Paper No. ___
Filed: July 15, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WIZ, INC.,
Petitioner,

v.

ORCA SECURITY LTD.,
Patent Owner.

IPR2024-00864
Patent No. 11,663,032

PETITIONER'S MOTION TO SEAL

I. INTRODUCTION

Petitioner Wiz, Inc. ("Wiz") respectfully requests that the confidential versions of the Petitioner's Reply and Exhibits 1400-1414 be sealed in accordance with the terms of the joint protective order (EX2161). Good cause exists to seal these documents because each contains information Patent Owner has previously designated confidential and filed under seal in this IPR and/or sensitive, non-public information that would significantly harm Wiz's competitive position if made public. The terms of the joint protective order were agreed-upon by the parties and have already been entered by the Board. Paper 38, 7. Based upon discussions during negotiation of the terms of the joint protective order, Wiz understands Patent Owner does not oppose this motion to seal.

II. GOVERNING RULES AND PTAB GUIDANCE

Under 35 U.S.C. §316(a)(1), the default rule is that all papers filed in an *inter partes* review are open and available for access by the public, but a party may file a concurrent motion to seal and the information at issue is sealed pending the outcome of the motion.

Similarly, 37 C.F.R. §42.14 provides:

> The record of a proceeding, including documents and things, shall be made available to the public, except as otherwise ordered. A party intending a document or thing to be sealed shall file a motion to seal concurrent with the filing of the document or thing to be sealed. The

> document or thing shall be provisionally sealed on the receipt of the motion and remain so pending the outcome of the decision on the motion.

Only "confidential information" is protected from disclosure. 35 U.S.C. § 316(a)(7) ("The Director shall prescribe regulations . . . providing for protective orders governing the exchange and submission of confidential information"). In this regard, the Office Trial Practice Guide, 84 Fed. Reg. 64280 (Nov. 21, 2019) provides:

> The rules aim to strike a balance between the public's interest in maintaining a complete and understandable file history and the parties' interest in protecting truly sensitive information.
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> * * *
>
> *Confidential Information:* The rules identify confidential information in a manner consistent with Federal Rule of Civil Procedure 26(c)(1)(G), which provides for protective orders for trade secret or other confidential research, development, or commercial information. 37 C.F.R. § 42.54.

III. GOOD CAUSE EXISTS TO SEAL THE CONFIDENTIAL DOCUMENTS

The Board's rules identify confidential information in a manner consistent with Federal Rule of Civil Procedure 26(c)(1)(G), which provides for protective orders for trade secret or other confidential research, development, or commercial information. Office Patent Trial Practice Guide, 84 Fed. Reg. 64280 (Nov. 21,

2019). As described below, good cause exists to seal Petitioner's Reply and Exhibits 1400-1414 because each contains information Patent Owner has previously designated confidential and filed under seal in this IPR and/or sensitive non-public business or technical information relating to Wiz products.

Each of Petitioner's Reply and Exhibits 1400, 1401, and 1403-1414 contains or discusses sensitive technical and product development information regarding the design, development, and technical specifications of Wiz's products. This includes Exhibit 1414, a declaration by a Wiz co-founder and current CTO regarding the development and functionality of Wiz's product platform, as well as exhibits cited in that declaration. The Board should seal the Petitioner's Reply and Exhibits 1400, 1401 and 1403-1414 because of the significant potential for competitive harm that would come from public disclosure of or Patent Owner access to these exhibits.

In addition, Petitioner's Reply and Exhibits 1400-1402 also contain discussion of documents designated confidential by Patent Owner and previously filed under seal. The Board granted Patent Owner's motion to seal those documents (Paper 38), and this motion is consistent with maintaining those protections for that information. Wiz will file redacted versions of Petitioner's Reply and Exhibit 1400 after conferring with Patent Owner. Further, Exhibits

1401 and 1402 are deposition transcripts of Patent Owner's witnesses which Patent Owner designated confidential during the depositions.

IV. **CONCLUSION**

For the reasons set forth above, Petitioner respectfully requests the Board grant this motion to seal.

Respectfully submitted,

Date: July 15, 2025

/Matthew A. Argenti/
Matthew A. Argenti, Lead Counsel
Reg. No. 61,836

CERTIFICATE OF SERVICE

I certify that the foregoing Petitioner's Motion to Seal Pursuant to 37 C.F.R. § 42 was served on this 15th day of July 2025, on the Patent Owner at the following electronic service addresses:

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Date: July 15, 2025

/Matthew A. Argenti/
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