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Filed on behalf of: Wiz, Inc.

By: Matthew A. Argenti (margenti@wsgr.com)
Michael T. Rosato (mrosato@wsgr.com)
Wesley E. Derryberry (wderryberry@wsgr.com)
Joseph M. Baillargeon (jbaillargeon@wsgr.com)
WILSON SONSINI GOODRICH & ROSATI

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WIZ, INC.,
Petitioner,

v.

ORCA SECURITY LTD.,
Patent Owner.

IPR2024-00863
Patent No. 11,663,031

PETITIONER’S REPLY TO PATENT OWNER’S RESPONSE

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction.....	1
II. Claim Construction.....	1
A. “location”	1
B. “(i) taking at least one snapshot, and (ii) requesting taking at least one snapshot of the virtual machine at rest”	1
C. Analyze/Analyzing “the at least one snapshot”	3
III. Ground 1	4
A. The Petition Does Not Improperly Mix Embodiments	4
B. PO’s Attack on the Combination Fails.....	6
C. The Combination Satisfies the Claims	9
1. Elements 1.2-1.4	9
2. Elements 1.5-1.6	12
3. Element 1.7	13
4. Claims 4/12	13
IV. Ground 2	14
V. Ground 3	14
VI. Secondary Considerations	15
A. PO Does Not Prove Entitlement to a Presumption of Nexus.....	15
B. PO’s Evidence Falls Short.....	18
1. Long-felt Need	19
2. Skepticism.....	20
3. Praise	21
4. Copying.....	23
5. Commercial Success	27
VII. Conclusion	29
VIII. Certificate of Compliance.....	30
IX. Appendix–Petitioner’s Updated Exhibit List	31

I. INTRODUCTION

Patent Owner (“PO”) fails to rebut the petition’s obviousness showing. With little to add beyond flawed pre-institution arguments, PO turns to secondary considerations. The centerpiece is a false copying story in which PO takes credit for Wiz’s extraordinary success. But the record shows that Wiz’s industry-changing achievements were driven by the team’s deep expertise and sustained innovation, not copying. PO’s other secondary-considerations arguments similarly fail to withstand scrutiny.

II. CLAIM CONSTRUCTION

A. “location”

PO does not dispute Wiz’s construction. Paper 32 (“POR”), 6-10. Moreover, PO’s expansive view of “location” as encompassing an identifier reinforces Wiz’s obviousness arguments. *Id.*, 40-41, 54; EX1402, 130:16-140:5 (volumeId “essentially denotes” disk location); EX1400, ¶9; *see also* EX1402, 143:6-144:17 (snapshotId is “unique identifier and therefore ... location of the snapshot”).

B. “(i) taking at least one snapshot, and (ii) requesting taking at least one snapshot of the virtual machine at rest”

PO contends the “at rest” requirement of option (ii) applies to option (i). While the petition also proves obviousness under PO’s flawed interpretation, the intrinsic record refutes PO.

The claim language emphasizes the distinction between options (i) and (ii) with numbering, punctuation, and separate recitation of “at least one snapshot.” EX1400, ¶¶10-11. PO says snapshots “must be of something.” POR, 7. But the subsequent wherein clause says what the snapshot represents. EX1400, ¶12; EX1401, 23:22-30:14 (circular reasoning regarding wherein clause).

The broader “snapshot” in (i) is also consistent with the specification. PO emphasizes inactive analysis (POR, 7-8), but that is already recited in element 1.6.¹ PO mischaracterizes the specification as consistently describing snapshots taken while the VM is at rest. POR, 8; EX2073, ¶49; *but see* EX1001, 4:5-19, 5:12-23, 6:1-9. Even for the inactive-analysis example, its state may be captured “when the VM 119-2 is **about to** transition into an inactive state or when ... at rest.” EX1001, 6:5-9 (emphasis added); EX1400, ¶13; *see also* EX1402, 204:19-208:10 (refusing to address provisional’s disclosure of taking snapshot while VM “still runs”).

PO’s prosecution-history arguments are unconvincing. Scope disavowal requires “clear and unambiguous disclaimer.” *3M Innovative Properties Co. v.*

¹ Discussions of claim 1 elements apply to corresponding elements of claims 9 and 16.

Avery Dennison Corp., 350 F.3d 1365, 1372-74 (Fed. Cir. 2003). Arguments involving subsequently removed limitations do not support narrower interpretations. *Id.*; *United States v. Telectronics, Inc.*, 857 F.2d 778, 782–83 (Fed. Cir. 1988). PO cites arguments addressing older claim language expressly including the “at rest” requirement for both options. POR, 8-10. But this cuts against PO’s interpretation. EX1400, ¶14. When that argument was unsuccessful, PO removed the “at rest” requirement from option (i). Pet., 5-6; *compare* EX1004, 123-27 *with id.*, 53-61.

C. Analyze/Analyzing “the at least one snapshot”

PO’s argument that the claims exclude Veselov’s instantiated assessment-VM approach is contradictory and irrelevant. POR, 10-12.

PO’s argument has numerous contradictions. EX1400, ¶15. PO does not explain contrary positions in its district-court complaint (Pet., 11; EX1006, 23, 57-58), claim-construction briefing (EX1117, 64 (“indirect analysis” of snapshot), 67-68 (POPR assertion not limiting)), and the specification/provisional (EX1001, 8:45-59; EX2149, 7-8 (¶22), 11 (¶43)). Dr. Kaeli testified that the specification identifies analyzing an instantiated VM as an example of analyzing the snapshot. EX1401, 33:12-36:11; *see also* EX1402, 215:5-222:7 (refusing to address). PO argues a document describing “examin[ing] the VMs spun up from the snapshot” shows Wiz practicing this limitation. POR, 57 (citing EX2026, 2-3); *see also* EX1401,

30:15-31:17 (“spinning up” VM “interchangeable” with instantiating), 127:7-131:8 (evasive regarding EX2026, 3). When asked to explain his opinion that Wiz analyzes snapshots as recited without evidence of how Wiz actually performs the analysis, Mr. Shua filibustered. EX1402, 187:2-203:14; *see also id.*, 249:11-258:2 (refusing to address contradictory position on Veselov’s 5A embodiment).

Regardless, the petition does not depend on the assessment-VM approach. Pet., 40-45; POR, 11-12. PO’s embodiment-mixing argument is wrong (*infra*, §III.A), mooted PO’s claim-construction argument.

III. GROUND 1

PO repeats pre-institution embodiment-mixing, rationale, and claim-mapping arguments. They still fall short.

A. The Petition Does Not Improperly Mix Embodiments

PO disputes the Board’s determination that the petition relies on “common features across different exemplary systems” (Paper 8 (“ID”), 19), maintaining that Veselov discloses siloed embodiments with APIs limited to Figs. 1/3A/3B. POR, 14-20. PO contends that Veselov’s API usage depends on implementation by a cloud “service provider” hosting resources, whereas the 5A/5B snapshot analysis is limited to “on-premises systems.” *Id.*, 17-20. Veselov flatly contradicts this.

