

Filed on behalf of: Orca Security Ltd.

Entered: September 8, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WIZ, INC.,
Petitioner,

v.

ORCA SECURITY LTD.,
Patent Owner.

IPR2024-00865
Patent 11,693,685

PATENT OWNER'S SUR-REPLY

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Exhibit List

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2001	Declaration of David R. Kaeli, Ph.D. ("Kaeli Decl.")
2002	<i>Curriculum Vitae</i> of David R. Kaeli, Ph.D.
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2005	U.S. Pat. App. Pub. No. 2008/0320583 A1 ("Sharma")
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2011	U.S. Pat. No. 10,298,599 B1 ("Zhang")
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2013	RESERVED
2014	Complaint for Patent Infringement, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. July 12, 2023), ECF No. 1 ("Orca Compl.")
2015	Oral Order (Joint Motion for Discovery Dispute Teleconference), <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. May 17, 2024), ECF No. 62 ("Oral Order")

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2016	Defendant Wiz, Inc.'s Initial Invalidity Contentions, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. June 7, 2024) (excerpt) ("Pet'r's Invalidity Contentions")
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2023	U.S. Pat. No. 8,220,053 B1 ("Sun")
2024	Jinpeng Wei et al., <i>Managing Security of Virtual Machine Images in a Cold Environment</i> , Conference: Proceedings of the First ACM Cloud Computing Security Workshop (CCSW), Chicago, Illinois 1–6 (Nov. 13, 2009) ("Wei, <i>Managing Security of Virtual Machine Images</i> ")

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2026	Greg Zemlin, <i>Agentless vs. Agent-Based Security: Which is Better for the Cloud?</i> , Wiz (Nov. 26, 2023), https://www.wiz.io/academy/agentless-vs-agent-based-security (“Wiz Marketing”)
2027	Steve Lasker, <i>Key Differences Between VM and Container Vulnerability Scanning</i> , stevelaskerblog.com (June 27, 2018), https://stevelasker.blog/2018/06/27/key-differences-between-vm-and-container-vulnerability-scanning/
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2035	Exhibit C-4, Invalidity of United States Patent 11,693,685 (the “685 Patent”) by Price, attached to Defendant Wiz, Inc.’s Initial Invalidity Contentions, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. June 7, 2024) (excerpt) (Ex. 2016)
2036	Exhibit C-2, Invalidity of United States Patent 11,693,685 (the “685 Patent”) by Hufsmith, attached to Defendant Wiz, Inc.’s Initial Invalidity Contentions, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. June 7, 2024) (excerpt) (Ex. 2016)
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2039	Appendix C, Invalidity of United States Patent 11,693,685 (the “685 Patent”), attached to Defendant Wiz, Inc.’s Initial Invalidity Contentions, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. June 7, 2024) (excerpt) (Ex. 2016)

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2040	Stipulation and Order, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. June 25, 2024) (“Amended Scheduling Order”)
2041	Declaration of Christopher Henry In Response to Petitioner's First Objections to Evidence [<i>served, not filed</i>]
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2043-2047	RESERVED
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2053	Listing of Requested Documents
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2057	Stipulated Protective Order, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. Mar. 15, 2024), ECF No. 38
2058	Email exchange between counsel for Wiz, Inc. and counsel for Orca Security Ltd. (Dec. 17-26, 2024)
2059	Email exchange between counsel for Wiz, Inc. and counsel for Orca Security Ltd. (Dec. 23, 2024 – Feb. 25, 2025)
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2065	<i>Orca Security Lands \$6.5M Seed Round to Deliver IT Security Teams Unprecedented Full Stack Cloud Visibility, Securing High-Velocity Cloud Growth</i> , Orca Security Blog (June 12, 2019), https://orca.security/resources/blog/orca-security-lands-6-5m-seed-round-to-deliver-it-security-teams-unprecedented-full-stack-cloud-visibility-securing-high-velocity-cloud-growth/
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2072	Declaration of Blake R. Davis Pursuant to 37 C.F.R. § 42.10(c)(2)
2073	Declaration of Dr. David Kaeli in Support of Patent Owner's Response ("Kaeli") [PROTECTIVE ORDER MATERIAL AND REDACTED VERSIONS]
2074	Declaration of Avi Shua ("Shua") [PROTECTIVE ORDER MATERIAL AND REDACTED VERSIONS]

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2099	<i>Orca Security-Deep Cloud Inspection</i> (last visited Mar. 19, 2025), https://www.youtube.com/watch?v=VwZ-7guGHw0
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2143	<i>SINET16 Previous Winners</i> (last visited Mar. 20, 2025), https://www.security-innovation.org/sinet16-award/past-award-winners/
2144	<i>SINET16 Innovator Award</i> (last visited Mar. 20, 2025), https://www.security-innovation.org/sinet16-award/
2145	<i>CISO Choice Award Winners 2020</i> (Nov. 19, 2020), https://securitycurrent.com/ciso-choice-awards-winners-2020/
2146	<i>Connect Wiz with Google Cloud (GCP)</i> (last visited Mar. 20 2025), https://web.archive.org/web/20221003171234/https://www.wiz.io/partners/gcp
2147	Alan Schindel, <i>Detect and Prioritize CISA Known Exploited Vulnerabilities in the Cloud with Wiz</i> (Feb. 10, 2022), https://www.wiz.io/blog/detect-and-prioritize-cisa-known-exploited-vulnerabilities-kev-with-wiz
2148	Chris Ray, <i>GigaOm Radar for Cloud Workload Security</i> (Jan. 15, 2025), https://gigaom.com/reprint/gigaom-radar-for-cloud-workload-security-241089-check-point/
2149	Provisional Patent Application No. 62/797,718

