the images, owner's manuals, and
17 electrical schematics of the foregoing Firman generator models to those of the Firman
18 generator models listed in Paragraph 62, it was determined that each of the foregoing
19 Firman generator models includes all of the elements of at least claim 12 of U.S. Patent No.
20 11,143,120 and, specifically, that each of the foregoing Firman generator models includes
21 a multi-fuel internal combustion engine configured to operate on a liquid fuel supplied from
22 a liquid fuel source through a liquid fuel line and a gaseous fuel supplied from a pressurized
23 fuel source through a gaseous fuel line and includes a fuel regulator system having a primary
24 pressure regulator coupled to a service valve of a pressurized fuel source to regulate fuel
25 supplied from the pressurized fuel source to a reduced pressure and a secondary pressure
26 regulator coupled to the primary pressure regulator to regulate fuel supplied from the
27 primary pressure regulator to a desired pressure for delivery through the gaseous fuel line
28 to operate the engine, as called for in claim 12 of U.S. Patent No. 11,143,120. Therefore,

1 each of the foregoing Firman generator models infringes at least claim 12 of U.S. Patent
2 No. 11,143,120.

3 66. Champion has no adequate remedy at law against Firman’s acts of
4 infringement and will suffer irreparable harm unless Firman is preliminarily and
5 permanently enjoined from its infringement of U.S. Patent No. 11,143,120.

6 67. Upon information and belief, Firman’s infringement has been willful,
7 deliberate, and with knowledge of Champion’s rights under U.S. Patent No. 11,143,120.

8 68. Firman, by way of its infringing activity, has caused and continues to cause
9 Champion to suffer damages in an amount to be determined at trial.

10 **COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 11,143,145**

11 69. Paragraphs 1 through 68 are incorporated by reference as if fully set forth
12 herein.

13 70. U.S. Patent No. 11,143,145 is titled “BATTERYLESS DUAL FUEL
14 ENGINE WITH LIQUID FUEL CUT-OFF.” U.S. Patent No. 11,143,145 was duly and
15 legally issued on October 12, 2021. A true and correct copy of U.S. Patent No. 11,143,145
16 is attached as Exhibit F.

17 71. Champion is the lawful assignee of the entire right, title, and interest in and
18 to U.S. Patent No. 11,143,145 and possesses all rights of recovery under the patent,
19 including the right to recover damages for past infringement.

20 72. Champion has acquired and inspected the following Firman generator models
21 that Firman has been and is making, using, selling, or offering for sale within the United
22 States, or importing into the United States:

- 23 a. Model H03651, a dual fuel portable generator;
- 24 b. Model H03652, a dual fuel portable generator;
- 25 c. Model H05751, a dual fuel portable generator;
- 26 d. Model H05752, a dual fuel portable generator;
- 27 e. Model H05753, a dual fuel portable generator;
- 28 f. Model H07552, a dual fuel portable generator;

- 1 g. Model H07553, a dual fuel portable generator;
- 2 h. Model H08051, a dual fuel portable generator;
- 3 i. Model H08053, a dual fuel portable generator;
- 4 j. Model T04073, a tri fuel portable generator;
- 5 k. Model T07571, a tri fuel portable generator;
- 6 l. Model T07573, a tri fuel portable generator;
- 7 m. Model T08071, a tri fuel portable generator;
- 8 n. Model T08072, a tri fuel portable generator;
- 9 o. Model T09275, a tri fuel portable generator;
- 10 p. Model T09371, a tri fuel portable generator;
- 11 q. Model WH02942, a dual fuel inverter portable generator;
- 12 r. Model WH03041, a dual fuel inverter portable generator;
- 13 s. Model WH03042, a dual fuel inverter portable generator;
- 14 t. Model WH03242, a dual fuel inverter portable generator;
- 15 u. Model WH03344, a dual fuel inverter portable generator;
- 16 v. Model WH03562OF, a dual fuel open frame inverter portable generator;
- 17 and
- 18 w. Model WH03662OF, a dual fuel open frame inverter portable generator.

19 73. Upon acquisition, disassembly as needed, review of owner’s manuals and
20 electrical schematics, and inspection, it was determined that each of the foregoing Firman
21 generator models includes all of the elements of at least claim 1 of U.S. Patent No.
22 11,143,145 and, specifically, that each of the foregoing Firman generator models includes
23 a switch to change operation of an engine between gaseous and liquid fuel, a liquid fuel
24 cut-off solenoid to interrupt liquid fuel flow to the engine upon actuation of the switch from
25 liquid fuel to gaseous fuel, and a voltage regulator coupled to a charging coil of an electrical
26 power generator to receive power therefrom and that operates to provide a regulated voltage
27 to the liquid fuel cut-off solenoid, as called for in claim 1 of U.S. Patent No. 11,143,145.
28

1 Therefore, each of the foregoing Firman generator models infringes at least claim 1 of U.S.
2 Patent No. 11,143,145.

3 74. Upon information and belief, Firman has been and is now making, using,
4 selling, or offering for sale within the United States, or importing into the United States, the
5 following additional generator models:

- 6 a. Model H03654, a dual fuel portable generator;
- 7 b. Model H05754, a dual fuel portable generator;
- 8 c. Model H07554, a dual fuel portable generator;
- 9 d. Model H08052, a dual fuel portable generator;
- 10 e. Model T07571F, a refurbished tri fuel portable generator;
- 11 f. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 12 g. Model WH03242F, a refurbished dual fuel inverter portable generator;

13 and

- 14 h. Model WH03342, a dual fuel inverter portable generator.

