

Filed on behalf of: Orca Security Ltd.

Entered: October 3, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WIZ, INC.,
Petitioner,

v.

ORCA SECURITY LTD.,
Patent Owner.

IPR2024-01109
Patent 11,726,809

PATENT OWNER'S SUR-REPLY

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EXHIBIT LIST¹

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2003	Trend Micro™ vmware®, <i>Trend Micro Enterprise Security: Changing the Game for Anti-Virus in the Virtual Datacenter</i> (White Paper) (Sept. 2010), https://www.kennisportal.com/wp-content/uploads/2022/06/ChangingtheGameintheVirtualDatacenter.pdf (last visited Sept. 7, 2024) (“vmware, <i>Trend Micro Enterprise Security</i> ”)
2004	Red Hat, <i>Red Hat Virtualization 4.0: Technical Reference: The Technical Architecture of Red Hat Virtualization Environments</i> (updated Mar. 29, 2018), https://docs.redhat.com/en-us/documentation/red_hat_virtualization/4.0/pdf/technical_reference/Red_Hat_Virtualization-4.0-Technical_Reference-en-US.pdf (“Red Hat Virtualization 4.0”)
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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”)
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”)
2017	RESERVED
2018	Abraham Silberschatz et al., <i>Operating System Concepts</i> (9th ed. 2013) (excerpt)
2019	Derek Uluski, Real Time Anti-Virus for a Virtualized Environment (2008) (M.S.E.E., Thesis, Northeastern University) (excerpt) (“Uluski Thesis”)
2020	RESERVED

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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”)
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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	Appendix D, Invalidity of United States Patent 11,726,809 (the “’809 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)
2042	Appendix D-1, Invalidity of United States Patent 11,726,809 (the “’809 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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2044	<i>Agentless vs Agent-Based Scanning: A Comparative Analysis</i> , Runecast.com (July 20, 2023)
2045	Joint Claim Construction Chart, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. Sept. 25, 2024) (“Jt. Claim Constr. Chart”)
2046	Declaration of Douglas E. Lumish Pursuant to 37 C.F.R. § 42.10(c)(2)
2047	Declaration of Steven W. Peters In Response to Petitioner's First Objections to Evidence [<i>served, not filed</i>]
2048	Wiz, Inc.'s Answering Claim Construction Brief, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. Oct. 22, 2024) (excerpt) (“Answering Claim Constr. Chart”)
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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)

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2059	Email exchange between counsel for Wiz, Inc. and counsel for Orca Security Ltd. (Dec. 23, 2024 – Feb. 25, 2025)
2060-2064	RESERVED
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/
2066	Orca Security, <i>The Ultimate Guide to: Gaining Full Stack Visibility Into Your Cloud Assets</i> (Nov. 2019)
2067	Orca Security Technical Brief, <i>SideScanning™ – Inside the Engine that Powers Orca Security</i> (2020)
2068	Letter from counsel for Orca Security Ltd. to counsel for Wiz, Inc. (May 20, 2024), filed in <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. Sept. 10, 2024), ECF No. 140-2
2069	Letter to the Honorable Sherry R. Fallon from Rodger D. Smith Regarding Discovery Disputes, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. Oct. 9, 2024), ECF No. 165
2070	Francis & James Berthoty, <i>Redefining CNAPP: A Complete Guide to the Future of Cloud Security</i> , Software Analyst Cyber Research, (Sept. 12, 2024), https://softwareanalyst.substack.com/p/redefining-cnapp-a-complete-guide
2071	Memorandum Order, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. Oct. 22, 2024), ECF No. 182
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]

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2074	Declaration of Avi Shua ("Shua") [PROTECTIVE ORDER MATERIAL AND REDACTED VERSIONS]
2075	Wiz Experts Team, Containers vs. VMs: What's the difference? (Apr. 8, 2024) [Stavrou Dep. Ex. 2075]
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2077	Transcript of Deposition of Angelos Stavrou, Ph.D., taken March 5, 2025 ("StavrouTr1.")
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2086	Orca Security, <i>The CUBE Interview: Avi Shua Explains Orca Security and Its Value Proposition</i> (last visited Mar. 19, 2025) https://www.youtube.com/watch?v=tlS0A92IYm8
2087	The Matias Experiment, <i>Ep398: Avi Shua CEO & Co-Founder, Orca Security</i> (last visited Mar. 19, 2025), https://www.youtube.com/watch?v=M58n3oE6E1Y
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2097	<i>Define AWS Role</i> (last visited Mar. 19, 2025), https://www.youtube.com/watch?v=SOw046Fnafo (first made available June 11, 2019)
2098	<i>GCP Onboarding, Walkthrough of How to Onboard a GCP Account for Orca to SideScan</i> (last visited Mar. 19, 2025), https://orca.security/resources/video/gcp-onboarding/ (first made available Apr. 21, 2020)
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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2104	Fortra, <i>Agent-Based vs. Agentless Scanning, Choosing the Right Vulnerability Scanning Method</i> (Aug. 27, 2021), https://www.fortra.com/blog/agent-based-vs-agent-less-scanning
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2107	Orca Security, <i>Orca Security Lands \$6.5M Seed Round to Deliver IT Security Teams Unprecedented Full Stack Cloud Visibility, Securing High-Velocity Cloud Growth</i> (June 12, 219), 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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2116	Assaf Rappaport, <i>\$100M ARR in 18 Months: Wiz Becomes the Fastest-Growing Software Company Ever</i> (Aug. 10, 2022), https://www.wiz.io/blog/100m-arr-in-18-months-wiz-becomes-the-fastest-growing-software-company-ever
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2119	Mark Haranas, <i>The 20 Coolest Tech Startups of 2020</i> (Nov. 19, 2020), https://www.crn.com/slide-shows/cloud/the-20-coolest-tech-startups-of-2020
2120	Louis Columbus, <i>The Top 20 Cybersecurity Startups to Watch in 2021</i> (Nov. 29, 2020), https://www.forbes.com/sites/louis-columbus/2020/11/29/the-top-20-cybersecurity-startups-to-watch-in-2021-based-on-crunchbase/
2121	Orca Security, <i>Orca Security Named a 2021 Gartner Cool Vendor in Cloud Security Posture Management (CSPM)</i> (June 21, 2021), https://orca.security/resources/press-releases/press-release-cnapp-gartner-cool-vendor/

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2123	SC Media, <i>SC Award Winners 2023 Orca Security – Best Cloud Security Workload Protection Solution</i> (Aug. 21, 2023), https://www.scworld.com/news/sc-award-winners-2023-orca-security-best-cloud-workload-protection-solution
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2132	Orca Security, <i>Orca Security Named to Notable Capital's Rising in Cyber 2024</i> (June 4, 2024), https://orca.security/resources/press-releases/orca-security-named-to-notable-capitals-rising-in-cyber-2024/
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2149	Provisional Patent Application No. 62/797,718
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
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2158	Amazon Web Services, <i>Viewing Recent Management Events with the Console</i> (last visited Apr. 3, 2025), https://docs.aws.amazon.com/awscloudtrail/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
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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
2166-2169	RESERVED
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 Deposition of Angelos Stavrou, Ph.D., taken April 2, 2025 ("StavrouTr2.")
2173	Qualys, <i>Vulnerability Management</i> (2017). https://cdn2.qualys.com/docs/mktg/vulnerability-management-datasheet.pdf