Exhibit	Description
2150	<i>Azure Onboarding with Orca Security Orca Security and Its Partners</i> (last visited Mar. 23, 2025), https://www.youtube.com/watch?v=zw091YvbjsI
2151	U.S. Pat. App. Pub. No. 2020/0244692A1 A1
2152	Citizens JPM Cyber 66 Report (2024), https://7938840.fs1.hubspotusercontent-na1.net/hubfs/7938840/2024_CJMP_Cyber_66.pdf
2153	Julie Bort, <i>Wiz Hopes to Hit \$1B in ARR in 2025 Before an IPO, after Turning Down Google's \$23B</i> (Oct. 23, 2024), https://techcrunch.com/2024/10/23/wiz-hopes-to-hit-1b-in-arr-in-2025-before-an-ipo-after-turning-down-googles-23b/
2154	Ofir Dor, <i>Wiz Launches New Cloud Data Security Technology</i> (Nov. 22, 2022), https://en.globes.co.il/en/article-wiz-launches-new-cloud-data-security-technology-1001430578
2155	George Pisha, <i>Wiz Becomes the First CDNAPP to Deliver Integrated Data Security Posture Management</i> (Nov. 21, 2022), https://www.wiz.io/blog/wiz-becomes-first-cnapp-to-deliver-integrated-data-security-posture-management
2156	Wiz Experts Team, <i>CSPM vs. DSPM: Why You Need Both</i> (May 12, 2024), https://www.wiz.io/academy/cspm-vs-dspm
2157	Wiz Experts Team, <i>Sensitive Data Discovery</i> (Oct. 31, 2024), https://www.wiz.io/academy/sensitive-data-discovery
2158	Amazon Web Services, <i>Viewing Recent Management Events with the Console</i> (last visited Apr. 3, 2025), https://docs.aws.amazon.com/awsccloudtrail/latest/userguide/view-cloudtrail-events-console.html
2159	Amazon Web Services, <i>Policies and Permissions in AWS Identity and Access Management</i> (last visited Apr. 3, 2025), https://docs.aws.amazon.com/IAM/latest/UserGuide/access_policies.html

Exhibit	Description
2160	RESERVED
2161	Joint Proposed Protective Order
2162	Redline Comparison between Joint Proposed Protective Order and Default Protective Order
2163-2164	RESERVED
2165	Wiz Experts Team, <i>Vulnerability Scanning: How It Works, Why It Matters, and What You'll Find</i> (Sept. 30, 2024), https://www.wiz.io/academy/vulnerability-scanning
2166	Nicolas Ehrman, <i>Containerization 101: Transforming Application and Deployment</i> (Feb. 6, 2025), https://www.wiz.io/academy/containerization
2167-2168	RESERVED
2169	Declaration of Raghav Bajaj in Response to Petitioner's Third Objections to Evidence [PROTECTIVE ORDER MATERIAL] [<i>served, not filed</i>]
2170	Declaration of Nicole Elena Bruner Pursuant to 37 C.F.R. § 42.10(c)
2171	Email exchange between counsel for Wiz, Inc. and counsel for Orca Security Ltd. (Mar. 28, 2025)
2172	Transcript of the Deposition of Angelos Stavrou, Ph.D., taken August 19, 2025, <i>Wiz, Inc. v. Orca Sec. Ltd.</i> , IPR2024-00863, IPR2024-00864, IPR2024-00865 (P.T.A.B.) [PROTECTIVE ORDER MATERIAL]
2173	Transcript of the Deposition of Ami Luttwak, taken September 2, 2025, <i>Wiz, Inc. v. Orca Sec. Ltd.</i> , IPR2024-00863, IPR2024-00864, IPR2024-00865, IPR2024-01109, IPR2024-01190, IPR2024-01191 (P.T.A.B.) [PROTECTIVE ORDER MATERIAL]

Exhibit	Description
2174-2299	RESERVED
2300	Excerpt from Orca Product Documentation (2024) [PROTECTIVE ORDER MATERIAL]
2301	REDACTED [PROTECTIVE ORDER MATERIAL]
2302	REDACTED [PROTECTIVE ORDER MATERIAL]
2303	REDACTED [PROTECTIVE ORDER MATERIAL]
2304	AWS Permissions [PROTECTIVE ORDER MATERIAL]
2305	RESERVED
2306	REDACTED [PROTECTIVE ORDER MATERIAL]
2307	REDACTED [PROTECTIVE ORDER MATERIAL]
2308	REDACTED [PROTECTIVE ORDER MATERIAL]
2309	REDACT [PROTECTIVE ORDER MATERIAL]
2310-2311	RESERVED
2312	REDACTED [PROTECTIVE ORDER MATERIAL]
2313-2399	RESERVED

Exhibit	Description
2400	REDACTED [PROTECTIVE ORDER MATERIAL]
2401	REDACTED [PROTECTIVE ORDER MATERIAL]
2402	REDACTED [PROTECTIVE ORDER MATERIAL]
2403	REDACTED [PROTECTIVE ORDER MATERIAL]
2404	REDACTED [PROTECTIVE ORDER MATERIAL]
2405	REDACTED [PROTECTIVE ORDER MATERIAL]
2406	REDACTED [PROTECTIVE ORDER MATERIAL]
2407	REDACTED [PROTECTIVE ORDER MATERIAL]
2408	REDACTED [PROTECTIVE ORDER MATERIAL]
2409	REDACTED [PROTECTIVE ORDER MATERIAL]
2410	REDACTED [PROTECTIVE ORDER MATERIAL]
2411	REDACTED [PROTECTIVE ORDER MATERIAL]
2412	REDACTED [PROTECTIVE ORDER MATERIAL]

Exhibit	Description
2413	REDACTED [PROTECTIVE ORDER MATERIAL]
2414	REDACTED [PROTECTIVE ORDER MATERIAL]
2415	REDACTED [PROTECTIVE ORDER MATERIAL]
2416	REDACTED [PROTECTIVE ORDER MATERIAL]
2417	REDACTED [PROTECTIVE ORDER MATERIAL]
2418	REDACT [PROTECTIVE ORDER MATERIAL]
2419	REDACTED [PROTECTIVE ORDER MATERIAL]
2420	REDACTED [PROTECTIVE ORDER MATERIAL]
2421	REDACTED [PROTECTIVE ORDER MATERIAL]
2422	REDACTED [PROTECTIVE ORDER MATERIAL]
2423	REDACTED [PROTECTIVE ORDER MATERIAL]
2424	REDACTED [PROTECTIVE ORDER MATERIAL]
2425	REDACTED [PROTECTIVE ORDER MATERIAL]

