Filed on behalf of: Orca Security Ltd.

Entered: February 25, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WIZ, INC.,
Petitioner,

v.

ORCA SECURITY LTD.,
Patent Owner.

IPR2024-01190
Patent 11,740,926

PATENT OWNER'S MOTION TO EXPUNGE CONFIDENTIAL INFORMATION FROM THE RECORD

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I. Introduction

Pursuant to 37 C.F.R. § 42.56, Patent Owner Orca Security Ltd. ("Orca") respectfully moves to expunge the confidential versions of the Patent Owner Response (Paper 28), Patent Owner Sur-Reply (Paper 56), Petitioner Reply (Paper 41 and Paper 67), Patent Owner Demonstratives (Paper 63), Corrected Patent Owner Demonstratives (Paper 69), Oral Hearing Transcript (Paper 78), and Exhibits 1400, 1401, 1402, 1415, 2073, 2074, 2195, 2196, 2197, 2300, 2301, 2302, 2303, 2304, 2306, 2307, 2308, 2309, 2311, 2312, 2313, and 2400-2428 ("the confidential documents") from the record.

The confidential documents include confidential technical and financial information, including financial data, design documents, and business information. These materials relate to the core of Orca's business. Public disclosure of this information would significantly harm Orca's competitive position because it would allow competitors to access sensitive technical information. The public's interests are served by the publicly-available redacted versions of the confidential documents. The Board did not cite or refer to this material in its institution decision, and it had no bearing on the instituted trial, which terminated prior to a final written decision. Thus, Orca's interest in expunging the confidential version of the confidential documents outweighs the public's interest in maintaining them in the record.

II. Argument

A. Legal Standard

37 CFR § 42.56 provides that following "denial of a petition to institute a trial or after final judgment in a trial, a party may file a motion to expunge confidential information from the record." *See also* Trial Practice Guide ("TPG"), 77 Fed. Reg. 48,756, 48,761 (Aug. 14, 2012). The TPG also states that "[t]here is an expectation that information will be made public where the existence of the information is referred to in a decision to grant or deny a request to institute a review or is identified in a final written decision following a trial." *Id*. However, "[s]uch an expectation ***does not*** arise [where the Board does] not refer to any of the information [a party] seeks to have expunged in [its] Decision … ." *Unified Patents Inc. v. Finjan, Inc.*, IPR2019-01611, Paper 24 at 3 (PTAB Sept. 9, 2020) (emphasis added). Expungement requires good cause by showing "that any information sought to be expunged constitutes confidential information, and that [the party's] interest in expunging it outweighs the public's interest in maintaining a complete and understandable history of this inter partes review." *Atlanta Gas Light Co. v. Bennett Regulator Guards, Inc.*, IPR2013-00453, Paper 97 at 2 (PTAB Apr. 15, 2015); *see also RPX Corp. v. Virnetx Inc.*, IPR2014-00171, Paper 62 at 3 (PTAB Sept. 9, 2014).

B. Good Cause Exists to Expunge the Confidential Documents

As detailed above, the confidential documents include financial data, design documents, and business information that relate to the core of Orca's business. Further, Orca already demonstrated in its Motions to Seal (Papers 19, 57, and 64), and the Board agreed that good cause existed to seal this confidential information. *See, e.g.*, Paper 31, Paper 88.

Accordingly, the confidential documents contain "trade secret or other confidential research, development, or commercial information" under 37 C.F.R. § 42.54(a) and should be subject to expungement under 37 C.F.R. § 42.56. There has been no change in the sensitivity or confidentiality of the information contained in the confidential documents since they were filed. Orca has therefore met its burden of showing that "any information sought to be expunged constitutes confidential information." *RPX Corp*., IPR2014-00171, Paper 62 at 3.

Orca has a strong interest in preserving the confidentiality of the confidential documents, which "outweighs the public's interest in maintaining a complete and understandable file history." *RPX Corp.*, IPR2014-00171, Paper 62 at 3. The confidential documents, and the information contained therein, could be improperly used by competitors to gain unfair business and competitive advantages in the marketplace, and the confidential documents include the type of information that businesses typically keep confidential to avoid competitive harm. Moreover,

the record in this proceeding contains public, redacted versions of the Patent Owner Response and Patent Owner Sur-Reply. Thus, the public will continue to have access to Orca's arguments and the relied upon, non-confidential disclosures in the confidential documents.

Additionally, the Board did not rely on any of the confidential disclosures in the confidential documents in rendering its Termination Decision. *See* Paper 88. No final written decision was issued in this case. The confidential documents submitted thus have no effect on the determinations made in the institution decision, nor are they necessary to provide any understanding of the final result. Therefore, there is no public interest in seeing these confidential documents. Accordingly, the public's access to the redacted versions of these exhibits fulfills the public's interest in maintaining a complete and understandable record, and the expungement of the sealed versions of the confidential documents from the record will not diminish the public's understanding of the Board's Decisions.

III. Conclusion

For the reasons set forth above, Orca respectfully requests that the Board expunge the confidential documents.

Respectfully submitted,

Dated: February 25, 2026

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 25th day of February, 2026, a true and correct copy of the foregoing **Patent Owner's Motion to Expunge Confidential Information from the Record** was served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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