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2174	Jane Man, <i>Live Monitoring with Endpoint Agents</i> (Sept. 28, 2016), https://www.rapid7.com/blog/post/2016/09/28/live-monitoring-for-endpoints/)
2175	<i>Virus</i> , NIST Computer Resource Center Glossary (last visited May 7, 2025), https://csrc.nist.gov/glossary/term/virus
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2191	Ferda Özdemir Sönmez et al., Evaluation of Security Information and Event Management Systems for Custom Security Visualization Generation (2018) https://www.researchgate.net/profile/Ferda-Oezdemir-Soenmez/publication/328714022_Evaluation_of_Security_Information_and_Event_Management_Systems_for_Custom_Security_Visualization_Generation/links/66cb5356920e05672e503f60/Evaluation-of-Security-Information-and-Event-Management-Systems-for-Custom-Security-Visualization-Generation?_cf_chl_tk=GFDVvFCEO0W43yRmGpNuvRoYvLxLlf5MQty2WjCtIKQ-1746109122-1.0.1.1-9thX8K_E0POm9M_WksJEsfRdeg1KqYZ7qaqWHQ8.8yw
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2193	Jordan Novet, <i>A Tiny Security Start-Up Founded By Engineers Who Sold Their Last Company to Microsoft is Already Worth \$1.7 Billion</i> , CNBC (updated Mar. 22, 2021, 11:40 A.M. EDT), https://www.cnbc.com/2021/03/22/security-start-up-wiz-valued-at-1point7-billion-after-a-year-of-existence.html (last visited Sept. 19, 2025)
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2195	Transcript of Deposition of Angelos Stavrou, Ph.D., taken September 24, 2025 ("StavrouTr4.") [PROTECTIVE ORDER MATERIAL]
2196	Transcript of Deposition of Ami Luttwak, taken September 2, 2025 ("LuttwakTr."), as to IPR2024-00863, -00864, -00865, -01109, -01190, and -01191 [PROTECTIVE ORDER MATERIAL]

Exhibit	Description
2197	Transcript of Deposition of Angelos Stavrou, Ph.D., taken August 19, 2025 ("StavrouTr3."), as to IPR2024-00863, -00864, and -00865 [PROTECTIVE ORDER MATERIAL]
2198-2299	RESERVED
2300	Excerpt from Orca Product Documentation (2024) [PROTECTIVE ORDER MATERIAL]
2301	<i>API Onboarding with GCP Multi Scanner for In-Account</i> [PROTECTIVE ORDER MATERIAL]
2302	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2303	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2304	<i>AWS Permissions</i> [PROTECTIVE ORDER MATERIAL]
2305	RESERVED
2306	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2307	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2308	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2309	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2310	RESERVED

Exhibit	Description
2311	Excerpt from Orca Product Documentation (2024) Part 2 [PROTECTIVE ORDER MATERIAL]
2312	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2313	Excerpt from Orca Product Documentation (2024) [PROTECTIVE ORDER MATERIAL]
2314-2399	RESERVED
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]

Exhibit	Description
2410	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2411	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2412	[REDACTED] [PROTECTIVE ORDER MATERIAL]
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	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2419	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2420	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2421	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2422	[REDACTED] [PROTECTIVE ORDER MATERIAL]

Exhibit	Description
2423-2324	RESERVED
2425	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2426	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2427	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2428	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2429-2499	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

Orca's '809 patent describes an “elegant ‘like magic’ approach” (Ex.2076-011-12) that “locates vulnerabilities with precision and delivers tangible, actionable results—without having to sift through all of the noise.” Ex.2118-004, 018-19. The industry's reaction to Orca's claimed combinations are far more credible regarding nonobviousness than Wiz's cobbled-together obviousness arguments. Wiz's arguments that the claims merely recite known elements combined in predictable ways are belied by its repeated retreats to vague assertions about what the references “suggested” (rather than actually disclosed), gap-filled by numerous “background” references. The challenged claims tie Wiz's obviousness arguments together, but it is impermissible to use the claims “as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit.” *In re NTP, Inc.*, 654 F.3d 1279, 1299 (Fed. Cir. 2011).

Wiz's generic and weak obviousness arguments fall significantly short when considered against Orca's strong objective indicia of nonobviousness. Wiz can't erase [REDACTED]. Properly considering the fourth *Graham* factor demonstrates this case is unique; when objective indicia is appropriately evaluated, no claim can be properly deemed obvious.

II. Claim Construction

A. “Location”

Wiz’s attempt to broaden “location” to include any “identifier” is new, non-responsive, and should be disregarded. Reply 1.

B. “analyzing the snapshot”

Wiz abandons its 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 Wiz’s reliance on Veselov’s assessment-VM approach in Figs.1/3A-3B. Pet.60-61 (citing Figs.1/3A-3B for hosting VMs).

Waiver aside, Wiz’s assessment-VM arguments are wrong for the undisputed reasons Orca presented. POR 31-33. Wiz argues Orca took “contrary positions,” but doesn’t elaborate. Reply 1. None exist. Orca *never* contended analyzing instantiated-VMs is analyzing snapshots. Wiz vaguely contends Dr. Kaeli admitted the specification’s “instantiated VM” discussion analyzes snapshots; no such admission exists in Wiz’s unexplained 3-page cite, and Dr. Kaeli’s Declaration resolves any ambiguity. Ex.2073 (“Kaeli”) ¶46 (specification “*distinguishes* analyzing a snapshot” from “instantiat[ing] a copy of the VM”) (discussing Ex.1001, 5:20-21, 5:56-63). Wiz’s expert doesn’t support Wiz, instead tacitly adopting

Dr. Kaeli's correct opinion that the claim does "***not*** encompass analyzing a duplicate VM created from the snapshot." *See* Ex.1400¶10.

III. Ground 1

A. No Motivation-To-Combine

Wiz hasn't shown POSAs would have combined, or reasonably expected success combining, Veselov and Mohanty to reach the claims. POR 35-45. Wiz's Reply arguments mischaracterize the references' teachings and what POSAs would have understood. Wiz advances two theoretical combinations: 1) Veselov's instantiated-VM-analysis embodiments modified by Mohanty's agent-based techniques, or 2) Veselov's snapshot-analysis embodiments modified by Mohanty's agent-based techniques. Kaeli¶¶72-105. The first analyzes instantiated VMs—*not* snapshots—an incorrect, abandoned claim construction, and cannot meet the claims. POR 31-32, 34. For the second, POSAs wouldn't have combined, or expected success combining, Mohanty with Veselov's snapshot-analysis embodiments as Orca's POR detailed and as further explained below.