Exhibit	Description
2426	REDACTED [PROTECTIVE ORDER MATERIAL]
2427	REDACTED [PROTECTIVE ORDER MATERIAL]
2428	REDACTED [PROTECTIVE ORDER MATERIAL]
2429	RESERVED
2500	Certificate of Accuracy of Transcription for Exhibit 2079 [<i>served, not filed</i>]
2501	Certificate of Accuracy of Transcription for Exhibit 2081 [<i>served, not filed</i>]
2502	Certificate of Accuracy of Transcription for Exhibit 2083 [<i>served, not filed</i>]
2503	Certificate of Accuracy of Transcription for Exhibit 2411 [<i>served, not filed</i>]
2504	Certificate of Accuracy of Translation for Exhibits 2421 and 2425 [<i>served, not filed</i>]

I. Introduction

Wiz's Reply doubles down that each limitation is individually known, and so the claimed combination is obvious. These arguments fail factually and legally. The novelty is in the claimed combination, a "*genuinely genius innovation*" redefining the industry (Ex.2076, 7),¹ that Wiz copied. Wiz argues no copying

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Wiz's access and similarity is "strong evidence of nonobviousness." *Volvo Penta of the Ams., LLC v. Brunswick Corp.*, 81 F.4th 1202, 1213 (Fed. Cir. 2023). Wiz's copying, the gaps in Wiz's obviousness theories, and the overwhelming objective evidence, are dispositive. Wiz's obviousness challenges should be rejected entirely.

¹ Unless otherwise noted, all emphases/annotations added and internal quotation marks/citations omitted.

II. Claim Construction

A. “Location”

Wiz's broadening attempt to include any “identifier” is new and non-responsive; it should be disregarded. *See* Pet.9-10 (construing “location”); POR 5-7 (no dispute); Reply 1. It is also wrong. VM identifiers, for example, are not virtual disk locations. POR 11, 21-22; Ex.2073 (Kaeli) ¶129.

B. “Analyzing ...”

Wiz abandons its earlier incorrect construction that “analyzing the at least one snapshot” encompasses analyzing VMs instantiated from snapshots, contending that construction is “irrelevant”/“moot” because Wiz no longer relies “on the assessment-VM approach.” *See* Reply 1-2. The Board should disregard the Petition's reliance on Veselov's assessment-VM approach in Figures 1/3A-3B. Pet.15-16 (“analyzes assessment VM”), 17-18 (“agent example”), 37-40 (assessment VM discussion), 67 (“assessment VM”). If not abandoned, Wiz's assessment VM theories are wrong for the undisputed reasons Orca presented. POR 10-14. Wiz's assertions of “contradictions” in Orca's arguments are incorrect and, as Wiz states, “moot” because Wiz abandoned its construction.

III. Ground 1

A. Wiz Improperly Mixes Veselov's Embodiments

Wiz's Petition relied on disparate disclosures in Veselov's different embodiments (Figure 1 vs. Figures 3A/3B vs. Figures 5A/5B), and Orca showed

each, standing alone, failed to meet different limitations. POR 10-13, 22-23. Wiz tacitly concedes it cannot rely on multiple embodiments without a motivation to combine, and the Petition provides none. POR 10; *see* Reply 2-3 (no dispute regarding MTC).

Wiz contends combining embodiments is unnecessary because “Veselov’s 5A/5B environment” satisfies the cloud computing API limitations [1.2]-[1.3]. Wiz’s two theories are incorrect.

First, Wiz argues Figures 3A/3B include a “computing resource service provider” (“CRSP”) and API, and Figures 5A/5B have the same “implementation”/“interactions” as Figures 3A/3B. Reply 2-3. Wiz misquotes Veselov’s Figures 5A/5B description (Ex.1007 (Veselov), 16:56-67), which explicitly lists what Figures 5A/5B elements share “implementation[s]”/“interactions” with Figures 3A/3B and which **expressly omits** the CRSP “300/ 350” and “API 338.” *Id.*; POR 13. Even if a CRSP were used, Wiz provides no motivation to modify the Figures 5A/5B environment to use cloud APIs to identify and locate disks, a feature absent from *all* Veselov embodiments. Ex.2077 (StavrouTr1.), 142:15-143:3.

Second, Wiz argues “an undepicted aspect” of Figures 5A/5B is “hosting by a service provider.” Reply 2 (citing Veselov, 18:1-15). But the “service provider” hosts only “*a security module or security service (not shown)*,” not the “computing

environment 504[A/B].” *Compare* Veselov, 18:8-11, *with id.*, 17:10-13, 17:30-35. The undepicted “security module” optionally stores “encryption keys” (Veselov, 18:8-15), which is irrelevant to the claims. Nor did the Petition rely on it.

Wiz’s remaining Figure 1 arguments mischaracterize that embodiment’s deficiencies. Reply 3. Wiz states (incorrectly) “PO claims the Figure-1 environment is not suitable for snapshot analysis” (*id.*), but Orca showed that embodiment only uses APIs to locate snapshots or VMs—never to identify or query a “virtual disk.” POR 10-11. Wiz tacitly admits this, instead arguing Veselov “broadly teaches API-mediated interactions.” Reply 3. Irrespective of Wiz’s unproven assertion how “virtually every cloud-security platform operated” (*cf. id.*), general hand-waving references to “API-mediated interactions” don’t render obvious the specific features of using cloud APIs to locate and query virtual disks, which the objective-indicia confirms, combined with other features, was groundbreaking.

B. Wiz’s Reply Doesn’t Salvage Ground 1

Orca explained Wiz’s generic motivations to combine Veselov and Hufsmith, e.g., more “complete assessment of potential security concerns” and “efficient, targeted review of critical issues” (Pet.23-25; Reply 4), are hindsight-plagued. POR 14-20. Wiz’s Reply further reinforces that hindsight.

Orca explained why POSAs wouldn’t have selected and combined Veselov and Hufsmith, as Wiz proposed, “in the normal course.” *Unigene Laboratories Inc.*

v. Apotex, Inc., 655 F.3d 1352, 1363 (Fed. Cir. 2011); POR 15-16. The references teach analyzing different data (snapshots vs. container/machine images) for different purposes (post-deployment VM assessments for users/administrators vs. pre-deployment source code assessments for developers). POR 15; Kaeli ¶¶98-99, 104, 106-108. Wiz side-steps these differences arguing “each reference covers both VMs and containers” and machine-image techniques are “readily applicable” to snapshot-techniques, as if that were enough for a proper obviousness case. Reply 4-5 (citing Ex.1400 ¶¶18-26, 33). Not so. At best, Wiz’s similar components invocation indicates analogousness or that references *could* be combined, not whether POSAs *would* have as required.