15 75. Upon review of images, owner's manuals, and electrical schematics of the
16 foregoing Firman generator models and comparisons of the images, owner's manuals, and
17 electrical schematics of the foregoing Firman generator models to those of the Firman
18 generator models listed in Paragraph 72, it was determined that each of the foregoing
19 Firman generator models includes all of the elements of at least claim 1 of U.S. Patent No.
20 11,143,145 and, specifically, that each of the foregoing Firman generator models includes
21 a switch to change operation of an engine between gaseous and liquid fuel, a liquid fuel
22 cut-off solenoid to interrupt liquid fuel flow to the engine upon actuation of the switch from
23 liquid fuel to gaseous fuel, and a voltage regulator coupled to a charging coil of an electrical
24 power generator to receive power therefrom and that operates to provide a regulated voltage
25 to the liquid fuel cut-off solenoid, as called for in claim 1 of U.S. Patent No. 11,143,145.
26 Therefore, each of the foregoing Firman generator models infringes at least claim 1 of U.S.
27 Patent No. 11,143,145.

1 76. Champion has no adequate remedy at law against Firman’s acts of
2 infringement and will suffer irreparable harm unless Firman is preliminarily and
3 permanently enjoined from its infringement of U.S. Patent No. 11,143,145.

4 77. Upon information and belief, Firman’s infringement has been willful,
5 deliberate, and with knowledge of Champion’s rights under U.S. Patent No. 11,143,145.

6 78. Firman, by way of its infringing activity, has caused and continues to cause
7 Champion to suffer damages in an amount to be determined at trial.

8 **COUNT VII: INFRINGEMENT OF U.S. PATENT NO. 11,306,667**

9 79. Paragraphs 1 through 78 are incorporated by reference as if fully set forth
10 herein.

11 80. U.S. Patent No. 11,306,667 is titled “DUAL FUEL SELECTOR SWITCH.”
12 U.S. Patent No. 11,306,667 was duly and legally issued on April 19, 2022. A true and
13 correct copy of U.S. Patent No. 11,306,667 is attached as Exhibit G.

14 81. Champion is the lawful assignee of the entire right, title, and interest in and
15 to U.S. Patent No. 11,306,667 and possesses all rights of recovery under the patent,
16 including the right to recover damages for past infringement.

17 82. Champion has acquired and inspected the following Firman generator models
18 that Firman has been and is making, using, selling, or offering for sale within the United
19 States, or importing into the United States:

- 20 a. Model H03651, a dual fuel portable generator;
- 21 b. Model H03652, a dual fuel portable generator;
- 22 c. Model H05751, a dual fuel portable generator;
- 23 d. Model H05752, a dual fuel portable generator;
- 24 e. Model H05753, a dual fuel portable generator;
- 25 f. Model H07552, a dual fuel portable generator;
- 26 g. Model H07553, a dual fuel portable generator;
- 27 h. Model H08051, a dual fuel portable generator;
- 28 i. Model H08053, a dual fuel portable generator;

- 1 j. Model T04073, a tri fuel portable generator;
- 2 k. Model T07571, a tri fuel portable generator;
- 3 l. Model T07573, a tri fuel portable generator;
- 4 m. Model T08071, a tri fuel portable generator;
- 5 n. Model T08072, a tri fuel portable generator;
- 6 o. Model T09275, a tri fuel portable generator;
- 7 p. Model T09371, a tri fuel portable generator;
- 8 q. Model WH03562OF, a dual fuel open frame inverter portable generator;
- 9 and
- 10 r. Model WH03662OF, a dual fuel open frame inverter portable generator.

11 83. Upon acquisition, disassembly as needed, review of owner’s manuals and
12 electrical schematics, and inspection, it was determined that each of the foregoing Firman
13 generator models includes all of the elements of at least claim 1 of U.S. Patent No.
14 11,306,667 and, specifically, that each of the foregoing Firman generator models includes
15 a selector switch positioned on a valve assembly to allow a user to manually select one of a
16 first fuel flow and a second fuel flow from a first fuel source and a second fuel source,
17 respectively, to an engine of a dual fuel generator, the valve assembly including a first fuel
18 input connected to the first fuel source, a second fuel input connected to the second fuel
19 source, and two fuel outputs for selectively supplying fuel to an engine from the first fuel
20 source or the second fuel source, as called for in claim 1 of U.S. Patent No. 11,306,667.
21 Therefore, each of the foregoing Firman generator models infringes at least claim 1 of U.S.
22 Patent No. 11,306,667.

23 84. Champion has also acquired and inspected the following Firman generator
24 models that Firman has been and is making, using, selling, or offering for sale within the
25 United States, or importing into the United States:

- 26 a. Model WH02942, a dual fuel inverter portable generator;
- 27 b. Model WH03041, a dual fuel inverter portable generator;
- 28 c. Model WH03042, a dual fuel inverter portable generator;

1 d. Model WH03242, a dual fuel inverter portable generator; and

2 e. Model WH03344, a dual fuel inverter portable generator.