Veselov makes clear that the 5A/5B environment encompasses hosting by a service provider that interacts with the scanning service via APIs, identifying it as

an undepicted aspect. EX1007, 18:1-15; EX1400, ¶¶16-17. Moreover, 5A/B has the same “implementation” as the 3A/3B environment PO admits is “implemented” by the service provider. POR, 15; EX1007, 16:56-67; EX1400, ¶17. The environments have the same “interactions” (EX1007, 16:56-67), which PO admits involves APIs. POR, 15-18; EX1400, ¶¶17-18.

PO’s additional points fail. PO falsely claims Wiz cited separate disclosures “without explanation.” POR, 14-15; *but see, e.g.*, Pet., 16-19, 27-28; EX1002, ¶¶87-91. PO claims the Figure-1 environment is not suitable for snapshot analysis (POR, 15, 19), but Veselov says otherwise. EX1007, 3:20-4:29, 8:34-45, 10:1-16; EX1400, ¶20. PO claims Veselov’s APIs are not “cloud” APIs (POR, 15), but Veselov expressly teaches cloud applicability, and PO’s expert admits Veselov’s service provider refers to a cloud provider. EX1007, 2:22-3:19; EX1401, 38:17-50:12 (discussing EX1118; EX1119; EX1120); EX1400, ¶19 (same). PO argues that Fig. 1 involves a snapshot-storage service (POR, 15-16), but that is optional. EX1007, 5:9-22. PO argues that the only API calls in the Figure-1 embodiment are scan requests from the user (POR, 15-16), but Veselov broadly teaches API-mediated interactions between the scanning service and the environment/provider. EX1007, 5:1-8. Indeed, that is how virtually every cloud-security platform operated. EX1400, ¶¶20, 77-79 (citing EX1122, 20, 164-66; EX1123, 3, 9-12; EX1124).

B. PO’s Attack on the Combination Fails

Unable to dispute that the combination provides known security, cost, and efficiency benefits (Pet., 24), PO makes flawed teach-away and bodily-incorporation arguments while mischaracterizing the record.

First, PO does not address the cost/efficiency benefits, and PO’s only response to the security benefits is a flawed teach-away argument. PO claims offline assessments are contrary to Veselov, which is supposedly limited to active VMs because it describes a benefit for them. POR, 20-21; *see also id.*, 31-32.

PO’s premise—that Veselov only scans active VMs—is wrong. Veselov does not exclude inactive VMs, nor would that make sense when its technique is state-independent, many targets were frequently offline, and offline assessments were well known. Pet., 23-24, 39-40; EX1002, ¶62; EX1400, ¶¶21-22, 76; *infra*, §III.C.2; *see also* EX1402, 106:18-107:17; EX1401, 109:18-112:19. PO represents that the provisional (EX2149), which similarly does not mention offline assessments, supports the ’031 claims. Shua, ¶12; EX1004, 265-66 (priority claim).

Flawed premise aside, PO’s characterization of a benefit for active VMs as disparagement of offline scans fails. Describing benefits in one circumstance does

exclude others, let alone disparage them.² *Janssen Pharms., Inc. v. Teva Pharms. USA, Inc.*, 97 F.4th 915, 931-32 (Fed. Cir. 2024). Nor does Veselov lose benefits for online assets simply because it also scans offline assets. EX1400, ¶22. Moreover, PO ignores Veselov’s description of state-independent benefits such as reducing data-center costs. EX1007, 2:42-3:19; EX1400, ¶22.

PO also misreads Veselov’s complexity comment. POR, 20. Veselov’s observation that agentless scanning avoids complex agent installation/monitoring does not address complexity generally, let alone disparage it. EX1007, 2:42-3:19; EX1400, ¶23; *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013 (Fed. Cir. 2017). Regardless, offline scans of already-offline VMs provide the very cost/efficiency benefits PO ignores. Pet., 23-25; EX1400, ¶23.

Second, PO improperly treats the combination as involving bodily incorporation of agents. POR, 21. Wiz did not propose such incorporation, nor is bodily incorporation the test. Pet., 22-25; *In re Mouttet*, 686 F.3d 1322, 1332 (Fed. Cir. 2012); EX1400, ¶24.

Third, PO’s discussion of images vs. snapshots is another flawed bodily-incorporation argument. POR, 21-22 (arguing combination incorporates Price’s

² Indeed, PO touts the same no-interference aspect of its product. EX2067, 1.

“image” analysis). Nor are images and snapshots the fundamentally disparate concepts PO asserts. EX1007, Abstract; EX1400, ¶¶25-29 (citing EX1040, ¶43 ; EX1129, 2:28-48; EX1121; EX1131; EX1132).

Fourth, PO baselessly claims Wiz did not show that offline snapshotting/analysis was routine. PO admits corroboration regarding offline snapshotting but argues that a POSA would not “contravene” Veselov’s purpose and “shutdown target VMs to take snapshots.” POR, 22-23. As explained above, this mischaracterizes Veselov. Pet., 24. PO does not dispute the relevant facts EX1066-1067 corroborate: cloud assets are often offline and startup incurs costs/delays. POR, 22; Pet., 24; EX1400, ¶¶30-31 [REDACTED]. PO alleges a “gap” between these features being known vs. beneficially applied to Veselov (POR, 23), but the petition demonstrated multiple benefits. Pet., 23-24. EX1400, ¶¶30-31.

Fifth, PO’s reasonable-expectation-of-success (“RES”) arguments fail to rebut the petition. PO claims Wiz merely argued RES for offline snapshotting/analysis (POR, 23), but the petition shows otherwise. Pet., 25; EX1400, ¶¶32-33. PO claims Wiz ignored cloud-API-based disk identification/location, at-rest snapshotting, and analyzing snapshots to detect vulnerabilities. POR, 23. But no modifications are needed for these, and PO does not argue non-enablement. PO also ignores Wiz’s showing that these routine

techniques perform their known, predictable function. Pet., 23-25; *see also id.*, 11-15, 31, 33-35, 38-40, 41-45.

C. The Combination Satisfies the Claims

1. Elements 1.2-1.4

Largely ignoring Wiz’s analysis and evidence, PO relies on flawed logic and mischaracterizations.

PO’s disk-identification arguments consist of red herrings and strawmen. PO argues that virtual disks and VMs are not synonymous (POR, 24), but Wiz never said they were. PO argues that Veselov can obtain snapshots from a snapshot-storage service (POR, 24-25), but Wiz did not rely on this optional component. Pet., 25-36. PO claims the petition simply mapped elements 1.2-1.4 to VM identification despite VMs and virtual disks “typically” having different locations. POR, 24-25. PO appears to be referencing an alternative mapping for element 1.3 discussing VM-address queries (Pet., 34)—and even for that, PO effectively admits that they sometimes have the same location. POR, 25; EX1400, ¶¶34-36, 41.

Wiz showed that a POSA would have understood utilizing cloud APIs to perform virtual-disk identification to be part of (or suggested by) Veselov’s process for obtaining/accessing the snapshot. Pet., 30-31; *Janssen*, 97 F.4th at 928 (references read from POSA’s perspective for all they fairly suggest). PO responds

with its flawed embodiment-mixing argument. POR, 26-27; *supra*, §III.A. PO claims Veselov only uses APIs for user communications (POR, 26-27), ignoring broad teaching that the scanning service communicates with the cloud environment/provider via APIs. EX1007, 5:1-9; EX1400, ¶39. PO implies Wiz merely showed that API-based virtual-disk identification was routine in general. POR, 25 n.4. But this technique “was a routine part of generating snapshots as described in Veselov.” Pet., 31; EX1400, ¶¶39, 77-79; *see also infra*, §VI.B (snapshot-generating API call requires “volumeId”).