Wiz newly argues Hufsmith’s pre-deployment machine images are Veselov’s “snapshots plus metadata” (Reply 3-4) based on AWS examples (*id.* 3; Ex.1131); these arguments fail: (1) AWS isn’t part of the combination or raised in the Petition and therefore waived;² (2) Wiz’s arguments are unreliable because they rely upon

² Ex.2172 (StavrouTr2.), 82:22-83:9, 84:7-85:3 (conceding no AWS discussion in Ex.1002), 89:17-20 (relying on AWS 20+ times in Ex.1400).

non-prior art 2025 webpages;³ and (3) Wiz's new evidence reinforces snapshots and images (AMIs) contain *different* data serving different purposes. See Ex.1131, 2 ("use AMIs to launch new instances" vs. "you **can't** use snapshots to launch a new instance"). These discussions also are irrelevant to whether POSAs would consider Hufsmith's pre-deployment VM/container image techniques applicable to Veselov's (which doesn't mention AWS) post-deployment snapshots/"volume images." They would not. POR 14-20; see StavrouTr1.300:11-22; Ex.1400¶15.

Orca further explained, using a pre-IPR document by "Wiz's Expert[] Team" (Ex.2075, 1), that POSAs would have understood Veselov's VM-snapshots have less risk than Hufsmith's container images and wouldn't present Wiz's conjured "alert fatigue" problem. POR 15-17. This stands effectively un rebutted. Wiz only addresses Ex.2075 with superficial attorney argument entitled no weight. Reply 4-5; see Ex.1400 (no Ex.2075 discussion). Wiz argues its combination rationale is supported because "Veselov gives no indication that filtering/prioritization would not be beneficial." Reply 5. Even if true, that's insufficient for obviousness.

³ See Ex.1131 (downloaded July 2025; copyright 2025), Ex.1133 (same); StavrouTr2.127:16-17, 130:10-131:9, 131:20-132:10 (no evidence Exs.1131/1133 were available pre-2019).

But it's *not* true. Veselov criticizes “drawbacks” of systems requiring “complexity of installation and monitoring of the assessment system,” which is what results from combining with Hufsmith's complex multi-scanner system. Veselov, 2:42-54; POR 7-8, 14-20. Wiz relies on *at least* five separate scanners/components in Hufsmith. *See* Pet.18 (Hufsmith Summary listing “evaluators” including “configuration,” “CVE,” “malware,” “CWE,” and “context” evaluators); *see also id.* 41 (citing Hufsmith Summary for [1.7]). Hufsmith likewise emphasizes importance of its “multitude of different scanners” for monitoring and assessment. *See e.g.*, Ex.1078 (Hufsmith), Abstract; POR 8-9.

Objective evidence also shows POSAs expected failures filtering or prioritizing alerts in cloud API and snapshot-based solutions because—until Orca proved otherwise—POSAs didn't believe sufficient information could be gathered. POR 20; Ex.2076, 7; **REDA**. Wiz incorrectly argues Orca “ignore[d] Wiz's evidence.” Reply 6. But Wiz's references don't discuss snapshots or cloud APIs. *See id.*; *see* Ex.1008¶¶1 (assessing physical computers/devices), 138-139 (“network monitor”); Ex.1063¶129 (assessing agent-created application “records”); Hufsmith¶¶135-143 (“container score records” and “context properties”).

Wiz also failed to show expectation of success in two additional ways.

First, Wiz doesn't demonstrate analyzing Veselov's “volume image[s]”/snapshots would result in the same amount of issues as Hufsmith's

“container images” in “highly complex” and “pre-deployment” environments, which underpins Wiz’s “alert fatigue” motivation rationale. POR 17-18. Wiz argues Hufsmith “teaches applicability to both containers and VMs” (Reply 5), which overstates Hufsmith’s application to pre-deployment “virtual **machine images** [and] **machine images**” (Hufsmith [0149]), and says nothing about why POSAs would understand virtual disk snapshots to include these issues. See Ex.1400¶21 (confirming “machine-image resources” and “snapshot resources” are “not synonymous”). Wiz’s new Reply arguments indicate machine “images” contain additional “metadata” absent from “snapshots,” reinforcing that Veselov analyzes less data. See Reply 3-4; POR 15, 17-18.⁴

Second, Wiz didn’t show POSAs would expect success analyzing snapshots for sensitive data in cloud-computing API-based agentless security systems. POR 16-17, 19-20. Hufsmith (in a context different than Veselov) only detects vulnerabilities/weaknesses showing *potential* confidential data exposure, not sensitive data itself. *Id.* 16-17. And objective evidence *from Wiz* years after the ’685 patent’s priority confirmed detecting sensitive data in agentless snapshot scanning systems using cloud API’s wasn’t “common” (Reply 6), but a “difficult problem.”

⁴ Wiz’s assertion that sensitive data detection isn’t “sufficiently described in the specification” (Reply 6) is new, wrong, and inapplicable here.

Ex.2154; Ex.2155, 2; POR 16. Wiz only solved that problem by copying Orca, which is strong nonobviousness evidence. POR §§IV.C.2, IV.C.5.

C. Veselov/Hufsmith Misses Elements

1. Limitations 1.2-1.4

Wiz relies on Veselov alone for [1.2]-[1.4], which doesn't disclose using cloud APIs to identify and query locations of *virtual disks*. POR 21-27. Wiz cited Veselov's identifying and querying locations of *VMs* (not disks) discussions (Pet.29; POR 21), but Wiz now concedes "virtual disks and VMs are" not "synonymous." Reply 6-7. Wiz's Reply turns to further improper embodiment mixing, citing only Veselov's Figure 1 discussions for [1.2]-[1.4]. *See* Reply 6-9 (citing Veselov, 5:1-22, 6:34-39, 8:60-9:41). Wiz also asserts Veselov describes a scanner identifying "data elements" (Reply 7), but Veselov never equates "data element" to "virtual disk" or disk location and Wiz doing so is hindsight. *See* POR 24-25. Wiz's rehabilitation attempt alleges VMs and virtual disks may be "co-located." Reply 7-9 (alleging "address of the VM is a general location of the attached disk"). That is like equating a car's location with its owner's location—sometimes they coincide, but one doesn't tell you the other.