Mohanty emphasizes needs for "continuous[ly]" monitoring "changing" workloads and disparages "snapshot" approaches that are "obsolete" in "minutes," which would have discouraged combination with Veselov's snapshot-based vulnerability assessments. *Id.* 39; Mohanty 1:14-19. Wiz argues Mohanty's "snapshot" disparagement isn't of VM/disk snapshots, but rather, of "a 'snapshot **of**

a vulnerability assessment report.” Reply 4 (original emphasis). But Wiz doesn’t explain how analyzing snapshots of virtual disks produces anything *other than* “snapshot[s] of a vulnerability assessment result.” Wiz can’t. Veselov’s snapshot is, by definition, “a state of the resource at a point in time” (Ex.1007 (“Veselov”), 3:25-26); analyzing it produces vulnerability “assessment results” for users. *Id.*, 10:18-24, 2:42-46, 7:15-16, 14:66-15:23; POR 49. Because the snapshot analyzed in Wiz’s combination is a point-in-time fixed resource state, *without* continuous monitoring (as Mohanty needs), the results **are** a “snapshot of a vulnerability assessment” too. That’s what Mohanty disparages, weighing strongly against Wiz’s combination.

Wiz’s attempted workaround argues Veselov’s snapshots can be “reasonably current and continuous” because they can be taken “on-demand.” Reply 4. That is inapposite. Mohanty emphasizes “continuous” monitoring, which POSAs recognized were only provided by *agent-based* systems, not agentless snapshot-based ones. *See, e.g.*, Ex.2044-002 (“With agent-based scanning, you receive real-time monitoring of the host system” in contrast with agentless systems.); Ex.2106-001 (“agentless or ‘side-scanning’ solutions...are not continuous, real-time solutions”), -002 (“agentless solutions would be unable to provide continuous visibility”).

Wiz's "continuous" snapshotting argument fails for two other reasons. First, the Petition didn't present it. Second, it would render Veselov's system inoperable for its intended purpose: allowing target resources to continue operating/running normal workloads during security analyses. Veselov 2:42-67; POR 33-34. Continuously snapshotting would grind VMs to a halt: Veselov's snapshotting requires "all writes to the disk [to be] queued" and "may cause the writes to the disk to be deferred or otherwise stalled." Veselov 6:50-55. This refutes Wiz's rationale. *In re Gordon*, 733 F.2d 900 (Fed. Cir. 1984).

Orca also showed, using Veselov's teachings and objective evidence, Wiz's foundational combination assertions—Veselov's snapshot-based analysis would result in the "same" data as Mohanty's agent-based analysis—was wrong. POR 36-38. Wiz counters Veselov describes the "snapshot used in both approaches as having the same content, including network-location information." Reply 2-3. Wiz wrongly conflates the content in Veselov's snapshot *before* collecting data, with the collected data itself. The content being the same says nothing of the collected data, which depends on the "*process*." See Ex.1400¶20 (differentiating "process for collecting data" and "collected data itself"); POR 42-43. By analogy, a doctor analyzing a patient to determine pain sources could use varying assessment techniques, e.g., visual inspection or MRI. Though the patient has skeletal and muscular systems, the visual inspection collects different data about those systems

vis-à-vis MRI. *See also* Ex.2067-005 (Orca's snapshot-based SideScanning analogous to "medical MRI" compared to agents "probing inside the body with needles and scalpels"). That's consistent with Veselov: in Veselov's Figs.3A/3B embodiments, scanning service 310, using agents, obtains data including "VM activity/connections" and "traffic profile" (*see* Veselov, 15:50-59, 16:3-6), **different from** scanning service 510 that doesn't capture network location information. *See id.*, 16:67-18:15 (not describing VM activity/traffic profiles). And Veselov itself distinguishes between agent-based techniques, which can assess real-time dynamic data, network connections/communications, etc., and snapshot analyses merely identifying files, packages, and versions. POR 37-38 (citing Veselov, 15:41-47, 15:60-16:14, 15:29-38, 18:34-38). Wiz hasn't shown POSAs could have or would have correlated network locations with vulnerabilities for prioritized alerts in its combination, which at most shows "network location" information only available using agents.

Wiz's made-for-IPR argument (agent-based and agentless solutions collect the "same data") lacks credibility when weighed against [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]; they reflect the industry's conventional understanding. POR 35-38; Ex.2106; *see also* Ex.2044-003 ("Agentless scans may not delve as deep as agent-based scans" and "can't access the same level of detail").

Wiz's alleged "bodily incorporation" (Reply 4-5) fallback assumes the references are already combined and misses the point: POSAs would *not* have been *motivated* to combine Mohanty's risk-based, agent-based *continuous* monitoring system, including network location detection, with Veselov's agentless analysis techniques without such monitoring.

Orca also explained why Wiz's motivations to add "prioritized alerts" manufactured a problem without evidence Veselov's assessment has such issues. Wiz doesn't dispute its supporting evidence all relied on agents. POR 41-44; *see* Reply 2-3, 5-6. Wiz's Reply newly cites other references allegedly teaching prioritization's usefulness in "snapshot/image-based scanning." Reply 6 (citing Exs.1048, 1078). Those references, again, relate to entirely different contexts:

- Hufsmith's pre-deployment image assessments for code vulnerabilities (Ex.1078¶¶153-160) isn't applicable to Veselov's post-deployment non-code snapshot assessments.

- Price says nothing of snapshots/images (Ex.1048¶43), and elsewhere describes agents providing “results of the security assessment[s].” *Id.* ¶13 (“result...**from the agent**”).

Wiz’s myriad of tertiary references shouldn’t be considered to gap-fill Wiz’s grounds, and don’t support Wiz’s combination. Kaeli¶93; *see also NTP*, 654 F.3d at 1299.

Finally, Orca explained POSAs wouldn’t have expected success in Wiz’s combination, determining network locations by analyzing snapshots (not agent-based VM inspection). POR 44-45. Wiz argues Veselov’s snapshot includes “network-location information,” arguing without support the information is “readily accessible” when analyzing snapshots. But Veselov discloses the information Wiz maps to network locations only using agent-based instantiated-VM inspection. *See id.* 37-38. Orca further explained POSAs wouldn’t have relied on a “network location”/vulnerability correlation in Wiz’s proposed combination because Veselov’s target devices’ “network address[]” and “physical computing device[]” may “change over time.” Veselov, 2:67-3:5; POR 44. Wiz’s addresses only “physical” locations, leaving the changing “network address” and the lacking expectation of success unrebutted. Reply 7.

B. Wiz's Combination Misses Elements**1. Limitations 1.5-1.7/16.5-16.7/19.5-19.7**

Wiz doesn't explain how its Veselov/Mohanty combination would work to correlate cyber vulnerabilities with an asset's network location. POR 45-48; Kaeli¶¶107-112. Wiz concedes Veselov only determines "network protocols" and "properties of connections" in Figs.3A/3B's duplicate-VM assessments, which cannot satisfy the claims' snapshot-analysis requirement. POR 46; *see also id.* 31-32.

Wiz wrongly argues "network protocols" and "connections" are determined in Figs.5A/5B because the "3A/B and 5A/B snapshots are the same." As discussed above, Wiz doesn't appreciate the different collected data between Figs.3A/3B and Figs.5A/5B. POR 31-34, 46-47; Veselov, 16:56-18:15. Wiz's "VM activity/connections" is only in Veselov's Figs.3A/3B's instantiated VMs. Reply 3; Kaeli¶¶53-56, 72-80, 108.