PO responds to Wiz’s snapshot-tailoring arguments with similar deflection. Veselov describes the scanner identifying VM data elements (e.g., a virtual disk) to include in the snapshot. Pet., 32. PO repeats its embodiment-mixing argument and falsely claims the petition relied on a modification. POR, 27-28; EX1400, ¶¶37-38, 40; *supra*, §III.A. Wiz’s actual analysis—explaining the POSA’s understanding of Veselov—stands unrebutted.

PO has no substantive answer to Wiz’s alternative UI-based mappings (Pet., 32-33), merely repeating its flawed embodiment-mixing argument. POR, 28-29; *supra*, §III.A.

PO’s additional element 1.3 arguments fail. PO argues that if the scanning service generates the snapshot, it does not query disk locations via cloud APIs, but does not explain this non-sequitur. POR, 29 (citing EX2073, ¶¶135-37); EX1400,

¶¶42-43. PO argues that Veselov only uses “query” when discussing the snapshot-storage service (POR, 29), but this is another red herring. EX1400, ¶¶43-44. PO argues that the limitation’s routine nature is insufficient (POR, 29), but Wiz showed this was the routine way of doing what Veselov describes, not just routine in general. Pet., 33-34. Wiz’s additional obviousness reasoning is also undisputed. *Id.*, 34.

PO’s additional arguments for element 1.4 also fail. EX1400, ¶45. The petition presented two alternative arguments. For the first—involving receiving a response to the element 1.3 query—PO repeats its flawed element 1.3 arguments. For the second—involving receiving identification of the VM’s address—PO argues that Wiz conflates VMs and virtual disks but offers no substantive response to Wiz’s showing that the VM address is a general location of the attached disk. POR, 30; Pet., 12-13, 34-36.

PO’s secondary-considerations arguments are wrong and, regardless, do not rebut obviousness. *Infra*, §VI. PO touts its alleged use of cloud APIs to identify/locate disks (POR, 30), but this was commonplace. EX1400, ¶¶77-79; *infra*, §VI.B; *see also* EX1402, 144:18-152:1 [REDACTED], 157:20-159:15. PO tries to distinguish Veselov, which PO says “[s]imply identif[ies] a VM,” (POR, 30), but this mischaracterizes Veselov. EX1007, 6:34-39 (request may just identify user); EX1400, ¶41.

[REDACTED]

[REDACTED]

2. Elements 1.5-1.6

For element 1.5, PO relies on its flawed construction for option (i) and its flawed attack on the combination. POR, 31-32 (arguing Veselov is limited to active VMs). Both are wrong (*supra*, §§II.B, III.B), though rejecting either resolves the dispute.

PO’s backdoor attacks on the combination are unconvincing. Citing its own marketing, PO claims at-rest snapshotting was unconventional. POR, 32 (citing EX2117). But in contrast to Dr. Stavrou’s corroborated testimony (Pet., 23-25, 39; EX1002, ¶¶33, 104, 153-54), PO’s marketing does not address conventional snapshot generation, and Dr. Kaeli’s parroting of PO’s assertion is entitled to no weight. EX2117; Kaeli, ¶147; *Xerox Corp. v. Bytemark, Inc.*, IPR2022-00624, Paper 9 (“*Xerox*”), 5 (precedential). [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] PO’s citation to its secondary-considerations section—which shows [REDACTED]

[REDACTED]—does not help. POR, 33; EX1400, ¶¶76-

79; *see also* EX1402, 160:18-161:20 [REDACTED]

[REDACTED]. Likewise, PO’s provisional does not mention offline snapshotting/analysis. Shua, ¶12; EX2149.

Similar arguments for element 1.6 fall flat. Repeating the arguments discussed above, PO fails to explain its claim that Veselov and Price analyze “different classes of data.” POR, 33. Nor could it since the underlying data—applications, files, etc.—is equivalent, and applying Price’s techniques was straightforward. Pet., 22-25; EX1002, ¶¶32, 37, 103-04, 107; EX1007, Abstract; EX1400, ¶¶25-29, 49.

3. Element 1.7

PO’s “alert” arguments remain unconvincing. POR, 33. Verbatim use of claim terms is not required, and Veselov does not merely describe reporting results generally. *Adasa Inc. v. Avery Dennison Corp.*, 55 F.4th 900, 910 (Fed. Cir. 2022). It brings specific problems/remediations to the user’s attention, which is what PO says alerts do. Pet., 45; EX1007, 10:17-36 (results identify remediation and are sent “in a user-readable format ... to be displayed on the user device”), 20:57-21:13, 23:19-47; EX1400, ¶50; Kaeli, ¶157; *see also* EX1401, 95:3-108:12 (unable to identify content requirement for “alert”).

4. Claims 4/12

PO relies on its flawed arguments for the independent claims, which fail as discussed above. POR, 35; EX1400, ¶51.

IV. GROUND 2

PO’s cursory attack on the Hufsmith combination again outsources the analysis, and is unconvincing. POR, 62-63 (citing Kaeli, ¶¶78-90, 165-172; Shua, ¶¶155-159). Improper incorporation aside, Dr. Kaeli’s conclusory assertion that container-image analysis differs from VM analysis ignores the analogous underlying data and does not address the actual combination. Pet., 54-58; EX1400, ¶¶52-53, 55; *see also* EX1401, 131:18-136:2 (arguing container analysis may encompass analyzing snapshot); EX1402, 91:7-93:12 (similar); EX1007, 2:46-54. PO claims Hufsmith is limited to pre-deployment container-image analysis (POR, 63), but this is incorrect and, regardless, attacks the references individually. EX1400, ¶54; EX1078, ¶¶108, 154.

PO’s claim-mapping arguments also fail. PO’s response to Wiz’s mappings applying weight/metric-based prioritization teachings fails to address the combination. POR, 64; EX1400, ¶¶56-59. PO’s sole response for Wiz’s third mapping—applying teachings of displaying classifications/scores (Pet., 59-60)—is its flawed attack on the combination. POR, 64-65. Accordingly, it is undisputed that the combination, if made, satisfies claims 2/10.

V. GROUND 3

Citing Huseinović’s discussion of volatile-memory loss in the pre-virtualization era, PO falsely claims Huseinović “counsel[s] against collecting

offline data.” POR, 65. Dr. Kaeli’s testimony is equally conclusory. Kaeli, ¶179; *Xerox*, 5. Lack of analysis aside, the combination does not require taking the snapshot while the VM is offline. Pet., 63-65; *supra*, §II.B; EX1400, ¶¶60-62.