Lacking disclosure, Wiz argues Veselov "suggest[s]" limitations [1.2]-[1.4] in two ways. *Id.* Both are wrong.

First, Wiz concedes showing “API-based virtual-disk identification was routine” generally is insufficient (*id.* 7; POR 22, 25), instead arguing cloud APIs to locate virtual disks was a “routine part of generating snapshots **as described in Veselov.**” Reply 7. Wiz’s circular self-quotation of attorney argument isn’t evidence (*id.* (quoting Pet.31-32)), and Wiz’s Petition *does not cite Veselov* in characterizing what’s “described in Veselov.” Pet.31-32. Wiz’s expert dicta and tertiary references alleging APIs to determine virtual disks were known “does not suffice” for obviousness because Wiz provides no motivation to modify Veselov with them. *Virtek Vision Int’l ULC v. Assembly Guidance Sys., Inc.*, 97 F.4th 882, 888 (Fed. Cir. 2024). Wiz tries to slip in new arguments that specific AWS APIs and “volumeIDs,” **REDACTED**, **CTED**, were purportedly “commonplace” (Reply 9), **REDACTED**. Dr. Stavrou also admitted all “AWS” arguments are new. *See id.*; StavrouTr2.81:14-22, 82:12-21. The Board shouldn’t consider them.

Second, Wiz contends Orca didn’t address Wiz’s “snapshot-tailoring arguments” or “UI mapping” that “suggest” using cloud APIs to identify and locate virtual disks. Reply 7, 9. Orca addressed those arguments, which cite Veselov portions that say nothing about “virtual disks” *or* APIs. POR 21-27. Instead, Wiz’s argument cites tertiary references about “disk-identification tools.” Pet.30-31.

Veselov doesn't use "disk identification tools," and Wiz doesn't propose modifying Veselov with them. Kaeli¶¶123-127; *see also* StavrouTr1.142:15-143:3. Wiz's gap-filling should be rejected.

2. Limitation 1.6

Wiz's combination *at most* detects vulnerabilities/weaknesses showing potential sensitive data exposure, which isn't the claims' detecting vulnerabilities *and* sensitive data. POR 28-29. Wiz argues this improperly "focuses on Hufsmith" rather than the "combination" (Reply 9-10), but Orca responded directly to *Wiz's arguments* relying on Hufsmith's scanners. Wiz claims the difference between detecting "sensitive data" and detecting vulnerabilities/weaknesses with "potential disclosure" of sensitive data is a "semantic complaint." *Id.* 10. Wiz is wrong.

Imagine a bank vault security system that senses any open vault door, versus one that detects open vault doors *and* which vault contains valuable jewels. The claims are the latter—detecting both whether a vault is open (vulnerabilities) and whether valuables are inside (sensitive data). Wiz's combination is the former, only sensing an open vault door (vulnerabilities), without determining what's inside. This difference is critical in the "prioritizing" and "alerting" claimed context, as the open vault *with* valuables can be prioritized over the one *without* valuables. Ex.1001 6:46-53 ("sensitive data...is reported at a higher priority").

Wiz alleges Orca overlooks what the combination “suggests,” and “sensitive-data detection” was purportedly “routine.” Reply 9-10. But Wiz combined Veselov *with Hufsmith*, and the combination has no teaching of these elements. Wiz’s reliance on expert testimony and “general knowledge” to supply a claim limitation violates 37 C.F.R. §42.104(b)(4). *See* Director’s Memorandum re: Permissible Uses of General Knowledge (July 31, 2025). Wiz’s arguments also ignore the claimed cloud-computing API and snapshot-analysis based context. POR 28-29. Correctly contextualized, objective evidence confirms Orca’s solution was *nonobvious*, resulted in massive praise and commercial success, and Wiz copied Orca to implement it. *Id.* §§IV.C.2-6.

3. Limitation 1.8

Veselov sends users security assessment report findings without providing “alerts.” POR 29-33. This is more than mere nomenclature (*cf.* Reply 11); it’s Veselov’s silence regarding alerts that “stand out,” as Dr. Stavrou conceded is required. StavrouTr1.287:4-12; Kaeli¶¶149-150 (different use of “reports” and “alerts” in Wiz’s evidence). Wiz now asserts limitation 1.8 is satisfied by anything that “brings specific problems/remediations to the user’s attention.” Reply 11. This new construction should be disregarded, and still isn’t enough: Veselov doesn’t bring “specific problems” to a user’s attention; it reports all assessment “findings.” Kaeli¶150; Veselov, 10:18-36.

Hufsmith doesn't cure Veselov's deficiencies. Orca explained POSAs considering Veselov wouldn't combine Hufsmith's code annotations that "increase awareness 'earlier in the *workflow of container development*,'" again, before deployment, and wouldn't have reasonably expected success in applying such annotations to Veselov's "read only" snapshots and post-deployment VMs. POR 32. Wiz responds with its "bodily-incorporation" mantra (Reply 11), which doesn't address Orca's argument. *Wiz* doesn't show "*how* the combination of the...references [is] supposed to work." *Pers. Web Techs., LLC v. Apple, Inc.*, 848 F.3d 987, 994 (Fed. Cir. 2017). It is undisputed Veselov's post-deployment system doesn't have source code available to annotate as in the relied-upon Hufsmith portions. POR 16-17, 32-33.

4. Claims 2, 14

Wiz agrees "Veselov does not expressly describe...detecting vulnerabilities while the VM is 'inactive.'" POR 33-34. Wiz's tertiary reference reliance, arguing POSAs would have "expected many target VMs" to be inactive (Pet.45-46; Reply 12), doesn't address why POSAs *would have* been motivated to modify Veselov to analyze inactive VMs. Wiz can't gap-fill with general knowledge. 37 C.F.R. §42.104(b)(4).

