

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.

IPR2024-01190
Patent 11,740,926

PATENT OWNER'S SUR-REPLY

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2002	<i>Curriculum Vitae</i> of David R. Kaeli, Ph.D.
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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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”)
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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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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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	Appendix E, Invalidity of United States Patent 11,740,926 (the “’926 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)
2047	Appendix E-1, Invalidity of United States Patent 11,740,926 (the “’926 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)
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”)
2049	Declaration of Douglas E. Lumish Pursuant to 37 C.F.R. § 42.10(c)(2)
2050	Declaration of Steven W. Peters In Response to Petitioner’s First Objections to Evidence [<i>served, not filed</i>]
2051-2052	RESERVED
2053	Listing of Requested Documents
2054-2055	RESERVED
2056	Orca Security Ltd.’s Eleventh Supplemental Responses and Objections to Defendant Wiz’s First Set of Interrogatories, <i>Orca Sec. Ltd. v. Wiz, Inc.</i> , No. 1:23-cv-00758 (D. Del. Dec. 13, 2024) (excerpts)
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/
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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
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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]

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2074	Declaration of Avi Shua (“Shua”) [PROTECTIVE ORDER MATERIAL]
2075	Wiz Experts Team, Containers vs. VMs: What’s the difference? (Apr. 8, 2024) [Stavrou Dep. Ex. 2075]
2076	Francis & James Berthoty, <i>Redefining CNAPP: A Complete Guide To the Future of Cloud Security</i> (Sept. 12, 2024) [Stavrou Dep. Ex. 2076]
2077	Transcript of Deposition of Angelos Stavrou, Ph.D., taken March 5, 2025 (“1st Stavrou Tr.”)
2078	Video of <i>The CISO – Startup Connection Powered by YL Ventures – Orca Security</i> , https://www.youtube.com/watch?v=h4x4zh1D-tw (excerpt)
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2082	Video of <i>Orca Security – SideScanning vs Traditional Security Assessment Methods</i> , https://www.youtube.com/watch?v=0SDwFzINzGM
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2085	Orca Security, <i>CNBC Interview with Avi Shua Orca Security Through the Years</i> (last visited Mar. 19, 2025), https://www.youtube.com/watch?v=r9aBmLHpSnY
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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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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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2103	Saumitra Das, <i>Security Agents Don't Belong in Your Cloud!</i> (Aug. 18, 2021), https://cloudsecurityalliance.org/blog/2021/08/18/security-agents-don-t-belong-in-your-cloud
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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/
2108	Orca Security, <i>Orca Security Lands \$20 Million Series A to Help More Global Enterprises Gain Deeper Multi-Cloud Visibility in Minutes, Not Months</i> (May 5, 2020), https://orca.security/resources/press-releases/orca-security-funding-20m-multi-cloud-visibility/
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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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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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2135	Ankur Shah, <i>Palo Alto Networks Shifts Left with Prisma Cloud 3.0</i> (Nov. 16, 2021), https://www.paloaltonetworks.com/blog/2021/11/shift-left-with-prisma-cloud-3-0/
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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/
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2155	George Pisha, <i>Wiz Becomes the First CNAPP to Deliver Integrated Data Security Posture Management</i> (Nov. 21, 2022), https://www.wiz.io/blog/wiz-becomes-first-cnapp-to-deliverintegrated-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
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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
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2160	Alon Weiss & Jiong Liu, <i>Uncover What Is Really Deployed in Your Environment with the Enhanced Wiz Inventory</i> (Dec. 8, 2022), https://www.wiz.io/blog/uncover-what-is-deployed-in-your-environment-with-enhanced-wiz-inventory
2161	Joint Proposed Protective Order
2162	Redline Comparison between Joint Proposed Protective Order and Default Protective Order