VI. SECONDARY CONSIDERATIONS

PO’s secondary-considerations arguments fail at every level. For evidence to receive meaningful weight, patentees must prove nexus to the claims. *Fox Factory, Inc. v. SRAM, LLC*, 944 F.3d 1366, 1373-74 (Fed. Cir. 2019). Absent entitlement to a presumption of nexus—which PO does not allege—patentees must prove secondary considerations are the “direct result” of the claims’ “unique characteristics.” *Id.*; *Janssen*, 97 F.4th at 935 (consideration must result from something “both claimed and *novel*”); *Yita LLC v. MacNeil IP LLC*, 69 F.4th 1356, 1364 (Fed. Cir. 2023), *cert. denied*, 144 S. Ct. 499 (2023) (considerations tied to known features lack nexus). Even with the presumption, it is rebutted by showing that evidence relates to unclaimed or known features. *Ormco Corp. v. Align Tech., Inc.*, 463 F.3d 1299, 1312 (Fed. Cir. 2006).

A. PO Does Not Prove Entitlement to a Presumption of Nexus

To establish a nexus presumption, patentees must prove the product (1) embodies the claims and (2) is coextensive with the claims. *Fox Factory*, 944 F.3d at 1373-74. Even if the Board were to credit PO’s assertion of “practicing” the

claims as a veiled presumption argument, PO does not satisfy its burden for the “embodiment” or “coextensiveness” requirements.

The presumption question is open and shut since PO never addresses coextensiveness. POR, 40-42; *Lectrosonics, Inc. v. Zaxcom, Inc.*, IPR2018-01129, Paper 33, 33 (precedential) (no presumption where patentee did not analyze coextensiveness).

Nor could PO have proven coextensiveness. Significant unrecited features undercut coextensiveness. *Fox Factory*, 944 F.3d at 1374-75; *SightSound Technologies, LLC v. Apple Inc.*, 809 F.3d 1307 (Fed. Cir. 2015). The claims focus on a single VM’s virtual disk, yet PO emphasizes automatically enumerating “every asset” in the “control plane path.” EX2067, 8-9; *see also* EX1402, 37:3-14

[REDACTED] 42:20-45:10 [REDACTED]
[REDACTED], 47:19-49:9 [REDACTED] 55:15-
57:18 [REDACTED], 70:10-72:13 [REDACTED],
90:22-91:6 [REDACTED]. The claims detect “vulnerabilities,” yet
in [REDACTED]
[REDACTED]. EX2067, 9-10; EX1402, 76:7-77:10 [REDACTED]
[REDACTED]; EX1400, ¶¶63-73; *see also* EX2300, 11. The claims require
inactive analysis, but [REDACTED]
[REDACTED]. EX1402, 106:18-107:17. The abundance of significant unrecited

features is confirmed by PO’s [REDACTED]
[REDACTED]. POR, 40-41 (citing EX2300); *see also*
EX1402, 102:2-106:17; EX1401, 56:15-57:6 (unaware of all platform features).

Coextensiveness is further undercut by PO’s use of largely the same
evidence for claims in other patents that lack supposedly critical features of
the ’031 patent and that include purportedly significant features not recited here.
Fox Factory, 944 F.3d at 1375-78 (no coextensiveness if critical unrecited feature
claimed in different patent); IPR2024-00864, Paper 32 (“032-POR”), 31-61;
IPR2024-00865, Paper 32, 34-62; IPR2024-01109, Paper 30, 30-67; IPR2024-
01190, Paper 28, 33-62; IPR2024-01191, Paper 29, 33-65.

PO also fails to meet its burden for the “embodiment” requirement. PO
provides no analysis for elements 1.5-1.7/9.5-9.8/16.5-16.8 and a single sentence
for dependent claims. POR, 40-41; EX1400, ¶74; *Volvo Penta of the Americas,*
LLC v. Brunswick Corp., 81 F.4th 1202, 1211 (Fed. Cir. 2023) (conclusory
arguments insufficient). The outsourced discussion is improper (37 C.F.R.
§42.6(a)(3)) but falls short regardless. Mr. Shua [REDACTED]
[REDACTED]. Shua, ¶¶36-48; *compare id.*,
¶41 *with id.*, ¶44. He relies on [REDACTED].
Id., ¶47. Should the Board agree that “at rest” applies to element 1.5 option (i)

(*supra*, §II.C), Mr. Shua argues only that [REDACTED]

[REDACTED]. Shua, ¶54 (citing EX2067, 1; EX2093, 7).

B. PO’s Evidence Falls Short

Each alleged secondary consideration has similar shortcomings (discussed for each category below). Most of PO’s arguments address its supposedly “patent-practicing” product generally, which is insufficient. *Ancora Techs., Inc. v. Roku Inc.*, No. 23-1674, slip op. at 14-15 (Fed. Cir. June 16, 2025) (praise tied to “products using the patent” lacked nexus to claims); *supra*, §VI.A. Regardless, the evidence relates exclusively to unrecited and/or known features. Most evidence merely addresses “agentless” scanning, yet PO does not show this is recited. Even if it had, extensive evidence demonstrates it was known. *E.g.*, EX1002, ¶¶57, 88-89; EX1040, Abstract, ¶¶8-12, 23, 43-48, 52; EX1073, 1; EX1400, ¶¶75-76. PO says such scanning was enabled by APIs provided by cloud vendors like Amazon (POR, 44, 48-49), but cloud-API-based agentless scanning was also known.

Supra, §III.C.1; EX1400, ¶¶76-77, 86. Indeed, cloud-API calls—[REDACTED]

[REDACTED]—were

the core communication mechanism for cloud-security products. Pet., 31-34;

EX1002, ¶¶42, 127-28, 135; EX1400, ¶¶78-79 (citing EX1122, 20, 164-66;

EX1123, 3, 9-12; EX1124). PO touts [REDACTED]

██████████ EX1400, ¶¶78-79; EX1121; EX1401, 121:7-126:8. PO also touts unrecited features, relies on self-interested statements, and mischaracterizes the record.

1. Long-felt Need

PO does not prove long-felt need, let alone one the claims solved. PO alleges a vague need for “unobtrusive, comprehensive” cloud security and at-rest protection (since agents cannot run inside powered-off VMs). POR, 36-39. Both fall flat.

PO touts offline scanning and emphasizes agents’ limitations, but the alleged solution—agentless scanning—was known. POR, 38-40; *Newell Companies, Inc. v. Kenney Mfg. Co.*, 864 F.2d 757, 768 (Fed. Cir. 1988) (no solution to long-felt need if “another supplied the key element”); EX1400, ¶¶76, 88. There is little daylight between the touted features and Veselov. EX1400, ¶¶76-82, 86-89; *Geo. M. Martin Co. v. Alliance Mach. Sys. Int’l, LLC*, 618 F.3d 1294, 1304 (Fed. Cir. 2010) (when differences between art/claims are “minimal...it cannot be said that any long-felt need was unsolved”).

PO’s evidence has other flaws. High-level comments about “security” are not commensurate with the claims. EX1029, 1; EX2136, 2. Self-interested statements are insufficient. POR, 36-40 (citing Shua, ¶¶78-88; EX1001; EX2082-2083; EX2099-2100); EX1402, 259:2-260:12 ██████████; *Bayer*

Healthcare Pharms., Inc. v. Watson Pharms., Inc., 713 F.3d 1369, 1377 (Fed. Cir. 2013). Regardless, Mr. Shua inadvertently refutes long-felt need. Shua, ¶¶84-86 (companies “disagreed” that network/agent-based scanners were inadequate).

