

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE OFFICE OF THE UNDER SECRETARY OF COMMERCE
FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE
UNITED STATES PATENT AND TRADEMARK OFFICE

ORCA SECURITY LTD.,
Petitioner,

v.

WIZ, INC.,
Patent Owner.

IPR2025-01083 (Patent 11,722,554 B2)
IPR2025-01084 (Patent 11,929,896 B1)
IPR2025-01085 (Patent 11,936,693 B2)
IPR2025-01086 (Patent 12,001,549 B1)
IPR2025-01087 (Patent 12,003,529 B1)

Before COKE MORGAN STEWART, *Deputy Under Secretary of
Commerce for Intellectual Property and Deputy Director of the United
States Patent and Trademark Office.*

DECISION
Referring the Petitions to the Board

IPR2025-01083 (Patent 11,722,554 B2)
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Wiz, Inc. (“Patent Owner”) filed a request for discretionary denial (Paper 7, “DD Req.”) in the above-captioned cases, and Orca Security Ltd. (“Petitioner”) filed an opposition (Paper 8, “DD Opp.”).¹

After considering the parties’ arguments and the record, and in view of all relevant considerations, discretionary denial of institution is not appropriate in these proceedings. This determination is based on the totality of the evidence and arguments the parties have presented.

In particular, there is no trial date set in the parallel district court proceeding, which is currently stayed. DD Req. 3. As such, it is likely that a final written decision in this proceeding will issue before the district court trial occurs, reducing the concern of inconsistent outcomes or significant duplication of efforts resulting from two proceedings operating in parallel. In addition, there has been minimal investment in the district court proceeding. *Id.*; DD Opp. 5–6.

In addition, the challenged patents have not been in force for a significant period of time (issued in 2023 and 2024). Accordingly, Patent Owner has not developed strong settled expectations that favor discretionary denial. Additionally, early challenges favor robust, predictable patent rights and weigh against discretionary denial.

Although certain arguments are highlighted above, the determination not to exercise discretion to deny institution is based on a holistic assessment of all of the evidence and arguments presented. Accordingly, the Petitions

¹ Citations are to papers in IPR2025-01083. The parties filed similar papers in IPR2025-01084, IPR2025-01085, IPR2025-01086, IPR2025-01087.

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are referred to the Board to handle the cases in the normal course, including by issuing a decision on institution addressing the merits and other non-discretionary considerations, as appropriate.

In consideration of the foregoing, it is:

ORDERED that Patent Owner's request for discretionary denial is *denied*;

FURTHER ORDERED that the Petitions are referred to the Board;
and

FURTHER ORDERED that neither party shall file a request for rehearing or Director Review of this decision until the Board issues a decision on institution.

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