IV. Ground 2

Unlike both Veselov and Hufsmith, Chari's scripts label and sanitize VM images via a labeler. POR 62-63 (citing Ex.1056¶¶37-39). Wiz doesn't refute Chari's only technique for identifying sensitive data requires *VM interactions*, different from the claims. *Id.* 62-63; *see* Reply 13. That isn't Orca "attack[ing] the references individually" (Reply 13), it is pointing out how Wiz cherry-picks only helpful portions of each reference while "impermissibl[y]" ignoring contrary disclosures that would lead POSAs away from the combination and claims. *See Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, Inc.*, 796 F.2d 443, 448 (Fed. Cir. 1986).

Wiz argues Chari could not "label/sanitize" "data in the snapshot without detecting it there." Reply 13. This new, unsupported inherency argument misses the point. Chari requires an initial determination of "sensitive data" using VM interactions to create a labeling script, opposite from the challenged claims, and requires write access to target resources to run that script, which is incompatible with Veselov's read-only snapshots. POR 63-65. Wiz's lack of response is indicative of Ground 2's hindsight.

V. Ground 3

Ground 3 fails for the Ground 1-2 reasons, and because Price and Huseinovic contradict Veselov's objectives and goals. POR 65-67. Wiz's Reply doesn't fix the problems. Wiz newly cites [REDACTED]

[REDACTED], which none of Wiz's prior art or Petition referred to, emphasizing Wiz's hindsight. See Reply 14 [REDACTED]

[REDACTED] And while "bodily incorporation" isn't the test (*id.* 14), that isn't Orca's argument. Wiz ignores each reference's scope and conflicting teachings that also lead away from the claims, instead impermissibly using the claims "as a guide through the maze of prior art references." *In re NTP, Inc.*, 654 F.3d 1279, 1299 (Fed. Cir. 2011); see POR 65-67.

VI. Objective Indicia

Orca showed how objective evidence "tied to the combination of features" claimed "as a whole" demonstrated Wiz's piecemeal obviousness arguments were hindsight-biased. POR 34-35, 63, 67; see generally *id.* 34-67. Wiz's Petition didn't address objective considerations, Wiz tried to keep evidence of it from the Board (see Paper 24), and Wiz tries to evade the objective evidence writ large for lacking a "presumption of nexus." Wiz admits the "presumption" is a strawman: Orca doesn't rely on a presumption. Reply 15-17. Nexus does *not* need to be presumed when, as shown, objective indicia "direct[ly] result" from "unique characteristics

of the claimed invention.” *Fox Factory, Inc. v. SRAM, LLC*, 944 F.3d 1366, 1373-74 (Fed. Cir. 2019); POR 34-35.

Other nexus arguments reduce to assertions that each limitation can be individually found in the art. *See, e.g.*, Reply 17-21 (repeatedly discussing individual “known” elements). These echo Wiz’s improper Petition obviousness arguments “stitch[ing] together prior art patches into something” like the claims. *Metalcraft of Mayville, Inc. v. Toro Co.*, 848 F.3d 1358, 1367 (Fed. Cir. 2017). Objective indicia protects against exactly these hindsight-driven arguments. And here the “claimed combination as a whole...serves as nexus for the objective evidence.” *WBIP, LLC v. Kohler Co.*, 829 F.3d 1317, 1330 (Fed. Cir. 2016); POR 34-35, 63, 67.

A. Long-Felt Need and Skepticism

Before the ’685 patent, a long-felt need existed for an unobtrusive, comprehensive security solution that also adequately addressed needs for sensitive-data detection and security of inactive VMs. POR 35-38. Wiz says there wasn’t need for this technology and Orca didn’t solve it. Reply 18-20. This is demonstrably false. The industry recognized Orca’s pioneering the “concept of agentless sidescanning” “utilizing the nature of cloud APIs” was a “Pivotal Moment[] in Cloud” redefining cloud security posture management (CSPM). Ex.2076, 5-7. A

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; POR 42, 60.

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REDACTED

REDACTED

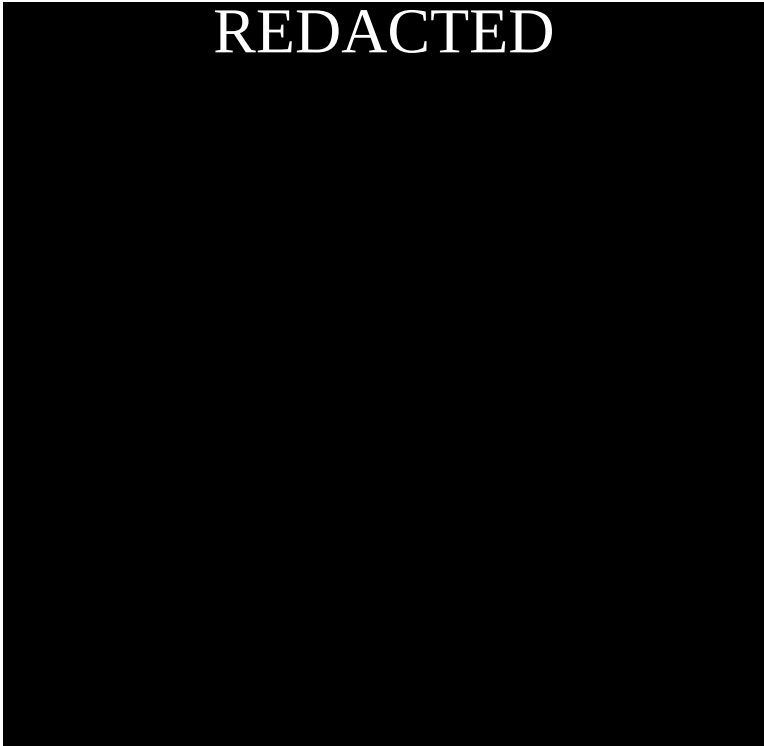
; Ex.2076, 7 (“CSPM...defined by pre and post-Orca”).

REDACTED

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REDACTED

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REDACTED

REDACTED

Despite the above pre-IPR contradictions, Wiz discounts the need for agentless systems that detected sensitive data in cloud environments. Reply 19. But prior systems failed, as industry reports and Orca's success corroborate. *See* Ex.2152, 5; *supra* §§VI.C-D. Wiz disputes nexus to detecting sensitive data because prior systems purportedly did it. Reply 19. Wiz misses the point. Orca's nexus is not tied to individual elements, and the systems Wiz identifies were not agentless solutions "utilizing the nature of cloud APIs" to analyze snapshots of virtual disks for sensitive data and vulnerabilities as claimed, the very reasons the industry recognized Orca's trailblazing technology. *See, e.g.*, Ex.2076, 5-7; REDACTED; POR 41-42, 45, 60.