Arguing Mohanty "provides reasons to include network-location information," is insufficient. Reply 8. Wiz doesn't argue the combination with Veselov's snapshot analyses would have Mohanty's network-location information (or "workload context"), which requires "tags" Wiz didn't dispute are inapplicable to analyzing snapshots. POR 48. This isn't about "bodily incorporation" (Reply 7-8), rather, it's whether Wiz has shown POSAs would have modified Veselov with

Mohanty as proposed. Wiz hasn't shown "*how* the combination of the...references [is] supposed to work," i.e., *how* the combination would correlate network location information with Veselov's snapshot analyses; its obviousness arguments therefore fail. *See Pers. Web Techs., LLC v. Apple, Inc.*, 848 F.3d 987, 993-94 (Fed. Cir. 2017) (original emphasis); *InTouch Techs., Inc. v. VGO Commc'ns, Inc.*, 751 F.3d 1327, 1352 (Fed. Cir. 2014).

2. Limitations 1.8/16.8/ 19.8

Veselov and Mohanty, alone or combined, don't disclose "reporting" potential vulnerabilities as "alerts prioritized according to the determined risk." POR 48-51. Wiz's "backup arguments" for these limitations in Ground 2 reflect this too. Reply 12.

Veselov sends users security assessment report findings without providing "alerts." POR 49. This isn't just nomenclature (*cf.* Reply 8), it's Veselov's silence regarding notifications "stand[ing] out," as Dr. Stavrou conceded is required. Ex.2077 ("StavrouTr1."), 287:4-12; Kaeli¶¶122-125 ("reports" and "alerts" differently used in Wiz's evidence). Wiz newly asserts [1.8] is satisfied by anything that "brings specific problems/remediations to the user's attention" (Reply 11), which should be disregarded, and isn't enough: Veselov doesn't bring "specific problems" to a user's attention; it reports all assessment "findings" for user-specified assessments. Kaeli¶¶122-126; Veselov, 10:18-36.

Combining Mohanty doesn't cure these deficiencies. POR 50-51. Mohanty's techniques wouldn't have "their same predictable operation" (Reply 9) when combined; Mohanty's prioritization requires "continuous" agent-based monitoring to "track critical vulnerabilities" and "take actions as changes occur." POR 50-51 (citing Mohanty, 1:19-22, 6:54-58, 9:11-19). "[C]ontinuous" monitoring requires *agents*; Wiz alleges agents *wouldn't* be used. And the newly-proposed continuous snapshotting renders the combination inoperable. *Supra* §III.A. Contending both references consider vulnerabilities and the same "underlying data" is wrong (*supra* §III.A), but even if correct, would at most show analogous art, not the required **motivation**. *Johns Manville Corp. v. Knauf Insulation, Inc.*, IPR2018-00827, Paper 9 at 10 (Oct. 16, 2018) (informative).

Wiz's independent claim obviousness arguments fail even without considering objective evidence, which further cements nonobviousness: the industry praised, [REDACTED] Orca's inventions providing "prioritized alerts" based on risk when analyzing virtual disk snapshots for vulnerabilities, facilitated by cloud computing environment APIs. POR 50-51.

3. Claims 15/22

Wiz hasn't shown Veselov's Figs.5A/5B analyses render obvious "querying a cloud management console...for the location of the snapshot and the location of the virtual disk." POR 51-55; Kaeli ¶¶132-140.

Wiz improperly mixes embodiments, applying Figs.1/3A/3B's "cloud" aspect to Figs.5A/5B (Reply 9-10), but doesn't motivate modifying Veselov; this is fatal. *See Bos. Sci. Scimed, Inc. v. Cordis Corp.*, 554 F. 3d 982, 991 (Fed. Cir. 2009) (motivation to combine separate embodiments required even when embodiments adjacently disclosed).

Wiz side-steps motivation requirements, claiming Veselov taught Figs.5A/5B's "computing environment" has Figs.3A/3B's "implementation"/"interactions," therefore Figs.5A/5B have Figs.3A/3B's service provider. Reply 9-10. Wrong: Veselov lists Figs.3A/3B's elements in Figs.5A/5B, **omitting** "computing resource service provider 300 or 350." *See Veselov*, 16:56-67. Unlike Wiz, POSAs wouldn't gloss over these express distinctions, leading POSAs to understand Figs.5A/5B analyze snapshots on-premises, not in the required cloud environment. POR 53. Wiz's mischaracterizing Dr. Kaeli's testimony (Reply 9-10) similarly fails: no such admission exists, and Wiz can't remedy that Veselov's Figs.5A/5B omit a "service provider." *See Veselov*, 16:56-67.

Wiz's "several independent arguments" fail because Wiz can't point to virtual-disk-location-queries in Veselov. Reply 10-12; POR 51-53. Veselov's relied-upon querying **VM** (not disk) locations for querying *virtual disk* locations (Pet.62-63; POR 27-28) fails; Wiz's rehabilitation attempt wrongly alleges general storage locations aren't "typically different." Reply 11. That's like equating a car's

location with its owner's location—sometimes they coincide, but one doesn't tell you the other.

Wiz's inherency arguments are admittedly non-starters, because storage locations aren't necessarily identical. POR 52-54; Reply 11. Wiz suggesting snapshots and virtual disks share computing locations, citing Veselov's figures, still lacks support. Reply 11. Without inherency, Wiz has no claims 15/22 disclosure. Wiz can't avoid "rigorous" inherency requirements by elevating form over substance and "asking [the Board] to accept its expert's inferences as to how a skilled artisan would have viewed [Veselov's] teachings." *See Dropbox, Inc. v. Synchronoss Techs., Inc.*, IPR2016-00851, Paper 40 at 17-18 (Oct. 5, 2017); *cf.* Ex.1002¶¶245-254. Even if virtual disk identifications were known, that doesn't suffice for obviousness without motivating modifying Veselov accordingly, which Wiz admittedly doesn't provide (Reply 10-12). *See Virtek Vision Int'l ULC v. Assembly Guidance Sys., Inc.*, 97 F.4th 882, 888 (Fed. Cir. 2024).

Orca's objective evidence confirms virtual disk locations, combined with other limitations, garnered significant praise, [REDACTED] POR 66-88. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] POR 57-58; *see* Reply 23-26.

Iron Grip Barbell Co. v. USA Sports, Inc., 392 F.3d 1317, 1325 (Fed. Cir. 2004).

IV. Ground 2

Ground 2 fails to show the proposed combination renders any claim obvious as a whole or an expectation of success. POR 93-95. Wiz concedes Czarny assesses electronic devices—not VMs—and Wiz doesn’t address the myriad differences between Czarny and Veselov/Mohanty. POR 93; *see* Reply 12. Dr. Stavrou contradicted Wiz’s generic assertions that POSAs would apply Czarny’s techniques to virtual/cloud assets, including for “application security,” because “cloud security” has many “differences” requiring “a different skillset or background.” Ex.2195 (“StavrouTr4.”), 28:10-29:9; *cf.* Pet.65-68. Wiz’s Reply concedes Czarny’s risk assessments pertain to an unrelated context: granting/denying access to secure environments, which cannot satisfy the claims. POR 94; Reply 12-13. Finally, Wiz’s assertion Veselov teaches “applications” available in snapshots doesn’t show available *binary* data or expectation of success. Reply 12. Czarny distinguishes “binary data” from data considered by “[c]onventional security vulnerability assessment systems” “that simply identifies the...applications.” Czarny, 4:25-33.