3 85. Upon acquisition, disassembly as needed, review of owner's manuals and
4 electrical schematics, and inspection, it was determined that each of the foregoing Firman
5 generator models includes all of the elements of at least claim 1 and 10 of U.S. Patent No.
6 11,306,667. Each of the foregoing Firman generator models specifically includes a selector
7 switch positioned on a valve assembly to allow a user to manually select one of a first fuel
8 flow and a second fuel flow from a first fuel source and a second fuel source, respectively,
9 to an engine of a dual fuel generator, the valve assembly including a first fuel input
10 connected to the first fuel source, a second fuel input connected to the second fuel source,
11 and two fuel outputs for selectively supplying fuel to an engine from the first fuel source or
12 the second fuel source, as called for in claim 1 of U.S. Patent No. 11,306,667. Additionally,
13 each of the foregoing Firman generator models specifically includes a selector switch
14 having a first fuel mode in which a solenoid switch and a fuel solenoid are in closed
15 positions and a second fuel mode in which the solenoid switch and the fuel solenoid are in
16 open positions, wherein positioning of the selector switch in the first fuel mode and the
17 second fuel mode enables a selection of one of a first fuel flow and a second fuel flow from
18 a first fuel source and a second fuel source, respectively, to an engine of a dual fuel
19 generator, as called for in claim 10 of U.S. Patent No. 11,306,667. Therefore, each of the
20 foregoing Firman generator models infringes at least claims 1 and 10 of U.S. Patent No.
21 11,306,667.

22 86. Upon information and belief, Firman has been and is now making, using,
23 selling, or offering for sale within the United States, or importing into the United States, the
24 following additional generator models:

25 a. Model H03654, a dual fuel portable generator;

26 b. Model H05754, a dual fuel portable generator;

27 c. Model H07554, a dual fuel portable generator;

28 d. Model H08052, a dual fuel portable generator; and

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1 e. Model T07571F, a refurbished tri fuel portable generator.

2 87. Upon review of images, owner’s manuals, and electrical schematics of the
3 foregoing Firman generator models and comparisons of the images, owner’s manuals, and
4 electrical schematics of the foregoing Firman generator models to those of the Firman
5 generator models listed in Paragraphs 82 and 84, it was determined that each of the
6 foregoing Firman generator models includes all of the elements of at least claim 1 of U.S.
7 Patent No. 11,306,667 and, specifically, that each of the foregoing Firman generator models
8 includes a selector switch positioned on a valve assembly to allow a user to manually select
9 one of a first fuel flow and a second fuel flow from a first fuel source and a second fuel
10 source, respectively, to an engine of a dual fuel generator, the valve assembly including a
11 first fuel input connected to the first fuel source, a second fuel input connected to the second
12 fuel source, and two fuel outputs for selectively supplying fuel to an engine from the first
13 fuel source or the second fuel source, as called for in claim 1 of U.S. Patent No. 11,306,667.
14 Therefore, each of the foregoing Firman generator models infringes at least claim 1 of U.S.
15 Patent No. 11,306,667.

16 88. Upon information and belief, Firman also has been and is now making, using,
17 selling, or offering for sale within the United States, or importing into the United States, the
18 following additional generator models:

- 19 a. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 20 b. Model WH03242F, a refurbished dual fuel inverter portable generator;
- 21 and
- 22 c. Model WH03342, a dual fuel inverter portable generator.

23 89. Upon review of images, owner’s manuals, and electrical schematics of the
24 foregoing Firman generator models and comparisons of the images, owner’s manuals, and
25 electrical schematics of the foregoing Firman generator models to those of the Firman
26 generator models listed in Paragraphs 82 and 84, it was determined that each of the
27 foregoing Firman generator models includes all of the elements of at least claims 1 and 10
28 of U.S. Patent No. 11,306,667. Each of the foregoing Firman generator models specifically

1 includes a selector switch positioned on a valve assembly to allow a user to manually select
2 one of a first fuel flow and a second fuel flow from a first fuel source and a second fuel
3 source, respectively, to an engine of a dual fuel generator, the valve assembly including a
4 first fuel input connected to the first fuel source, a second fuel input connected to the second
5 fuel source, and two fuel outputs for selectively supplying fuel to an engine from the first
6 fuel source or the second fuel source, as called for in claim 1 of U.S. Patent No. 11,306,667.
7 Additionally, each of the foregoing Firman generator models specifically includes a selector
8 switch having a first fuel mode in which a solenoid switch and a fuel solenoid are in closed
9 positions and a second fuel mode in which the solenoid switch and the fuel solenoid are in
10 open positions, wherein positioning of the selector switch in the first fuel mode and the
11 second fuel mode enables a selection of one of a first fuel flow and a second fuel flow from
12 a first fuel source and a second fuel source, respectively, to an engine of a dual fuel
13 generator, as called for in claim 10 of U.S. Patent No. 11,306,667. Therefore, each of the
14 foregoing Firman generator models infringes at least claims 1 and 10 of U.S. Patent No.
15 11,306,667.

16 90. Champion has no adequate remedy at law against Firman's acts of
17 infringement and will suffer irreparable harm unless Firman is preliminarily and
18 permanently enjoined from its infringement of U.S. Patent No. 11,306,667.

19 91. Upon information and belief, Firman's infringement has been willful,
20 deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,306,667.