PO also fails to prove that it *solved* the alleged need. *Perfect Web Techs., Inc. v. InfoUSA, Inc.*, 587 F.3d 1324, 1332 (Fed. Cir. 2009). PO offers no analysis and cites self-interested testimony. POR, 39-40 (citing Shua, ¶¶12-16, 85-88). PO’s own evidence refutes its assertion. EX2102, 1-2 (competitor “resolve[d]” issues with agents/network scanners in 2015); EX2076, 10 (agentless “severely limited”), 12-13 (agentless “doesn’t fit the containerized world well” and such solutions have “matur[ed] into agent based ones”), 23 (market recognizes “pitfalls of a pure agentless approach”); EX1400, ¶¶90-91. PO also obscures a statement in EX2076 that companies who “once championed agentless solutions are now all building agents.” *Compare* EX1125, 2 *with* EX2076, 2. Mr. Shua admits that [REDACTED]. EX1402, 128:16-129:19.

2. Skepticism

PO does not prove skepticism with nexus. Most evidence relates exclusively to “agentless” scanning, but this unrecited aspect was known. POR, 43-44; EX2076, 7-8; EX2106, 1; [REDACTED] EX1400, ¶¶76, 92-96.

[REDACTED]

[REDACTED]

[REDACTED]. *Auris Health, Inc. v. Intuitive Surgical Operations, Inc.*, 32 F.4th 1154, 1159 (Fed. Cir. 2022) (skepticism “must be specific to the invention”). Dr. Kaeli offers a conclusory assertion (EX2073, ¶¶193-97), and Mr. Shua’s self-interested testimony is equally unhelpful (EX2074, ¶¶89-91).

3. Praise

PO’s cited evidence largely consists of self-interested statements, which are not relevant praise. *Bayer*, 713 F.3d at 1377. Many documents are PO’s own press releases (EX2121-2122; EX2124-2125; EX2128-2130; EX2132) while others are self-interested marketing from investors/partners. *E.g.*, EX2117; EX1400, ¶¶97-99. Several so-called “awards” were sponsored by PO’s investors and PO commissioned the TAG Security Report (EX2118). EX1402, 173:7-184:1 [REDACTED]; EX1400, ¶101 (citing EX2113; EX2129-2131; EX2145). Indeed, given the number of undisclosed relationships already discovered, it is difficult to know how pervasive the problem is.

Regardless, PO’s awards discussion is irrelevant absent nexus. *Bosch Auto. Serv. Sols., LLC v. Matal*, 878 F.3d 1027 (Fed. Cir. 2017). PO does not establish a nexus presumption (*supra*, §VI.A), and PO’s conclusory assertion of a connection does not satisfy its burden. POR, 45-46; EX1400, ¶100. Quoted statements relate

exclusively to known/unrecited features such as the “agentless approach” (EX2123, 1-2; EX2124, 1) and scanning “every discovered asset” (EX2119, 6-7). EX1400, ¶¶70, 101; *supra*, §§VI.A, VI.B.

PO’s discussion of Wiz’s documents also falls flat. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *E.g.*, EX1007, 2:27-41 (block-level assessment, configuration assessment), 3:29-4:4 (block-level image, snapshot-based results comparable to target scan), 5:1-5 (APIs); EX1400, ¶¶76-80, 86 [REDACTED].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PO’s additional evidence is equally unconvincing. POR, 48-49. PO’s 2024 article is not an “industry” statement. *Cf. Ingenico Inc. v. IOENGINE, LLC*, IPR2019-00929, Paper 53, 100-01 (article hearsay personal opinion, not industry praise). Regardless, being first to commercialize a known idea is “not probative”

of nonobviousness. *Novartis AG v. Torrent Pharmaceuticals Ltd.*, 853 F.3d 1316, 1330-31 (Fed. Cir. 2017); EX2076, 7; EX1400, ¶104. That agentless scanning uses cloud APIs and covers at-rest data is irrelevant since that too was known. EX2076, 11-12; EX2117, 1; [REDACTED] EX1400, ¶¶77-79. Additional quotes similarly describe the unrecited/known features discussed above such as block-level analysis, connected assets [REDACTED] EX2118, 4-5; [REDACTED] [REDACTED] EX1400, ¶¶77-82.

4. Copying

Driven by a team with comprehensive expertise and experience, Wiz transformed the cloud-security industry. PO tries to capitalize on Wiz’s success by baselessly claiming this was only achieved by copying PO.³ With no evidence of actual copying, PO alleges “access and similarity,” but PO’s story has numerous flaws.

The basics of PO’s copying story do not withstand scrutiny. Mr. Shua says

[REDACTED]

[REDACTED]

³ To the contrary, it is PO who has aggressively and systematically copied Wiz. EX1128, 42-50.

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[REDACTED]. EX2074, ¶¶109-12; EX1402,
184:2-187:1. [REDACTED]. [REDACTED]

[REDACTED]
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PO’s “access” accusations do not salvage its copying story. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

But market monitoring—a standard competitive practice—is not indicative of copying patents/product. *Wm. Wrigley Jr. Co. v. Cadbury Adams USA LLC*, 683 F.3d 1356 (Fed. Cir. 2012); EX1400, ¶116; EX1402, 113:12-115:13 (admitting checking competitor websites). [REDACTED] *Id.*, 54-55; EX2074, ¶115; *see also* EX1128, 41 (counterclaim ¶¶14-15). But even if every accusation were true, this would not show copying since [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Regardless, PO fails to prove substantial similarity. PO alleges Wiz practices the claims but again outsources the analysis. *Id.*, 56-57. Regardless, Dr. Kaeli’s testimony does not show this. EX2073, ¶¶240-60 [REDACTED]

[REDACTED]

[REDACTED] EX1400, ¶117. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Removing any doubt, PO’s own evidence and public statements emphasize the platforms’ differences. EX2076, 7-8, 21-26, 31; EX1126.

Even if PO had shown copying, PO fails to prove nexus. PO does not establish the presumption and, regardless, the allegedly copied features were known (or both known and unrecited). *Supra*, §§VI.A-B. [REDACTED]

[REDACTED]

[REDACTED] EX1400, ¶¶76-86, 120; EX1402, 144:18-145:9 (off-the-shelf API).

PO’s insistence that these types of standard cloud-API calls are not contemplated by Veselov—an Amazon patent by an AWS engineer (EX1007, Face; EX1127)—defies credulity. POR, 30-31; EX1400, ¶19. PO emphasizes offline scanning, block-level agentless analysis, and alerts, but these were known. Indeed, all are taught by Veselov. *Supra*, §§III.C; EX1400, ¶¶76, 80-82.

5. Commercial Success

PO fails to show commercial success, let alone nexus.

PO’s startup financing evidence consists of self-interested statements and articles quoting such statements. POR, 59-60; *Bayer*, 713 F.3d at 1377. PO’s bald assertion of a connection to cloud-API-based snapshot analysis is conclusory and unsupported. POR, 60; EX1400, ¶121. Regardless, that technique was known. EX1400, ¶¶77-79.