V. Grounds 3-4

Wiz doesn't address why, absent hindsight, POSAs would selectively combine Hutchins's "replicated" VM virus scanning/quarantining technique with carved-out Veselov/Mohanty/Czarny portions. POR 95-97. Wiz repeats its "bodily-incorporation" and "attack[] the references individually" mantras (Reply 13-14), but Orca squarely addressed Wiz's bare-bones argument. *See* Pet.73 (failing to describe combination). POSAs also wouldn't make Wiz's combination because the references distinguish malware/vulnerabilities as different fields. POR 96; Reply 13-14. Wiz argues Czarny teaches "quarantining is the appropriate response to detecting **vulnerabilities**," but Czarny *only* "quarantine[s]...the software *file of the malware*." Czarny, 1:6-35. The Board should also discount the weight of Wiz's self-contradictory vulnerability/malware arguments. For its combination, Wiz contends vulnerabilities/malware are the same, but then asserts no nexus because Orca's "Vulnerability Scanning" and "Malware Scanning" are allegedly distinct "data-collection steps." Reply 15; Ex.2067-010.

VI. Objective Indicia

A. Nexus

Orca's objective evidence, "tied to the combination" claimed "as a whole," demonstrated Wiz's hindsight-biased, piecemeal obviousness arguments. POR 55-56. Wiz's two reasons against Orca's nexus are wrong.

First, Orca doesn't rely on a presumption (*cf.* Reply 15-17), which isn't needed, 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 55-56, 59-63. Orca proved each objective indicia—long-felt need, skepticism, copying, praise, and commercial success—had direct nexus through testimonial and documentary evidence “refer[ring] generally” or “specifically” to claimed combinations’ limitations. *Lectrosonics, Inc. v. Zaxcom, Inc.*, IPR2018-01129, Paper 33 at 61-63 (Jan. 24, 2020) (precedential). For example, Orca showed discussions of its (and Wiz’s) “agentless [side]scanning” leveraged “cloud APIs to snapshot underlying instance hard disks”; thus the “agentless” scanning discussions had claim nexus, including [1.1]-[1.2]. *See* POR 62 n.4. Similarly, Orca showed snapshot scanning for “operating systems, and applications in a read-only mode...for vulnerability assessments” referred generally/specifically to [1.3]-[1.6]. *See id.* n.5. [REDACTED] the industry’s) lauding Orca’s ability to “show exposure risk,” “assess risk based on vulnerability,” and “prioritize risk” praised Orca’s claimed combination, e.g., [1.7]-[1.8]. *See id.* 63 n.6. [REDACTED]

[REDACTED] POR 77-78.

Second, Wiz’s other nexus arguments repeatedly assert limitations were individually “known.” *See* Reply 14, 17-23, 26-27. This focus “on isolated claim

limitations” and not “the claim as a whole” “misses the mark.” *Echelon Fitness Multimedia, LLC v. Peloton Interactive, Inc.*, IPR2020-01541, Paper 54 at 60 (Mar. 2, 2022). Even assuming elements were “individually known,” Orca’s largely-unrebutted testimony shows when the “various features...were combined to form [SideScanning],...the result was a new, market-making, commercially successful product” providing “significant benefits over prior art devices,” “receiv[ing] praise,” that competitors [REDACTED] “copied.” *Medtronic, Inc. v. Teleflex Life Scis. Ltd.*, IPR2020-01344, Paper 69 at 52-53 (Feb. 23, 2022) (objective indicia overcame obviousness, crediting testimony practicing claims “as a whole” resulting in objective indicia); *Chemours Co. FC, LLC v. Daikin Indus., Ltd.*, 4 F.4th 1370, 1378 (Fed. Cir. 2021) (separate limitation disclosure “does not negate a nexus” “where...invention is a unique combination”); *see generally* POR 55-93.

B. Long-Felt Need and Skepticism

Before Orca’s patent, a long-felt need existed for an unobtrusive, comprehensive security solution that placed application vulnerabilities in context in cloud environments. POR 56-63. Wiz argues this wasn’t needed and Orca didn’t solve it. Reply 19-20. This is demonstrably false. The industry recognized Orca’s pioneering “Pivotal Moment[] in Cloud”: the “concept of agentless side scanning” “utilizing the nature of cloud APIs” redefined cloud security posture management (CSPM). Ex.2076-005-7. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Wiz also claims “agentless scanning[] was known.” Reply 18-20. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Ex.2076-007 (“CSPM...defined by pre and post-Orca”).

Orca also provided significant skepticism evidence tied directly to the claims using [REDACTED] others’ reports. POR 63-65. Wiz wrongly asserts no nexus with “agentless” scanning skepticism. Wiz acknowledges “[a]gentless analysis approaches are based on two fundamental principles:” (1) “[p]rivileged access to customer’s cloud environment via APIs,” and (2) “[s]napshot scanning.” Ex.2026-003; *see also* Ex.2138-003-4 (“agentless deep scanning...reading data via APIs and scanning out of band”); Ex.2076-007, -011 (Orca’s industry-changing “agentless solutions”). The patent’s claims (e.g., [1.1]-[1.3]) expressly embody those “fundamental principles.”² [REDACTED]

² [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Attacks on certain documents' weight and Mr. Shua's testimony as "self-interested" and/or "hearsay," are erroneous. Reply 18-21. **First**, inventor and/or patent owner testimony is "substantial evidence." *See, e.g., Transocean Offshore Deepwater Drilling, Inc. v. Maersk Drilling USA, Inc.*, 699 F.3d 1340, 1351-54 (Fed. Cir. 2012). **Second**, Wiz ignores the numerous other exhibits and expert testimony corroborating alleged "self-interested" evidence. *See, e.g.,* Exs.2103-2104, 2106, 2073, 2137, [REDACTED] **Third**, Wiz's Motion to Exclude addresses hearsay (*see* Paper 56), which is wrong and countered separately.

C. 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 70-88. Orca's declarants provided limitation-by-limitation analyses, supported by thorough evidence, detailing SideScanning's claim correspondence and establishing Wiz's copying had direct nexus. *Id.* 84-87; Ex.2074 ("Shua") ¶¶28-83; Kaeli¶¶167, 176-186, 214. Wiz's assertion that Orca "outsourced its analysis" or didn't provide "meaningful explanation" showing SideScanning practices limitations 1.5-1.8 is meritless.³ The

³ Although Orca did far more here, presenting patent-practicing nexus in declarations is consistent with Board practice. *See, e.g., Gene Co. Pty Ltd. v. Trs. of*

close overlap between documentary evidence and the claimed combinations shows little explanation was needed, and Mr. Shua confirmed SideScanning's operation. For [1.5]-[1.8]:

Combining Information, Analysis, and Reporting

All the gathered information is analyzed to produce actionable, context-based alerts, and reports. This thoughtful approach shows what each vulnerability is, where it's located, and its priority. In this way, security engineers and DevOps teams can easily assess how to best allocate their time and attention.