21 92. Firman, by way of its infringing activity, has caused and continues to cause
22 Champion to suffer damages in an amount to be determined at trial.

23 **COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. 11,492,985**

24 93. Paragraphs 1 through 92 are incorporated by reference as if fully set forth
25 herein.

26 94. U.S. Patent No. 11,492,985 is titled "OFF-BOARD FUEL REGULATOR
27 FOR GENERATOR ENGINE." U.S. Patent No. 11,492,985 was duly and legally issued
28

1 on November 8, 2022. A true and correct copy of U.S. Patent No. 11,492,985 is attached
2 as Exhibit H.

3 95. Champion is the lawful assignee of the entire right, title, and interest in and
4 to U.S. Patent No. 11,492,985 and possesses all rights of recovery under the patent,
5 including the right to recover damages for past infringement.

6 96. Champion has acquired and inspected the following Firman generator models
7 that Firman has been and is making, using, selling, or offering for sale within the United
8 States, or importing into the United States:

- 9 a. Model WH02942, a dual fuel inverter portable generator;
- 10 b. Model WH03041, a dual fuel inverter portable generator;
- 11 c. Model WH03042, a dual fuel inverter portable generator;
- 12 d. Model WH03242, a dual fuel inverter portable generator; and
- 13 e. Model WH03344, a dual fuel inverter portable generator.

14 97. Upon acquisition, disassembly as needed, review of owner's manuals and
15 electrical schematics, and inspection, it was determined that each of the foregoing Firman
16 generator models includes all of the elements of at least claims 1, 11, and 16 of U.S. Patent
17 No. 11,492,985. Each of the foregoing Firman generator models specifically includes a
18 generator free of any pressure regulator and a fuel regulator system located off-board the
19 generator, having a first stage and a second stage, and configured to regulate a gaseous fuel
20 supplied from a pressurized fuel source in the first stage down to a reduced pressure and
21 regulate the reduced pressure gaseous fuel in the second stage down to a desired pressure
22 for delivery through a gaseous fuel line to operate the generator, as called for in claim 1 of
23 U.S. Patent No. 11,492,985. Additionally, each of the foregoing Firman generator models
24 specifically includes a fuel regulator system located off-board a generator, having a first
25 stage and a second stage, and configured to regulate a gaseous fuel supplied from a
26 pressurized fuel source in the first stage down to a reduced pressure and regulate the reduced
27 pressure gaseous fuel in the second stage down to a desired pressure for delivery through a
28 gaseous fuel line to operate the generator, wherein the fuel regulator system outputs gaseous

1 fuel to the generator for operation of an engine at the second reduced pressure, as called for
2 in claim 11 of U.S. Patent No. 11,492,985. Furthermore, each of the foregoing Firman
3 generator models specifically includes a fuel regulator system located off board a dual fuel
4 generator and having a primary pressure regulator coupled to a service valve of a
5 pressurized fuel source and configured to regulate a gaseous fuel supplied from the
6 pressurized fuel source to a first reduced pressure and a secondary pressure regulator
7 coupled to the primary pressure regulator and configured to regulate the gaseous fuel
8 supplied from the primary pressure regulator down from the first reduced pressure to a
9 second reduced pressure for delivery through a gaseous fuel line to operate the dual fuel
10 generator, wherein the fuel regulator system outputs gaseous fuel to the dual fuel generator
11 for operation thereof at the second reduced pressure, as called for in claim 16 of U.S. Patent
12 No. 11,492,985. Therefore, each of the foregoing Firman generator models infringes at
13 least claims 1, 11, and 16 of U.S. Patent No. 11,492,985.

14 98. Upon information and belief, Firman has been and is now making, using,
15 selling, or offering for sale within the United States, or importing into the United States, the
16 following additional generator models:

- 17 a. Model WH02942F, a refurbished dual fuel inverter portable generator;
18 b. Model WH03242F, a refurbished dual fuel inverter portable generator;
19 and
20 c. Model WH03342, a dual fuel inverter portable generator.

21 99. Upon review of images, owner's manuals, and electrical schematics of the
22 foregoing Firman generator models and comparisons of the images, owner's manuals, and
23 electrical schematics of the foregoing Firman generator models to those of the Firman
24 generator models listed in Paragraph 96, it was determined that each of the foregoing
25 Firman generator models includes all of the elements of at least claims 1, 11, and 16 of U.S.
26 Patent No. 11,492,985. Each of the foregoing Firman generator models specifically
27 includes a generator free of any pressure regulator and a fuel regulator system located
28 off-board the generator, having a first stage and a second stage, and configured to regulate