PO’s revenue arguments fail. PO does not establish a nexus presumption for the product (*supra*, §VI.A), and PO’s conclusory attribution of sales to the claims is facially insufficient. POR, 61; EX2074, ¶¶93-95; *In re Cree, Inc.*, 818 F.3d 694 (Fed. Cir. 2016). Regardless, the touted features were known and/or unrecited, as previously discussed. EX1400, ¶¶76-79, 122-23; *supra*, §VI.B.

Even with nexus, this evidence would not move the needle. PO gives no market-share data, making the sales evidence “very weak” at best. POR, 60-61; *In re Huang*, 100 F.3d 135, 140 (Fed. Cir. 1996). Nor does PO discuss sales

compared to relevant market. *In re Applied Materials, Inc.*, 692 F.3d 1289, 1300 (Fed. Cir. 2012) (market must include “all competing” products); EX1402, 107:18-113:8, 118:17-123:10 (admitting PO competes with agent-based platforms). [REDACTED]

[REDACTED]. Compare EX2076, 21 with EX2312.

[REDACTED]. EX2074, ¶16 [REDACTED]

[REDACTED]; *Galderma Lab'ys., L.P. v. Tolmar, Inc.*, 737 F.3d 731, 740 (Fed. Cir. 2013) (deterrence makes commercial-success evidence “weak”).

PO’s cursory discussion of Wiz’s platform fares even worse. The same nexus requirements apply, yet PO makes no nexus showing for Wiz’s platform. POR, 61-62; *SightSound Techs., LLC v. Apple Inc.*, 809 F.3d 1307, 1319 (Fed. Cir. 2015). Labelling Wiz’s platform “infringing” is not analysis (POR, 61-62), and PO’s earlier argument that Wiz practices the claims falls short. *Supra*, §VI.B.4. PO cites API-based agentless scanning, but that was known. EX2116, 1; EX1400, ¶¶77-79. PO falsely claims Wiz attributed its success to PO’s approach (POR, 61-62), but PO’s evidence says that “Wiz’s true strength” was not agentless scanning but rather meeting customers’ evolving needs. EX2076, 7-8; EX1400, ¶¶124-26. “Wiz is frightening to the market precisely because they’re not just a history lesson

stuck in what they invented, but continue to release just the right features at just the right time....” EX2076, 8.

* * *

PO thus fails to show that any secondary considerations favor non-obviousness. Regardless, PO’s evidence cannot overcome the overwhelming evidence of obviousness. *Wyers v. Master Lock Co.*, 616 F.3d 1231, 1246 (Fed. Cir. 2010).

VII. CONCLUSION

For the above reasons, claims 1-16 are unpatentable and should be canceled.

Respectfully submitted,

Dated: July 15, 2025

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

VIII. CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. §42.24(d), the undersigned certifies that this Reply complies with the type-volume limitation of 37 C.F.R. §42.24(c). The word count application of the word processing program used to prepare this Reply indicates that the Reply contains 5587 words, excluding the parts of the brief exempted by 37 C.F.R. §42.24(c).

Dated: July 15, 2025

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

IX. APPENDIX–PETITIONER’S UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,663,031 to Shua
1002	Declaration of Dr. Angelos Stavrou
1003	Curriculum Vitae of Dr. Angelos Stavrou
1004	File History of U.S. Patent Application No. 17/400,364 ('031 Pat.)
1005	Scheduling Order (Dkt. No. 33), Orca security ltd. v. Wiz, Inc., No. 1:23cv-00758-GBW (DDE)
1006	Second Amended Complaint for Patent Infringement (Dkt. No. 15), Orca security ltd. v. Wiz, Inc., No. 1:23cv-00758-GBW (DDE)
1007	U.S. Patent No. 11,216,563 B1 to Veselov
1008	U.S. Publication No. 2013/0191919 A1, published July 25, 2013, to Basavapatna
1009	Wolf, “Virtualization: From the Desktop to the Enterprise” APRESS (2005)
1010	Waldspurger, “Memory Resource Management in VMware ESX Server,” USENIX, Proceedings of the 5th Symposium on Operating Systems Design and Implementation (Dec. 9-11, 2002)
1011	Goldberg, “Survey of Virtual Machine Research,” COMPUTER, Vol. 7, No. 6 (June 1974)
1012	U.S. Patent No. 10,944,811 B2 to Doctor
1013	Wood, “Black-box and Gray-box Strategies for Virtual Machine Migration” NSDI '07: 4th USENIX Symposium on Networked Systems Design & Implementation, USENIX

PROTECTIVE ORDER MATERIAL
CONFIDENTIAL – ATTORNEY’S EYES ONLY
REDACTED

Exhibit No.	Description
1014	Klemperer, “Efficient Hypervisor Based Malware Detection,” Carnegie Mellon University (May 2015)
1015	vSphere Web Services SDK Programming Guide, VMWare, Inc. (April 17, 2018)
1016	Souppaya, “Application Container Security Guide,” NIST Special Publication 800-190 (Sept. 2017) https://doi.org/10.6028/NIST.SP.800-190
1017	U.S. Patent No. 11,106,784 B2 to Rosendahl
1018	Scarfone, “Guide to Security for Full Virtualization Technologies: Recommendations of the National Inst. of Standards and Technology,” NIST Special Publication 800-125 (Jan. 2011)
1019	U.S. Patent No. 9,881,040 B2 to Rawat
1020	U.S. Patent No. 9,116,633 B2 to Sancheti
1021	“NIST Cloud Computing Standards Roadmap,” NIST Special Publication 500-291, Version 2 (July 2013).
1022	Roberts, “Public Cloud Service Definition,” VMware vCloud® Architecture Toolkit™ for Service Providers, VMware, Inc. (2018)
1023	ITL Bulletin, “Security Patches and the CVE Vulnerability Naming Scheme: Tools to Address Computer System Vulnerabilities,” NIST (Oct. 2002)
1024	ITL Bulletin, “Preventing and Handling Malware Incidents: How to Protect Information Technology Systems from Malicious Code and Software,” NIST (Dec. 2005)
1025	Cichonski, “Computer Security Incident Handling Guide: Recommendations of the National Institute of Standards and