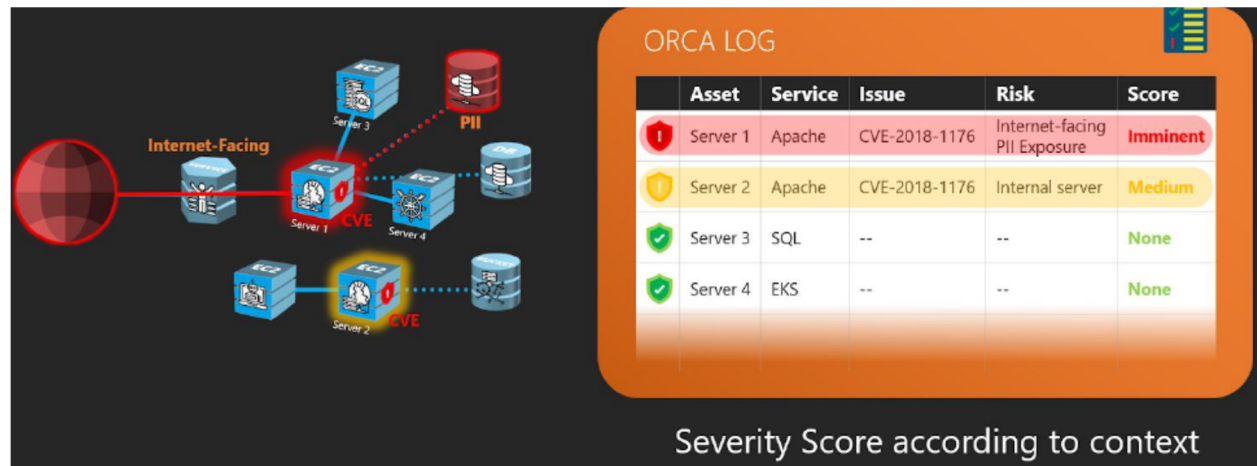
Ex.2067-016;

Showing Alerts in Context

Orca combines conclusions from different environmental perspectives into a single model. It takes the asset map from the control plane—where the service meshes and containers talk to each other—and enriches this information with the risk data gathered from the workload deep scanning. For example, Orca takes a customer's instance, maps the running services on it, then takes into consideration the vulnerability data collected in the data path. Orca contextualizes the information to establish whether an asset is internet-facing and easily accessible to attackers, or if it's private and hence a less important vulnerability. (A resource that isn't accessible by any other machine in the account represents less risk than one that's internet-facing.)

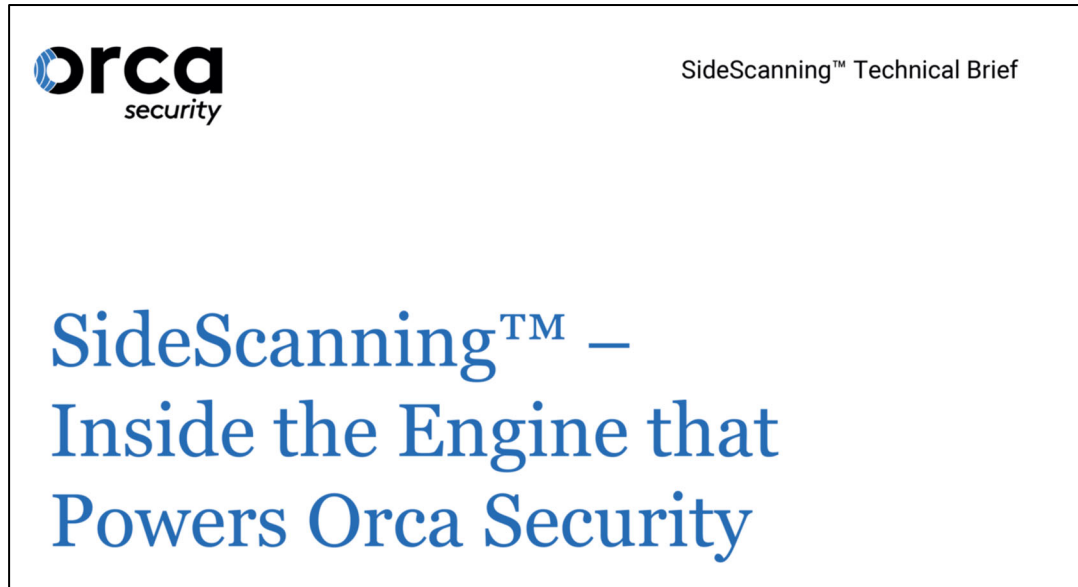
Id.;

Columbia Univ. in the City of N.Y., IPR2024-00313, Paper 54 at 62 (June 23, 2025) (nexus from expert's "claim chart"); *Quanergy Sys., Inc. v. Velodyne Lidar, Inc.*, IPR2018-00255, Paper 59 at 29-30 (May 23, 2019) (nexus in 150+ declaration paragraphs); *Medtronic*, IPR2020-01344, Paper 69 at 51-52 (nexus in expert's "unrebutted claim charts").



Ex.2067-017; POR 61; Shua¶¶47-52.

Assertions of no documentary tie between vulnerabilities, network locations, and “lateral movement risk” (*cf.* Reply 41-42) are unnecessary (Mr. Shua confirmed operation (Shua¶¶50-52)) and incorrect. Ex.2067 explains risk scores determined by whether vulnerabilities and correlated network locations are “easily accessible to attackers” through “any other machine” (lateral movement).



Ex.2067-001;

vulnerability data collected in the data path. Orca contextualizes the information to establish whether an asset is internet-facing and easily accessible to attackers, or if it's private and hence a less important vulnerability. (A resource that isn't accessible by any other machine in the account represents less risk than one that's internet-facing.)

Ex.2067-016;

Combining Low Severity Issues into Larger Alerts

A common finding is when a machine hasn't been patched for an extended period and has a large number—hundreds or even thousands—of vulnerabilities. While other security tools might send out one alert for each vulnerability, Orca aggregates the information to combine them with the appropriate context to show they're related. For example, if a machine goes unpatched for a long period of time because it's not internet-facing or connected to other machines, its risk score will be low—even though it has hundreds of vulnerabilities. This helps analysts in prioritizing which security fixes to address first.

Ex.2067-018; Shua¶¶50-52.