1 a gaseous fuel supplied from a pressurized fuel source in the first stage down to a reduced
2 pressure and regulate the reduced pressure gaseous fuel in the second stage down to a
3 desired pressure for delivery through a gaseous fuel line to operate the generator, as called
4 for in claim 1 of U.S. Patent No. 11,492,985. Additionally, each of the foregoing Firman
5 generator models specifically includes a fuel regulator system located off-board a generator,
6 having a first stage and a second stage, and configured to regulate a gaseous fuel supplied
7 from a pressurized fuel source in the first stage down to a reduced pressure and regulate the
8 reduced pressure gaseous fuel in the second stage down to a desired pressure for delivery
9 through a gaseous fuel line to operate the generator, wherein the fuel regulator system
10 outputs gaseous fuel to the generator for operation of an engine at the second reduced
11 pressure, as called for in claim 11 of U.S. Patent No. 11,492,985. Furthermore, each of the
12 foregoing Firman generator models specifically includes a fuel regulator system located off
13 board a dual fuel generator and having a primary pressure regulator coupled to a service
14 valve of a pressurized fuel source and configured to regulate a gaseous fuel supplied from
15 the pressurized fuel source to a first reduced pressure and a secondary pressure regulator
16 coupled to the primary pressure regulator and configured to regulate the gaseous fuel
17 supplied from the primary pressure regulator down from the first reduced pressure to a
18 second reduced pressure for delivery through a gaseous fuel line to operate the dual fuel
19 generator, wherein the fuel regulator system outputs gaseous fuel to the dual fuel generator
20 for operation thereof at the second reduced pressure, as called for in claim 16 of U.S. Patent
21 No. 11,492,985. Therefore, each of the foregoing Firman generator models infringes at
22 least claims 1, 11, and 16 of U.S. Patent No. 11,492,985.

23 100. Champion has no adequate remedy at law against Firman's acts of
24 infringement and will suffer irreparable harm unless Firman is preliminarily and
25 permanently enjoined from its infringement of U.S. Patent No. 11,492,985.

26 101. Upon information and belief, Firman's infringement has been willful,
27 deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,492,985.
28

1 102. Firman, by way of its infringing activity, has caused and continues to cause
2 Champion to suffer damages in an amount to be determined at trial.

3 **COUNT IX: INFRINGEMENT OF U.S. PATENT NO. 11,530,654**

4 103. Paragraphs 1 through 102 are incorporated by reference as if fully set forth
5 herein.

6 104. U.S. Patent No. 11,530,654 is titled “OFF-BOARD FUEL REGULATOR
7 FOR GENERATOR ENGINE.” U.S. Patent No. 11,530,654 was duly and legally issued
8 on December 20, 2022. A true and correct copy of U.S. Patent No. 11,530,654 is attached
9 as Exhibit I.

10 105. Champion is the lawful assignee of the entire right, title, and interest in and
11 to U.S. Patent No. 11,530,654 and possesses all rights of recovery under the patent,
12 including the right to recover damages for past infringement.

13 106. Champion has acquired and inspected the following Firman generator models
14 that Firman has been and is making, using, selling, or offering for sale within the United
15 States, or importing into the United States:

- 16 a. Model WH02942, a dual fuel inverter portable generator;
- 17 b. Model WH03041, a dual fuel inverter portable generator;
- 18 c. Model WH03042, a dual fuel inverter portable generator;
- 19 d. Model WH03242, a dual fuel inverter portable generator; and
- 20 e. Model WH03344, a dual fuel inverter portable generator.

21 107. Upon acquisition, disassembly as needed, review of owner’s manuals and
22 electrical schematics, and inspection, it was determined that each of the foregoing Firman
23 generator models includes all of the elements of at least claims 1, 6, and 10 of U.S. Patent
24 No. 11,530,654. Each of the foregoing Firman generator models specifically includes a fuel
25 regulator system located off board a dual fuel generator and having a primary pressure
26 regulator coupled to a service valve of a pressurized fuel source and configured to regulate
27 a gaseous fuel supplied from the pressurized fuel source to a first reduced pressure and a
28 secondary pressure regulator coupled to the primary pressure regulator and configured to

1 regulate the gaseous fuel supplied from the primary pressure regulator down from the first
2 reduced pressure to a second reduced pressure for delivery through a gaseous fuel line to
3 operate the dual fuel generator and a fuel lockout apparatus coupled to a mechanical fuel
4 valve actuatable between a first position and a second position to selectively control fuel
5 flow to the dual fuel generator from a liquid fuel source through a liquid fuel line and the
6 pressurized fuel source through the gaseous fuel line, wherein when the mechanical fuel
7 valve is in the first position, the fuel lockout apparatus communicates the liquid fuel source
8 to the dual fuel generator and prevents the pressurized fuel source from coupling to the dual
9 fuel generator, and actuation of the mechanical fuel valve to the second position causes the
10 fuel lockout apparatus to permit the pressurized fuel source to couple to the dual fuel
11 generator and interrupts the liquid fuel source communication with the dual fuel generator,
12 as called for in claim 1 of U.S. Patent No. 11,530,654. Additionally, each of the foregoing
13 Firman generator models specifically includes a fuel regulator system located off board a
14 dual fuel generator and having a primary pressure regulator coupled to a service valve of a
15 pressurized fuel source and configured to regulate a gaseous fuel supplied from the
16 pressurized fuel source to a first reduced pressure and a secondary pressure regulator
17 coupled to the primary pressure regulator and configured to regulate the gaseous fuel
18 supplied from the primary pressure regulator down from the first reduced pressure to a
19 second reduced pressure for delivery through a gaseous fuel line to operate the dual fuel
20 generator, a mechanical fuel valve actuatable between a first position and a second position
21 to selectively control fuel flow to the dual fuel generator from a liquid fuel source through
22 a liquid fuel line and the pressurized fuel source through the gaseous fuel line and that opens
23 and closes the liquid fuel line to selectively control fuel flow from the liquid fuel source to
24 the dual fuel generator, and a fuel lockout apparatus coupled to the mechanical fuel valve
25 and configured to prevent the pressurized fuel source from coupling to the gaseous fuel line
26 while the mechanical fuel valve opens the liquid fuel line and permit the pressurized fuel
27 source to couple to the gaseous fuel line while the mechanical fuel valve closes the liquid
28 fuel line, as called for in claim 6 of U.S. Patent No. 11,530,654. Furthermore, each of the