Orca also provided significant skepticism evidence tied directly to the claims using **RED** others' reports. POR 41-43. Wiz asserts no nexus with skepticism of agentless scanning, but the documents aren't so limited and Wiz's expert conceded "agentless workload scanning" "corresponds to" "the '685 patent claims."

StavrouTr2.112:1-7.

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED; POR 41-42, 45, 60.

Wiz's attacks on certain documents and Mr. Shua's testimony as "self-interested" and/or "hearsay," are erroneous three ways. Reply 19-20. **First**, inventor and/or patent owner testimony is "substantial evidence" of objective indicia. *See, e.g., Transocean Offshore Deepwater Drilling, Inc. v. Maersk Drilling USA, Inc.*, 699 F.3d 1340, 1351-54 (Fed. Cir. 2012) (relying on inventor testimony for objective indicia); *Arctic Cat Inc. v. Bombardier Recreational Prods. Inc.*, 876 F.3d 1350, 1364-65 (Fed. Cir. 2017) (patent owner's press releases "constitute substantial

evidence...[that] weighs in favor of nonobviousness.”). **Second**, Wiz ignores the numerous other exhibits and testimony corroborate alleged “self-interested” evidence. *See, e.g.*, Exs.2103-2104, 2106, 2073, 2135, 2137, 2406, 2412, 2073, 2074. **Third**, Wiz overlooks the significant amount of non-hearsay evidence from

REDACTED. *See* Paper 56.

B. Wiz's Copying

Orca implemented the patent's claimed combinations in SideScanning in 2019, and Wiz accessed Orca's technology to create Wiz's substantially-similar “Agentless Workload Scanning.” POR 38-41, 48-58. To establish **REDACTED**, Orca's declarants provided limitation-by-limitation analyses, supported by thorough evidence, detailing SideScanning's claim correspondence. *Id.* 38-41; Shua¶¶28-89; Kaeli¶170. Against Orca's detailed claim mapping/evidence Wiz offers only attorney argument (Reply 17-18), entitled no weight. *Elbit Sys. of Am., LLC v. Thales Visionix*, 881 F.3d 1354, 1359 (Fed. Cir. 2018).⁵ Wiz's expert didn't identify any missing limitation. *See* StavrouTr2.95:5-13.

⁵ Wiz's arguments are also wrong.

REDACTED

Wiz concedes [REDACTED]

[REDACTED]

[REDACTED] Extensive evidence shows [REDACTED]

[REDACTED], and Wiz's later-developed agentless workload scanning is substantially similar to SideScanning's claimed features. POR 48-58.

[REDACTED] The evidence confirms the truth: Wiz copied Orca.

Orca showed [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. POR 48-58. Wiz doesn't dispute [REDACTED]

[REDACTED], instead countering with testimony and documents from Wiz's self-interested CTO, Ami Luttwak, who claims [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

As an initial matter, Wiz withheld Exhibits 1404-1413 until its Reply, having never produced them to Orca here or in the parallel litigation, precluding Orca from addressing them. Ultimately they do not matter, however: Wiz's premise is wrong.

POR 48-49; Shua¶122; LuttwakTr.20:17-21:19.

REDACTED

[illegible]

REDACTED

REDACTED

⁶ Wiz's misrepresentation of this evidence undermines its credibility regarding other documents Wiz produced in these proceedings.

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

REDACTED

Orca showed Wiz's Workload Scanning is substantially similar to Orca's SideScanning with respect to the claims. POR 38-41, 54-58. Orca was not required to prove "Wiz practices the claim." Cf. Reply 28. The "copying inquiry involves a comparison *of the competitor's product with the allegedly copied patented product*, rather than the patent's claims." *Medtronic, Inc. v. Teleflex Innovations S.a.r.l.*, 70 F.4th 1331, 1340 (Fed. Cir. 2023). Wiz's expert doesn't dispute Dr. Kaeli's detailed substantial similarity analysis (Kaeli ¶¶219-255). StavrouTr2.98:6-13, 100:6-105:12.

Wiz doesn't identify *any* differences between products. Reply 26. Orca's Mr. Shua described experiences with dozens of customers remarking about substantial similarity. Shua ¶¶121; *see id.* ¶¶126-138. [REDACTED]

And the undisputed evidence shows customers [REDACTED] considered Wiz's workload-scanning features indistinguishable from Orca's SideScanning. POR 56-58.

There's much more: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] other materials describing Orca's SideScanning were unquestionably "publicly available...and accessible to [Wiz]

[REDACTED] *Medtronic*, 70 F.4th at 1340 n.7. One example: Orca-published video in October 2019 described

implementation of Mr. Shua's "patent-pending" technology in SideScanning, with cloud "APIs that we are using in quite a novel way that read the underlying block storage," analyzing the VM's "runtime block storage," where "vulnerability management is a critical part" Orca is able to "alert on." Ex.2133, 3, 5; Shua¶48. That publicly-accessible material, combined with the substantial similarities between Orca's and Wiz's product, provides "more than sufficient circumstantial evidence to support the Board's finding of copying." *Medtronic*, 70 F.4th at 1340 (footnote omitted).

Wiz's three remaining copying excuses fail.

First, [REDACTED]

[REDACTED]. Wiz's piecemeal, individual element attacks cannot excuse its copying: Orca's nexus is "tied to the combination of features as a whole." *Medtronic*, 70 F.4th at 1337.

Second, Wiz introduces new evidence where Orca's "public statements emphasize the platforms' differences." Reply 26 (citing Ex.1126). Wiz's cited document proves Orca's position. It shows no differences between Orca's and Wiz's "Agentless Scanning" implementations because Wiz "Followed Orca's patented SideScanning Technology."

Agentless Scanning



The Original And Still The Champ

Full stack support for hosts, containers, and functions. Automated malware and PII detection. Automated and manual crown jewel identification.



Fast Follower

Followed Orca's patented SideScanning technology.

Ex.1126, 2 (“How Orca Security Compares to Wiz”).

Third, Wiz argues no copying because **REDACTED**

REDACTED

REDACTED

REDACTED

REDACTED

Ex.2155; POR 45, 49-54.