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Initially, Wiz's premise and timetable is wrong. Wiz first accessed Orca's technology in May 2019—[REDACTED]—when Orca and Wiz's co-founder, Yinon Costica, had a technical meeting. POR 71; Shua¶¶114-118; LuttwakTr.20:17-21:19. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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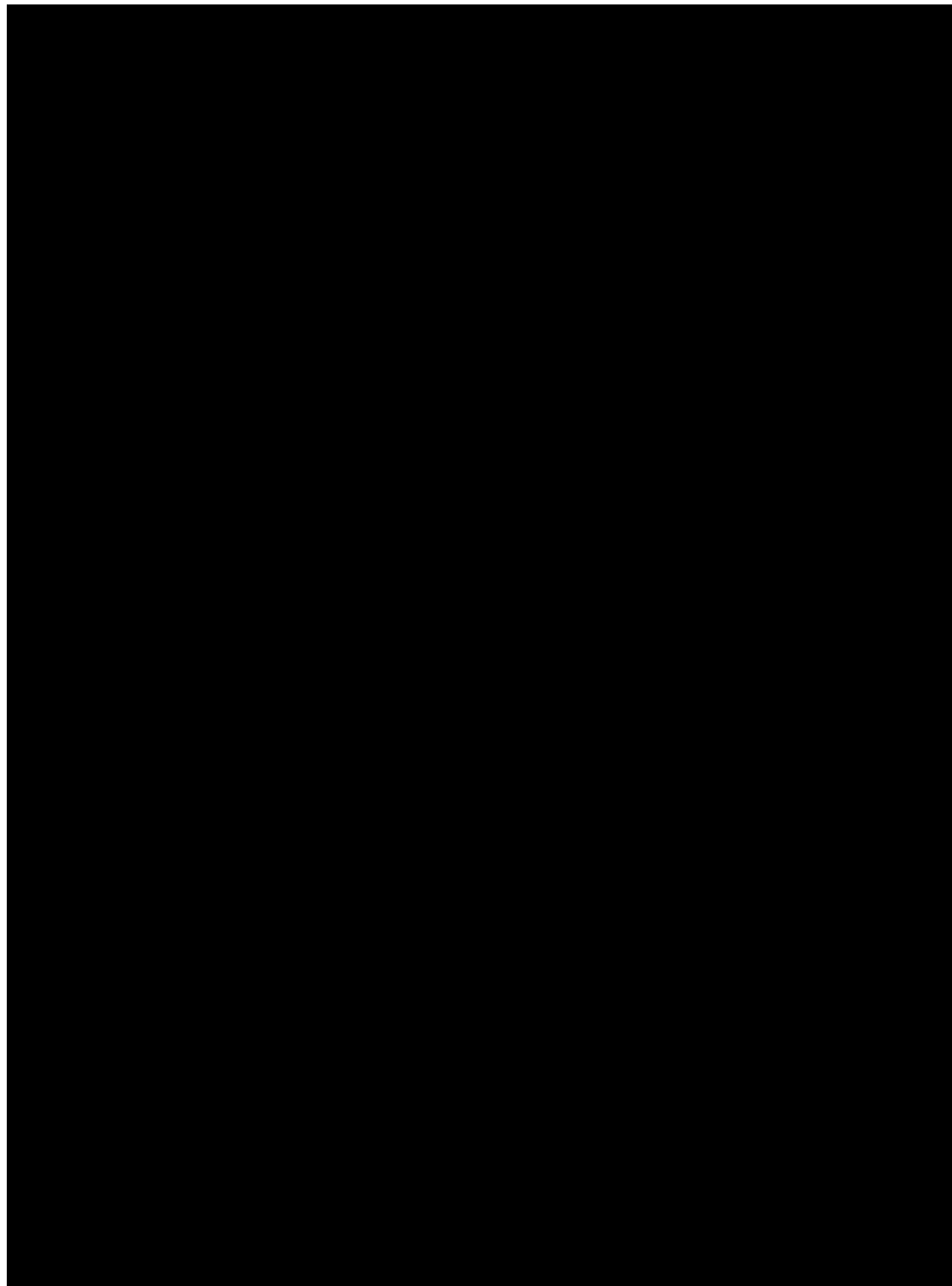
[REDACTED]

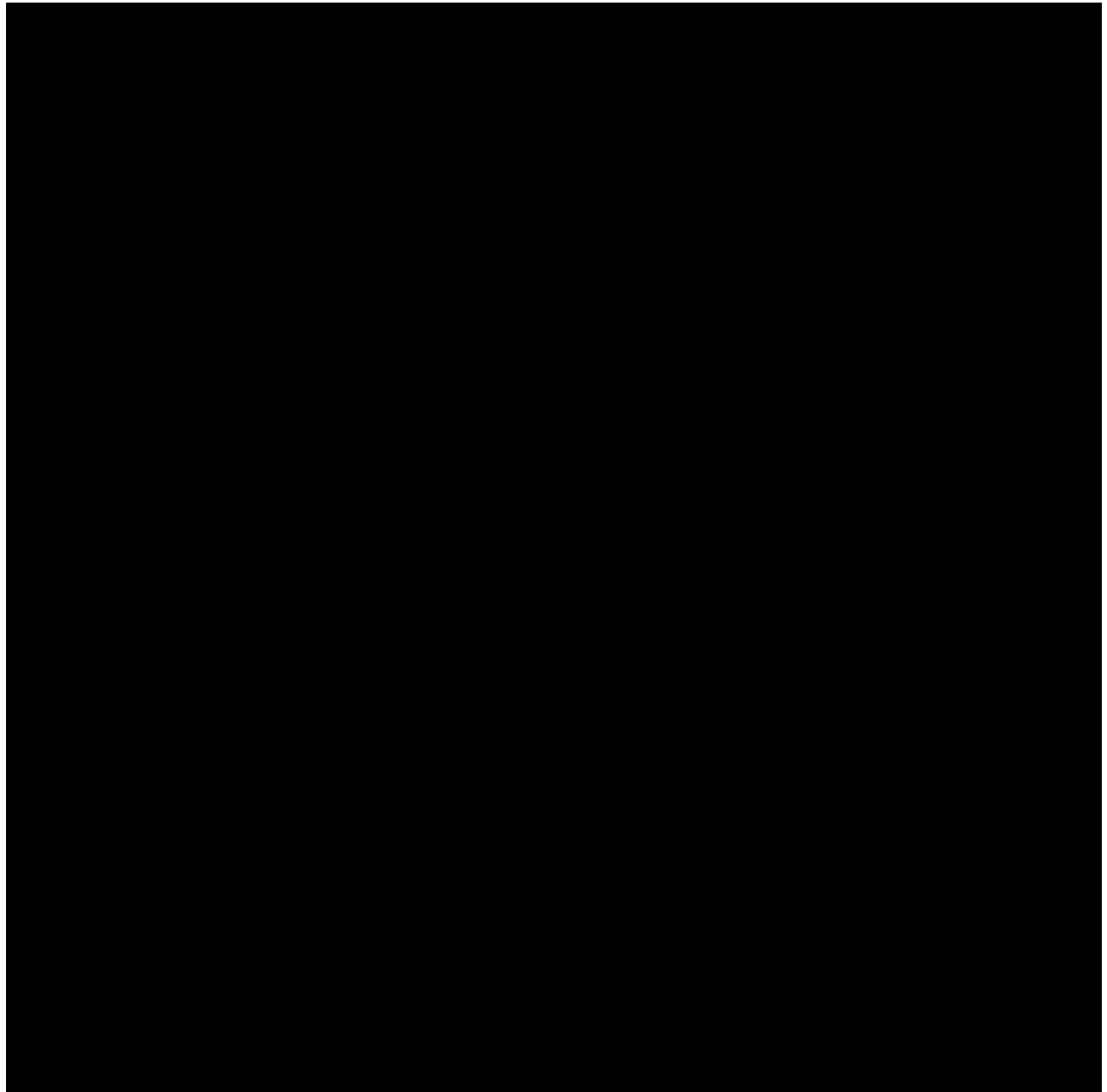
4 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





Adding to Wiz's access, Orca showed substantial similarity of Wiz's platform and Orca's relative to claim limitations. POR 34-37, 59-63. Wiz argues no proof "Wiz practices the claims" (Reply 25, 28); that's irrelevant. The "copying inquiry" compares "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 facially "disagree[s]" about substantial similarity, but didn't identify **any differences** when addressing Dr. Kaeli's detailed substantial similarity analysis between products. Ex.1400¶118; Kaeli¶¶187-238; *see generally* StavrouTr4.117:3-120:7 (stonewalling on failure to dispute substantial similarity). Wiz ostensibly claims Orca didn't "prove substantial similarity," but Wiz identifies *no* differences. Reply 25. Mr. Shua described detailed numerous customers remarking about similarities. Shua¶114; Kaeli¶¶220-224. [REDACTED]

[REDACTED] And undisputed evidence shows customers [REDACTED] consider Wiz's agentless workload-scanning features indistinguishable from SideScanning. POR 87-88. That is dispositive.