PROTECTIVE ORDER MATERIAL
CONFIDENTIAL – ATTORNEY’S EYES ONLY
REDACTED

Exhibit No.	Description
	Technology,” NIST Special Publication 800-61, Rev. 2 (Aug. 2012) http://dx.doi.org/10.6028/NIST.SP.800-61r2
1026	ENISA Threat Landscape Report 2018, “15 top Cyberthreats and Trends” V1.0 (Jan. 2019)
1027	Verizon, “2019 Data Breach Investigations Report” (May 2019)
1028	Di Pietro, “Virtualization Technologies and Cloud Security: Advantages, Issues, and Perspectives,” Springer Nature Switzerland AG (2018) https://doi.org/10.1007/978-3-030-04834-1_9
1029	Singh, “Overview of Attacks on Cloud Computing, Int’l. J. of Eng. And Innovative Technology (IJEIT), Vol. 1, Issue 4 (Apr. 2012)
1030	Bairwa, “Vulnerability Scanners: A Proactive Approach to Assess Web Application Security,” Int’l. J. on Computational Sciences & Applications (IJSCA), Vol. 4, No. 1 (Feb. 2014)
1031	Stone, “IT Asset Management,” NIST Special Publication 1800-5 (Sept. 2018) http://doi.org/10.6028/NIST.SP.1800-5
1032	EP Patent No. 3,360,071 B1 to Li
1033	Garfinkel, “A Virtual Machine Introspection Based Architecture for Intrusion Detection,” Computer Science Dept., Stanford University (2003)
1034	Tang, “VirtAV: An Agentless Runtime Antivirus System for Virtual Machines,” KSII Transactions on the Internet and Information Systems, Vol. 11, No. 11 (Nov. 2017) https://doi.org/10.3837/tiis.2017.11.026
1035	Lengyel, “Scalability, Fidelity and Stealth in the DRAKVUF Dynamic Malware Analysis System (2014) https://doi.org/10.1145/2664243.2664252
1036	U.S. Patent No. 8,613,080 B2 to Wysopal

PROTECTIVE ORDER MATERIAL
CONFIDENTIAL – ATTORNEY’S EYES ONLY
REDACTED

Exhibit No.	Description
1037	Bauman, “A Survey on Hypervisor-Based Monitoring: Approaches, Applications, and Evolutions,” ACM Computing Surveys, Vol. 48, No. 1, Article 10 (Aug. 2015)
1038	Suneja, “Exploring VM Introspection: Techniques and Trade-offs,” ACM, VEE’15 (Mar. 2015) http://dx.doi.org/10.1145/2731186.2731196
1039	Payne, “Simplifying Virtual Machine Introspection Using LibVMI,” SANDIA Report-SAND2012-7818, Sandia National Labs. (Sep. 2012)
1040	U.S. Publication No. 2013/0111018 A1 to Ammons
1041	U.S. Patent No. 5,893,131 to Kornfeld
1042	U.S. Patent No. 7,975,305 B2 to Rubin
1043	Jiang, “Stealthy Malware Detection and Monitoring Through VMM-Based “Out-of-the-Box” Semantic View Reconstruction,” ACM Transactions on Information and System Security, Vol. 13, No. 2, Article 12 (Feb. 2010)
1044	U.S. Patent No. 9,141,805 B2 to Giakouminakis
1045	U.S. Publication No. 2019/0379700 A1 to Canzanese Jr.
1046	U.S. Patent No. 10,783,241 B2 to Crabtree
1047	Bourquin, “Binslayer: Accurate Comparison of Binary Executables,” 2nd ACM SIGPLAN Program Protection and Reverse Engineering Workshop (2013)
1048	U.S. Publication No. 2013/0247133 A1 to Price
1049	Huseinović, “Virtual machine memory forensics,” 2013 21st Telecommunications Forum Telfor (TELFOR) (2013)

PROTECTIVE ORDER MATERIAL
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REDACTED

Exhibit No.	Description
1050	IEEE Xplore webpage usage metrics for EX1049 (Huseinović)
1051	Using VMware Workstation Pro: VMware Workstation Pro 14.0, VMware, Inc. (December 17, 2017)
1052	VMware VirtualCenter User’s Manual version 1.4, VMware, Inc. (July 7, 2006)
1053	U.S. Publication No.2010/0070725 A1 to Prahlad
1054	U.S. Patent No. 9,830,182 B2 to Ackley
1055	Virtual Disk Programming Guide: vSphere Storage APIs for Data Protection (VADP) 6.0 & Virtual Disk Development Kit (VDDK) 6.0, VMware, Inc. (March 25, 2016)
1056	U.S. Publication No. 2015/0033221 A1 to Chari
1057	“CWE-200: Information Exposure,” archived on January 26, 2019, by the Internet Archive’s “Wayback Machine” (https://web.archive.org/web/20190126150012/https://cwe.mitre.org/data/definitions/200.html)
1058	“CWE-311: Missing Encryption of Sensitive Data,” archived on January 17, 2019, by the Internet Archive’s “Wayback Machine” (https://web.archive.org/web/20190117150049/https://cwe.mitre.org/data/definitions/311.html)
1059	“CWE-359: Exposure of Private Information (‘Privacy Violation’),” archived on January 13, 2019, by the Internet Archive’s “Wayback Machine” (https://web.archive.org/web/20190113052451/https://cwe.mitre.org/data/definitions/359.html)
1060	Declaration of Gordon MacPherson

PROTECTIVE ORDER MATERIAL
CONFIDENTIAL – ATTORNEY’S EYES ONLY
REDACTED

Exhibit No.	Description
1061	García, “A Method for Malware Analysis by Virtual Machine Introspection Technique,” Res. Computer. Sci. 147, no. 12 (2018)
1062	Almulla, “Digital Forensic of a Cloud Based Snapshot,” 2016 Sixth International Conference on Innovative Computing Technology (INTECH), Dublin, Ireland (2016)
1063	U.S. Publication No. 2014/0245376 A1 to Hibbert
1064	U.S. Publication No. 2017/0180318 A1 to Lutas
1065	U.S. Patent No. 9,900,333 B2 to Thakar
1066	Zhou, “Always Up-to-date—Scalable Offline Patching of VM Images in a Compute Cloud,” 26th annual computer security applications conference (2010)
1067	Jeswani, “ImageElves: Rapid and Reliable System Updates in the Cloud,” 2013 IEEE 33rd International Conference on Distributed Computing Systems (2013)
1068	U.S. Patent No. 8,984,478 B2 to Epstein
1069	U.S. Patent No. 11,061,682 B2 to Vorbach
1070	U.S. Publication No. 2013/0024940 A1 to Hutchins
1071	U.S. Patent No. 9,875,160 B2 to Bezbaruah
1072	U.S. Patent No. 10,536,471 B1 to Derbeko
1073	Ammons, “Virtual machine images as structured data: the Mirage image library,” 3rd USENIX conference on Hot topics in cloud computing (2011)
1074	VMware Infrastructure Architecture Overview White Paper, VMWare, Inc. (2006)

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CONFIDENTIAL – ATTORNEY’S EYES ONLY
REDACTED

Exhibit No.	Description
1075	U.S. Patent No. 9,692,778 B1 to Mohanty
1076	U.S. Patent No. 10,055,576 B2 to Milner
1077	U.S. Patent No. 9,824,216 B1 to Khalid
1078	U.S. Publication No. 2020/0097662 A1 to Hufsmith
1079	Carroll, “Challenges in Modern Digital Investigative Analysis,” published in Forensic Science and Forensic Evidence I, U.S. Att’ys Bull. Vol. 65 No. 1 (January 2017)
1080	U.S. Patent No. 7,831,739 B2 to Lambeth
1081	U.S. Publication No. 2010/0169948 A1 to Budko
1082	United States District Courts—National Judicial Caseload Profile (December 31, 2023) https://www.uscourts.gov/sites/default/files/fcms_na_distprofile1231.2023_0.pdf
1083	Wiz, Inc.’s Stipulation Concerning Invalidity Grounds (Dkt. No. 170), Orca Security Ltd., v. Wiz, Inc., 1:23-cv-00758-JLH (D. Del. December 10, 2024)
1084	Archived copy of “Public Cloud Service Definition,” published by VMware and archived on November 20, 2016, by the Internet Organization’s “Wayback Machine” https://web.archive.org/web/20161120131550/http://www.vmware.com/content/dam/digitalmarketing/vmware/en/pdf/vcat/vmware-public-cloud-service-definition.pdf [served, not filed]
1085	Archived copy of “Binslayer: Accurate Comparison of Binary Executables,” by Bourquin et al., published by 2nd ACM SIGPLAN Program Protection and Reverse Engineering Workshop (2013), and archived on November 3, 2018, by the Internet Organization’s “Wayback Machine”