C. Praise

Orca's numerous awards and laudatory statements resulted from the claimed features' unique combination. *See, e.g.*, POR 43-47. Wiz's piecemeal arguments fail factually and legally.

First, Wiz argues Exhibits 2121-2122, 2124-2125, 2128-2130, and 2132 contain Orca's press releases and cannot be considered as "self-interested." Reply 21. Wiz is incorrect. The exhibits describe awards *Orca received* from **outside** sources. *See* Exs.2121-2125, 2128-2129. They also include statements with nexus to the claims from industry veterans, constituting "substantial evidence" of industry praise. *Arctic Cat*, 876 F.3d at 1364-65 (crediting industry comments in PO's press releases); *Volvo*, 81 F.4th at 1214-15.

Second, Wiz argues awards are "irrelevant" without "nexus presumption" (Reply 21), but Orca showed the awards were due to the novel claimed combination. POR 43-47. Wiz argues quoted statements relate to "known/unrecited features such as the agentless approach." Reply 21-22. But objective indicia doesn't need to be tied exclusively to elements allegedly missing from prior art. *Arctic Cat*, 876 F.3d at 1360-62. And Wiz's expert agreed "agentless workload scanning" corresponds to the claims. StavrouTr2.112:1-7.

Third, Wiz asserts awards from investors are due no weight. That makes no sense. Orca attracted investors because of its industry-transforming "patent-pending SideScanning" embodied in the claims. POR 43-47. Wiz attack also misses awards Orca received from third parties, unaffiliated with any investor/partner, focusing on claimed features. For example, Forbes emphasized Orca's "patent-pending SideScanning™ technology" and specifically noted Orca's agentless reading "cloud

configurations,” “prioritizing risk,” analyzing “block storage out-of-band,” and “detecting vulnerabilities...weak and leaked passwords and unsecured PII.” Ex.2120, 7; POR 44; *see also* Ex.2119, 6-10 (similar CRN praise); *see* StavrouTr2.112:4-7, 114:20-115:11 (“block level analysis” corresponds to claimed snapshot analysis).

Fourth, Wiz relies on attorney argument to recharacterize **REDACT**

ED

Tellingly, Wiz doesn’t support these recharacterizations with Mr. Luttwak’s testimony, instead relying on Dr. Stavrou. *Id.* (citing Ex.1400). Dr. Stavrou is not

REDACTED

StavrouTr2.15:11-13, 20:11-17 **REDACTED**

21:9-13, 30:3-10. He didn’t talk to Wiz personnel and didn’t investigate. *Id.*, 8:5-9.

He was “speculating.” *Id.*, 31:1-9 (“I’m speculating here”), 67:10-68:1 (“anything that is drawn out of this, again, it is speculation”), 69:4-17. His testimony is due “little weight.” *Gorelik v. Holder*, 339 F. App’x 70, 73 (2d Cir. 2009). **RE**

WBIP,

829 F.3d at 1329-30; StavrouTr2.132:15-17 (Orca and Wiz “are competitors”); LuttwakTr.24:10-15 (same).

Fifth, [REDACTED]

[REDACTED] POR 45-47. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sixth, Wiz takes issue with Ex.2118 as a “commissioned” security report. Reply 21. But it describes third-party analysis of Orca’s SideScanning by TAG Cyber, who Wiz doesn’t dispute is a “known and respected...[industry] analyst.”

Ex.1402, 173:9-22, 175:19-176:13. TAG Cyber independently performed its own “assessment,” “review” and “validat[ion]” of data and quoted numerous industry experts praising novel aspects. Ex.2118, 7 n.1, 13, 14.

D. Commercial Success

Orca skyrocketed to unicorn status (\$1 billion+ valuation) less than two years after SideScanning's introduction, **REDACTED**. POR 58-62. Wiz asserts Orca's valuation and revenues should only be considered with a nexus presumption (Reply 27), which is legally wrong. *Oren Techs., LLC v. Proppant Express Invs. LLC*, 2021 WL 3120819, at *7-8 (Fed. Cir. July 23, 2021) (nonprecedential) (vacating obviousness for failure to consider evidence of commercial success without nexus presumption). Wiz's argument SideScanning has “unrecited” features doesn't matter. There is no requirement that “the patented invention be solely responsible for the commercial success.” *Cont'l Can Co. USA, Inc. v. Monsanto Co.*, 948 F.2d 1264, 1273, (Fed. Cir. 1991). Orca's success is due significant weight because Wiz doesn't identify features driving Orca's success other than as claimed.

Orca also provided market-share data (*cf.* Reply 27-28): **REDACTED**
ED

REDACTED POR 60. Precedent holds a patented product creating a “new market,” even without presumed nexus, requires giving

commercial success more than just “some weight” as nonobviousness evidence. *See Volvo*, 81 F.4th at 1213-14 (vacating nonobviousness decision). Third-party reports show Orca's revenues are so significant that, 5 years after commercialization, Orca is a top-five “cloud security” company by revenue. Ex.2076, 21; Reply 28.

Orca also showed Wiz's press releases attributed Wiz's commercial success to its (copied from Orca) “agentless, API-centered approach to seamlessly scan workloads,” further supporting nonobviousness. POR 60-62, 54-58. Wiz argues these features don't have nexus to the claimed combinations, but Dr. Stavrou conceded they do. StavrouTr2.112:1-7, 112:20-113:4, 113:18-21. Wiz repeats these features were “known” (Reply 27-28), but **REDACTED**

VII. Conclusion

The Board should confirm the patentability of every challenged claim.

Respectfully submitted,

Dated: September 8, 2025

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CERTIFICATE OF COMPLIANCE WITH 37 C.F.R. § 42.24

I hereby certify that this Patent Owner's Sur-Reply complies with the word count limitation of 37 C.F.R. § 42.24(c)(4) because the Patent Owner's Sur-Reply contains 5,596 words using Microsoft Word's counting feature, excluding the cover page, signature block, and the parts of the Patent Owner's Sur-Reply exempted by 37 C.F.R. § 42.24(c).

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 8th day of September, 2025, a true and correct copy of the foregoing **Patent Owner's Sur-Reply and all Exhibits** were served by electronic mail on Petitioner's lead and backup counsel at the following email addresses:

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