1 foregoing Firman generator models specifically includes a generator free of any pressure
2 regulator and a fuel regulator system located off-board the generator and configured to
3 regulate a gaseous fuel supplied from a pressurized fuel source in a first stage down to a
4 reduced pressure and regulate the reduced pressure gaseous fuel in a second stage down to
5 a desired pressure for delivery through a gaseous fuel line to operate the generator, as called
6 for in claim 10 of U.S. Patent No. 11,530,654. Therefore, each of the foregoing Firman
7 generator models infringes at least claims 1, 6, and 10 of U.S. Patent No. 11,530,654.

8 108. Upon information and belief, Firman has been and is now making, using,
9 selling, or offering for sale within the United States, or importing into the United States, the
10 following additional generator models:

- 11 a. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 12 b. Model WH03242F, a refurbished dual fuel inverter portable generator;
- 13 and
- 14 c. Model WH03342, a dual fuel inverter portable generator.

15 109. Upon review of images, owner's manuals, and electrical schematics of the
16 foregoing Firman generator models and comparisons of the images, owner's manuals, and
17 electrical schematics of the foregoing Firman generator models to those of the Firman
18 generator models listed in Paragraph 106, it was determined that each of the foregoing
19 Firman generator models includes all of the elements of at least claims 1, 6, and 10 of U.S.
20 Patent No. 11,530,654. Each of the foregoing Firman generator models specifically
21 includes a fuel regulator system located off board a dual fuel generator and having a primary
22 pressure regulator coupled to a service valve of a pressurized fuel source and configured to
23 regulate a gaseous fuel supplied from the pressurized fuel source to a first reduced pressure
24 and a secondary pressure regulator coupled to the primary pressure regulator and configured
25 to regulate the gaseous fuel supplied from the primary pressure regulator down from the
26 first reduced pressure to a second reduced pressure for delivery through a gaseous fuel line
27 to operate the dual fuel generator and a fuel lockout apparatus coupled to a mechanical fuel
28 valve actuatable between a first position and a second position to selectively control fuel

1 flow to the dual fuel generator from a liquid fuel source through a liquid fuel line and the
2 pressurized fuel source through the gaseous fuel line, wherein when the mechanical fuel
3 valve is in the first position, the fuel lockout apparatus communicates the liquid fuel source
4 to the dual fuel generator and prevents the pressurized fuel source from coupling to the dual
5 fuel generator, and actuation of the mechanical fuel valve to the second position causes the
6 fuel lockout apparatus to permit the pressurized fuel source to couple to the dual fuel
7 generator and interrupts the liquid fuel source communication with the dual fuel generator,
8 as called for in claim 1 of U.S. Patent No. 11,530,654. Additionally, each of the foregoing
9 Firman generator models specifically includes a fuel regulator system located off board a
10 dual fuel generator and having a primary pressure regulator coupled to a service valve of a
11 pressurized fuel source and configured to regulate a gaseous fuel supplied from the
12 pressurized fuel source to a first reduced pressure and a secondary pressure regulator
13 coupled to the primary pressure regulator and configured to regulate the gaseous fuel
14 supplied from the primary pressure regulator down from the first reduced pressure to a
15 second reduced pressure for delivery through a gaseous fuel line to operate the dual fuel
16 generator, a mechanical fuel valve actuatable between a first position and a second position
17 to selectively control fuel flow to the dual fuel generator from a liquid fuel source through
18 a liquid fuel line and the pressurized fuel source through the gaseous fuel line and that opens
19 and closes the liquid fuel line to selectively control fuel flow from the liquid fuel source to
20 the dual fuel generator, and a fuel lockout apparatus coupled to the mechanical fuel valve
21 and configured to prevent the pressurized fuel source from coupling to the gaseous fuel line
22 while the mechanical fuel valve opens the liquid fuel line and permit the pressurized fuel
23 source to couple to the gaseous fuel line while the mechanical fuel valve closes the liquid
24 fuel line, as called for in claim 6 of U.S. Patent No. 11,530,654. Furthermore, each of the
25 foregoing Firman generator models specifically includes a generator free of any pressure
26 regulator and a fuel regulator system located off-board the generator and configured to
27 regulate a gaseous fuel supplied from a pressurized fuel source in a first stage down to a
28 reduced pressure and regulate the reduced pressure gaseous fuel in a second stage down to

1 a desired pressure for delivery through a gaseous fuel line to operate the generator, as called
2 for in claim 10 of U.S. Patent No. 11,530,654. Therefore, each of the foregoing Firman
3 generator models infringes at least claims 1, 6, and 10 of U.S. Patent No. 11,530,654.

4 110. Champion has no adequate remedy at law against Firman's acts of
5 infringement and will suffer irreparable harm unless Firman is preliminarily and
6 permanently enjoined from its infringement of U.S. Patent No. 11,530,654.