There's much more: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Wiz appears to (wrongly) claim, without evidence [REDACTED]

[REDACTED]

[REDACTED] Relevant SideScanning materials were unquestionably “publicly available...and accessible to [REDACTED] [REDACTED] [REDACTED] [REDACTED].” *Medtronic*, 70 F.4th at 1341 n.7. One example: Orca-published video in October 2019 described Mr. Shua’s “patent-pending” technology implemented in SideScanning, with cloud “APIs...that read the underlying block storage...,” analyzing VMs “runtime block storage,” where “vulnerability management is a critical part” Orca “alert[ed] on.” Ex.2133-003, -005; Shua¶89. That publicly-accessible material, along with substantial similarities between products, provides “more than sufficient” copying evidence. *Medtronic*, 70 F.4th at 1340.

Wiz’s two remaining excuses fail. **First**, Wiz claims individual copied features, like agentless scanning/API calls, were “known.” Reply 26; *see also id.* 18. Piecemeal, individual element attacks cannot excuse Wiz’s copying: Orca’s nexus is “tied to the combination of features as a whole.” *Medtronic*, 70 F.4th at 1337. Second, Wiz argues new evidence allegedly supports “the platforms’ differences.” Reply 26 (citing Ex.1126). Wrong: because Wiz “Followed Orca’s patented SideScanning Technology,” Ex.1126 confirms no differences between the companies “Agentless Scanning” implementations:

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.

Likewise, Wiz copied key '809 patent features, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

D. Praise

[REDACTED] Orca's numerous awards and laudatory statements resulted from the claimed features' unique combination. *See, e.g.*, POR 66-71. Wiz's piecemeal arguments fail factually and legally.

First, Wiz incorrectly argues Orca's press releases can't be considered as "self-interested." Reply 21-23. The exhibits describe awards Orca received from

outside industry sources. *See* Exs.2121-2125, 2128-2129. They also include, from industry veterans, statements with direct nexus, constituting “substantial evidence” of industry praise. *Arctic Cat Inc. v. Bombardier Recreational Prods. Inc.*, 876 F.3d 1350, 1364 (Fed. Cir. 2017) (crediting industry comments in PO press releases); *see also Volvo Penta of the Ams., LLC v. Brunswick Corp.*, 81 F.4th 1202, 1214-15 (Fed. Cir. 2023).

Second, Wiz incorrectly argues Orca's awards are “irrelevant” without a “nexus presumption.” Reply 21. Orca received the awards due to the novel claim combination. POR 66-71. Quoted statements' alleged relation to “known/unrecited features such as the ‘agentless approach’” is irrelevant (Reply 21-22); objective indicia doesn't need to be tied exclusively to limitations allegedly missing from the art. *See Volvo*, 81 F.4th at 1212. Regardless, as detailed above, “agentless workload scanning” is claimed.

Third, disregarding awards from Orca's investors makes no sense. Reply 21. Orca *attracted* those investors because of Orca's industry-transforming “patent-pending SideScanning™.” POR 66-71. Orca also received awards unaffiliated with any investor/partner, focusing on claimed features. For example, Forbes emphasized Orca's “patent-pending SideScanning™ technology” with nexus to Orca's agentless reading “cloud configuration[s],” “prioritizing risk,” analyzing “block storage out-of-band,” and “detecting vulnerabilities.” Ex.2120-007; POR 66-71; *see also*

Ex.2119-006-10 (similar CRN praise). These awards' general and/or specific reference to claimed combination limitations "strongly weigh[] in favor of nonobviousness." *Lectrosonics*, IPR2018-01129, Paper 33 at 69-70, 72.

Fourth, Wiz's attorney-argument recharacterization [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Reply 22. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Fifth, Wiz erroneously discredits [REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sixth, Wiz contends Ex.2118 is a “commissioned” security report. Reply 21. But TAG Cyber, a third-party and “known and respected...[industry] analyst” (Ex.1402, 173:9-22, 175:19-176:13), independently performed its own “assessment,” “review” and “validat[ion]” of data and quoted numerous industry experts praising novel aspects of Orca’s SideScanning. Ex.2118-007 n.1, -013-14 (quoting multiple CISOs).

E. Commercial Success

Orca skyrocketed to a \$1 billion+ valuation less than two years after SideScanning’s introduction, [REDACTED]. POR 89-93. Wiz’s nexus presumption argument (Reply 27), is legally wrong. *Oren Techs., LLC v. Proppant Express Invs. LLC*, 2021 WL 3120819, *7 (Fed. Cir. 2021) (nonprecedential) (vacating obviousness finding given failure to consider commercial success evidence without presumption); *Echelon*, IPR2020-01541, Paper 54 at 60-63 (evidence of “extreme growth in sales data alone” of patent-practicing product, *without* nexus presumption, overcame “moderately strong”

obviousness case). Even crediting Wiz's argument of "unrecited features," there's 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); *see also Lectrosonics*, IPR2018-01129, Paper 33 at 68-70 (in direct nexus inquiry, objective evidence directed to features not "explicitly recited" in claims "weighs neither for nor against nonobviousness"). Orca's success is due significant weight because Wiz doesn't identify any features driving Orca's success besides the claims'.

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

[REDACTED]

[REDACTED] POR 91. A patented product creating a "new market," even without a nexus presumption, requires giving commercial success more than just "some weight" as nonobviousness evidence. *See Volvo*, 81 F.4th at 1214 (vacating nonobviousness decision); *Echelon*, IPR2020-01541, Paper 54 at 60-63; *see also Chemours*, 4 F.4th at 1378-79 (sales **alone** can evidence commercial success; market share data not required). Third-party reports show Orca's revenues are so significant that, five years after commercialization, Orca is a top-five "cloud security" company by revenue. Ex.2076-021; Reply 27.

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 92. Wiz’s pre-IPR blog posts contradict Wiz’s argument these features lack nexus; even if features were “known” (Reply 27), [REDACTED]

[REDACTED]

VII. Conclusion

Orca respectfully requests that the Board confirm the patentability of every claim.

Respectfully submitted,

Dated: October 3, 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 5,598 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 3rd day October, 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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