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Exhibit No.	Description
	https://web.archive.org/web/20181103234309/https://kar.kent.ac.uk/37627/1/a4-bourquin.pdf [served, not filed]
1086	Archived copy of “State of California: California Technology Agency Infrastructure Consolidation Program Server, Virtualization, Backup and Storage Workgroup,” published by the California Department of Technology on December 19, 2017, by the Internet Organization’s “Wayback Machine” https://web.archive.org/web/20171219141802/https://cdt.ca.gov/wp-content/uploads/2017/03/TRM_4.17.865.002_Server_Virtualization_Practices_12152010_r1.pdf [served, not filed]
1087	Supplemental Declaration of Dr. Angelos Stavrou [served, not filed]
1088-1111	Intentionally Left Blank
1112	Stipulation and Order for Stay Pending Inter Partes Review (Dkt. No. 233), Orca Security Ltd., v. Wiz, Inc., 1:23-cv-00758-JLH (D. Del. January 16, 2025)
1113	Email exchange between counsel for Wiz, Inc., counsel for Orca Security Ltd., and the PTAB Clerk (Feb. 24, 2025–Feb. 25, 2025)
1114	Avi Shua June 12, 2025, deposition exhibit of U.S. Patent No. 11,943,251 (June 12, 2025)
1115	Avi Shua deposition exhibit of “Cloud Security: Vendor Landscape and TCO Analysis,” Orca Security Ltd. (June 12, 2025) https://orca.security/lp/tag-cyber-cloud-security-vendor-landscape-tco-analysis (accessed June 11, 2025)
1116	Avi Shua deposition exhibit of Application No. 62/797,718 (June 12, 2025)
1117	Joint Claim Construction Brief (Dkt. No. 202), Orca security ltd. v. Wiz, Inc., No. 1:23cv-00758-GBW (DDE)

PROTECTIVE ORDER MATERIAL
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Exhibit No.	Description
1118	Dr. Kaeli deposition exhibit of US Patent No. 10,834,050 (June 19, 2025)
1119	Dr. Kaeli deposition exhibit of US Patent No. 9,805,202 (June 19, 2025)
1120	Dr. Kaeli deposition exhibit of US Patent No. 10,956,242 (June 19, 2025)
1121	Dr. Kaeli’s June 19, 2025, deposition exhibit of an archived copy of “CreateSnapshot,” archived by the Internet Archive’s “Wayback Machine” https://web.archive.org/web/20141226192222/https://docs.aws.amazon.com/AWSEC2/latest/APIReference/API_CreateSnapshot.html (December 26, 2014)
1122	Nexpose User’s Guide, Product Version: 5.16, Rapid7, LLC. Copyright (2015)
1123	Nessus Enterprise for Amazon Web Services (AWS) Installation and Configuration Guide, Copyright © 2014. Tenable Network Security, Inc., Revision 2 (July 16, 2014)
1124	Configuring AWS EC2 Connectors with Cross-Account Role Authentication (ARN), Hari Srinivasan (/discussions/s/profile/0052L000003olee), (April 24, 2018) (last modified April 27, 2018)
1125	Redefining CNAPP: A Complete Guide To the Future of Cloud Security, Francis and James Berthoty, https://softwareanalyst.substack.com/p/redefining-cnapp-a-complete-guide
1126	How Orca Security Compares to Wiz, https://orca.security/resources/comparisons/wiz/ , Orca Security (2025)

PROTECTIVE ORDER MATERIAL
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REDACTED

Exhibit No.	Description
1127	Veselov LinkedIn, https://www.linkedin.com/in/vladimir-veselov-2769753/details/experience/ (personal information redacted)
1128	Orca Security Ltd. v. Wiz, Inc., C.A. No. 23-0758-JLH, Defendant Wiz Inc.’s Answer To Second Amended Complaint And Counterclaims, Case 1:23-cv-00758-JLH, Document 70, (June 4, 2024)
1129	Michael et al. US Patent No. 8,011,010 B2 (April 17, 2007)
1130	Intentionally Left Blank
1131	Amazon EC2 Backup and Recovery with Snapshots and AMIs - AWS Prescriptive Guidance, https://docs.aws.amazon.com/prescriptive-guidance/latest/bachup-recovery/ec2-backup.html , (2025)
1132	Creating an Amazon EBS-Backed Linux AMI, https://web.archive.org/web20170601003305/https://docs.aws.amazon.com/AWSEC2/latest/UserGuide/creating-an-ami-ebs.html , Amazon Web Services, Inc. (2017)
1133	Amazon EBS volumes, Amazon EBS, https://docs.aws.amazon.com/ebs/latest/userguide/ebs-volumes.html , Amazon Web Services, Inc. (2025)
1134	Symantec Data Loss Prevention Solution, Symantec Corporation (2015)
1135	“Deployment Guide,” Forcepoint, DLP ver., 8.4.x (2017)
1136	McAfee Skyhigh Security Cloud, Data Security for the Cloud Era, McAfee, LLC. (2018)
1137	“Google Announces Agreement to Acquire Wiz” Inside Google, Google LLC., https://www.prnewswire.com/news-releases/google-announces-agreement-to-acquire-wiz-302404500.html/

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Exhibit No.	Description
1138	“Security Audit” Reference Guide by Amazon https://docs.aws.amazon.com/aws-managed-policy/latest/reference/SecurityAudit.html)
1139-1399	Intentionally Left Blank
1400	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1401	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1402	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1403	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1404	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1405	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1406	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1407	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1408	[REDACTED] [PROTECTIVE ORDER MATERIAL]

PROTECTIVE ORDER MATERIAL
CONFIDENTIAL – ATTORNEY’S EYES ONLY
REDACTED

Exhibit No.	Description
1409	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1410	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1411	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1412	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1413	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1414	[REDACTED] [PROTECTIVE ORDER MATERIAL]

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Petitioner’s Reply to Patent Owner’s Response and Exhibits EX1114 - EX1138 and EX1400- EX1414 were served on July 15, 2025, at the following electronic service addresses:

Christopher Henry
Raghav Bajaj
Kristina McKenna
Douglas E. Lumish
Blake R. Davis
Steven W. Peters
Lucas Lonergan
Nicole E. Bruner
Latham & Watkins LLP
christopher.henry@lw.com
raghav.bajaj@lw.com
krissy.mckenna@lw.com
doug.lumish@lw.com
blake.davis@lw.com
steven.peters@lw.com
lucas.lonergan@lw.com
nicole.bruner@lw.com

Dated: July 15, 2025

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