7 111. Upon information and belief, Firman's infringement has been willful,
8 deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,530,654.

9 112. Firman, by way of its infringing activity, has caused and continues to cause
10 Champion to suffer damages in an amount to be determined at trial.

11 **COUNT X: INFRINGEMENT OF U.S. PATENT NO. 11,761,390**

12 113. Paragraphs 1 through 112 are incorporated by reference as if fully set forth
13 herein.

14 114. U.S. Patent No. 11,761,390 is titled "DUAL FUEL SELECTOR SWITCH."
15 U.S. Patent No. 11,761,390 was duly and legally issued on September 19, 2023. A true and
16 correct copy of U.S. Patent No. 11,761,390 is attached as Exhibit J.

17 115. Champion is the lawful assignee of the entire right, title, and interest in and
18 to U.S. Patent No. 11,761,390 and possesses all rights of recovery under the patent,
19 including the right to recover damages for past infringement.

20 116. Champion has acquired and inspected the following Firman generator models
21 that Firman has been and is making, using, selling, or offering for sale within the United
22 States, or importing into the United States:

- 23 a. Model H03651, a dual fuel portable generator;
- 24 b. Model H03652, a dual fuel portable generator;
- 25 c. Model H05751, a dual fuel portable generator;
- 26 d. Model H05752, a dual fuel portable generator;
- 27 e. Model H05753, a dual fuel portable generator;
- 28 f. Model H07552, a dual fuel portable generator;

- 1 g. Model H07553, a dual fuel portable generator;
- 2 h. Model H08051, a dual fuel portable generator;
- 3 i. Model H08053, a dual fuel portable generator;
- 4 j. Model T04073, a tri fuel portable generator;
- 5 k. Model T07571, a tri fuel portable generator;
- 6 l. Model T07573, a tri fuel portable generator;
- 7 m. Model T08071, a tri fuel portable generator;
- 8 n. Model T08072, a tri fuel portable generator;
- 9 o. Model T09275, a tri fuel portable generator;
- 10 p. Model T09371, a tri fuel portable generator;
- 11 q. Model WH02942, a dual fuel inverter portable generator;
- 12 r. Model WH03041, a dual fuel inverter portable generator;
- 13 s. Model WH03042, a dual fuel inverter portable generator;
- 14 t. Model WH03242, a dual fuel inverter portable generator;
- 15 u. Model WH03344, a dual fuel inverter portable generator;
- 16 v. Model WH03562OF, a dual fuel open frame inverter portable generator;
- 17 and
- 18 w. Model WH03662OF, a dual fuel open frame inverter portable generator.

19 117. Upon acquisition, disassembly as needed, review of owner’s manuals and
20 electrical schematics, and inspection, it was determined that each of the foregoing Firman
21 generator models includes all of the elements of at least claim 1 of U.S. Patent No.
22 11,761,390 and, specifically, that each of the foregoing Firman generator models includes
23 a selector switch having a first fuel mode configured to enable a first fuel flow from a first
24 fuel source to an engine of a dual fuel generator and a second fuel mode configured to
25 enable a second fuel flow from a second fuel source to the engine of the dual fuel generator,
26 a fuel solenoid having open and closed positions, and a solenoid switch having a closed
27 position to activate the fuel solenoid and an open position, wherein, when the selector
28 switch is in the first fuel mode, the fuel solenoid is in the closed position and, when the

1 selector switch is in the second fuel mode, the solenoid switch is in the open position and
2 the fuel solenoid is in the open position, as called for in claim 1 of U.S. Patent No.
3 11,761,390. Therefore, each of the foregoing Firman generator models infringes at least
4 claim 1 of U.S. Patent No. 11,761,390.

5 118. Upon information and belief, Firman has been and is now making, using,
6 selling, or offering for sale within the United States, or importing into the United States, the
7 following additional generator models:

- 8 a. Model H03654, a dual fuel portable generator;
- 9 b. Model H05754, a dual fuel portable generator;
- 10 c. Model H07554, a dual fuel portable generator;
- 11 d. Model H08052, a dual fuel portable generator;
- 12 e. Model T07571F, a refurbished tri fuel portable generator;
- 13 f. Model WH02942F, a refurbished dual fuel inverter portable generator;
- 14 g. Model WH03242F, a refurbished dual fuel inverter portable generator;

15 and

- 16 h. Model WH03342, a dual fuel inverter portable generator.

17 119. Upon review of images, owner's manuals, and electrical schematics of the
18 foregoing Firman generator models and comparisons of the images, owner's manuals, and
19 electrical schematics of the foregoing Firman generator models to those of the Firman
20 generator models listed in Paragraph 116, it was determined that each of the foregoing
21 Firman generator models includes all of the elements of at least claim 1 of U.S. Patent No.
22 11,761,390 and, specifically, that each of the foregoing Firman generator models includes
23 a selector switch having a first fuel mode configured to enable a first fuel flow from a first
24 fuel source to an engine of a dual fuel generator and a second fuel mode configured to
25 enable a second fuel flow from a second fuel source to the engine of the dual fuel generator,
26 a fuel solenoid having open and closed positions, and a solenoid switch having a closed
27 position to activate the fuel solenoid and an open position, wherein, when the selector
28 switch is in the first fuel mode, the fuel solenoid is in the closed position and, when the

1 selector switch is in the second fuel mode, the solenoid switch is in the open position and
2 the fuel solenoid is in the open position, as called for in claim 1 of U.S. Patent No.
3 11,761,390. Therefore, each of the foregoing Firman generator models infringes at least
4 claim 1 of U.S. Patent No. 11,761,390.

5 120. Champion has no adequate remedy at law against Firman's acts of
6 infringement and will suffer irreparable harm unless Firman is preliminarily and
7 permanently enjoined from its infringement of U.S. Patent No. 11,761,390.

8 121. Upon information and belief, Firman's infringement has been willful,
9 deliberate, and with knowledge of Champion's rights under U.S. Patent No. 11,761,390.

10 122. Firman, by way of its infringing activity, has caused and continues to cause
11 Champion to suffer damages in an amount to be determined at trial.

12 **PRAYER FOR RELIEF**

13 Wherefore, Champion prays for judgment against Firman, granting Champion the
14 following relief:

15 A. That this Court adjudge and decree that U.S. Patent No. 10,221,780 is valid
16 and enforceable against Firman and that Firman has infringed and continues to infringe the
17 patent;

18 B. That this Court adjudge and decree that U.S. Patent No. 10,393,034 is valid
19 and enforceable against Firman and that Firman has infringed and continues to infringe the
20 patent;

21 C. That this Court adjudge and decree that U.S. Patent No. 10,598,101 is valid
22 and enforceable against Firman and that Firman has infringed and continues to infringe the
23 patent;

24 D. That this Court adjudge and decree that U.S. Patent No. 10,697,398 is valid
25 and enforceable against Firman and that Firman has infringed and continues to infringe the
26 patent;

1 E. That this Court adjudge and decree that U.S. Patent No. 11,143,120 is valid
2 and enforceable against Firman and that Firman has infringed and continues to infringe the
3 patent;

4 F. That this Court adjudge and decree that U.S. Patent No. 11,143,145 is valid
5 and enforceable against Firman and that Firman has infringed and continues to infringe the
6 patent;

7 G. That this Court adjudge and decree that U.S. Patent No. 11,306,667 is valid
8 and enforceable against Firman and that Firman has infringed and continues to infringe the
9 patent;

10 H. That this Court adjudge and decree that U.S. Patent No. 11,492,985 is valid
11 and enforceable against Firman and that Firman has infringed and continues to infringe the
12 patent;

13 I. That this Court adjudge and decree that U.S. Patent No. 11,530,654 is valid
14 and enforceable against Firman and that Firman has infringed and continues to infringe the
15 patent;

16 J. That this Court adjudge and decree that U.S. Patent No. 11,761,390 is valid
17 and enforceable against Firman and that Firman has infringed and continues to infringe the
18 patent;

19 K. That this Court grant injunctions enjoining the aforesaid acts of infringement
20 by Firman, its officers, agents, servants, employees, contractors, subsidiaries, and attorneys,
21 and those acting in concert with them, including related individuals and entities, customers,
22 representatives, original equipment manufacturers (“OEMs”), dealers, and distributors;

23 L. That this Court enter an award to Champion of such damages as it shall prove
24 at trial against Firman that are adequate to compensate Champion for said infringement as
25 permitted under the Patent Act;

26 M. That this Court order an award to Champion of up to three times the amount
27 of compensatory damages because of Firman’s willful infringement and any enhanced
28 damages as provided by 35 U.S.C. § 284;

1 N. That this Court render a finding that this case is “exceptional” and award
2 Champion its costs and reasonable attorneys’ fees, as provided by 35 U.S.C. § 285;

3 O. That this Court award Champion any profits that Champion lost due to
4 Firman’s infringement of U.S. Patent No. 10,221,780;

5 P. That this Court award Champion any profits that Champion lost due to
6 Firman’s infringement of U.S. Patent No. 10,393,034;

7 Q. That this Court award Champion any profits that Champion lost due to
8 Firman’s infringement of U.S. Patent No. 10,598,101;

9 R. That this Court award Champion any profits that Champion lost due to
10 Firman’s infringement of U.S. Patent No. 10,697,398;

11 S. That this Court award Champion any profits that Champion lost due to
12 Firman’s infringement of U.S. Patent No. 11,143,120;

13 T. That this Court award Champion any profits that Champion lost due to
14 Firman’s infringement of U.S. Patent No. 11,143,145;

15 U. That this Court award Champion any profits that Champion lost due to
16 Firman’s infringement of U.S. Patent No. 11,306,667;

17 V. That this Court award Champion any profits that Champion lost due to
18 Firman’s infringement of U.S. Patent No. 11,492,985;

19 W. That this Court award Champion any profits that Champion lost due to
20 Firman’s infringement of U.S. Patent No. 11,530,654;

21 X. That this Court award Champion any profits that Champion lost due to
22 Firman’s infringement of U.S. Patent No. 11,761,390;

23 Y. That this Court award Champion pre-judgment and post-judgment interests
24 on damages to the maximum extent allowed under the law; and

25 Z. That this Court grant to Champion such other, further, and different relief as
26 may be just and proper.

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JURY TRIAL DEMAND

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Champion respectfully demands a trial by jury of any and all issues triable of right before a jury.

DATED this 10th day of November, 2023.

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