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2163-2171	RESERVED
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
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/)
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2180	Avi Shua, <i>How Orca's Cloud Security Solution Detects Weak Passwords</i> (Feb. 13, 2020), https://orca.security/resources/blog/how-orcas-cloud-security-solution-detects-weak-passwords/
2181	Orca Security, <i>Orca Cloud Security Platform: Comprehensive Cloud Security – In Minutes</i> (2023)
2182	Matika Lidgi & Nicolas Ehrman, <i>Automatically Discover and Secure Your APIs with Wiz Dynamic Scanner</i> (Dec. 21, 2022), https://www.wiz.io/blog/automatically-discover-and-secure-your-apis-with-wiz-dynamic-scanner
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2186	U.S. Patent No. 11,775,326
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2188	<i>Vulnerabilities</i> , NIST Vulnerability Database (last visited May 8, 2025), https://nvd.nist.gov/vuln
2189	U.S. Patent Application Pub. No. 2020/0244678 A1
2190	Karthik Muthukrishnan, <i>Automating Cloud Security Governance</i> (May 14, 2017) (Master's Thesis, Helsinki Metropolia University of Applied Sciences), https://www.theseus.fi/bitstream/handle/10024/130058/Muthukrishnan_Karthik.pdf?sequence=1
2191	Ferda Özdemir Sönmez et al., <i>Evaluation of Security Information and Event Management Systems for Custom Security Visualization Generation</i> (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_WksJEsRdeg1KqYZ7qaqWHQ8.8yw
2192	Declaration of Raghav Bajaj in Response to Petitioner's Third Objections to Evidence [PROTECTIVE ORDER MATERIAL] [served, not filed]
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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2194	Assaf Rappaport, <i>Wiz Becomes Fastest Growing Security Startup Ever With New \$1.7B Valuation</i> , WIZ, Inc. (updated Apr. 7, 2021), https://www.wiz.io/blog/wiz-fastest-growing-security-startup-ever-with-new-valuation (last visited Sept. 19, 2025)
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]
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

Exhibit	Description
2306	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2307	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2308	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2309	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2310	RESERVED
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]

Exhibit	Description
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]
2413	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2414	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2415	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2416	[REDACTED] [PROTECTIVE ORDER MATERIAL]

Exhibit	Description
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]
2423	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2424	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2425	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2426	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2427	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2428	[REDACTED] [PROTECTIVE ORDER MATERIAL]
2500	Certificate of Accuracy of Transcription for Exhibit 2079 [<i>served, not filed</i>]

Exhibit	Description
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 doesn't remedy its Petition's hindsight-reliant arguments, which still fail factually and legally. Its refrain of individually-known limitations wasn't sufficient before and isn't now. Orca's "*genuinely genius*" claimed combinations redefined the industry (Ex.2076-007), were novel, and Wiz copied them. Wiz's new

[REDACTED] and [REDACTED]

[REDACTED]

[REDACTED] Wiz's weak obviousness theories, Wiz's copying, and the overwhelming objective evidence, are dispositive. No claim is obvious.

II. Claim Construction

A. "Location"

Wiz's attempted broadening "location" to include any "identifier" is new, non-responsive, and should be disregarded. Reply 1.

B. "Analyzing..."

Wiz abandons its incorrect construction that "analyzing the...snapshot" encompasses analyzing VMs instantiated from snapshots, contending that construction is "irrelevant"/"moot[]" because Wiz doesn't rely on it. *See* Reply 1-2. The Board should disregard Wiz's reliance on Veselov's Figs.1/3A/3B "assessment-VM approach." Pet.35 (citing Figs.3A/3B), 53-56.

Waiver aside, Wiz's assessment-VM arguments are wrong. POR 6-8. Orca and Dr. Kaeli haven't taken "inconsistent positions." Ex.2073 ("Kaeli") ¶47 (specification "*distinguishes* analyzing a snapshot" from "instantiat[ing] a copy of the VM"); *see also* Ex.1400¶10 (not supporting Wiz's construction and adopting Dr. Kaeli's).

III. Ground 1

A. No Motivation-to-Combine

Wiz hasn't shown POSAs would have combined, or reasonably expected success combining, Veselov with Mohanty. POR 9-14; *cf.* Pet.21-22. Wiz's Reply mischaracterizes the references' teachings and POSAs' understanding.

Wiz clarifies its theoretical combination applies "Mohanty's assessment techniques" to Veselov's snapshot analysis. Reply 4. Mohanty's sole "assessment technique" uses *agents* for continuous monitoring (POR 8, 13-14), and Wiz's expert conceded agent-based assessments don't analyze snapshots. Ex.2172 ("StavrouTr2."), 53:14-20; POR 13. That dooms Wiz's simplistic combination.

Wiz halfheartedly contends Mohanty isn't "limited to agents" (Reply 5), but cites nothing *in Mohanty* teaching anything else. *See id.* (citing Ex.1039-1040, expert dicta). Wiz asserts POSAs are "familiar with non-agent-based scanners" (*id.*), which aren't in Mohanty, and that isn't the combination Wiz presented and

undermines Wiz's barebones reasoning that POSAs would have applied "Mohanty's assessment techniques" to Veselov.

The references have competing objectives, also discouraging combination. POR 14. Specifically, Mohanty "continuous[ly]" monitors "changing" workloads and disparages "snapshot" approaches rendered "obsolete" in "minutes," discouraging combining Veselov's snapshot-based assessments. *Id.* 12-13; Ex.1075 ("Mohanty"), 1:14-19, 10:22-27 ("continuously"). Wiz argues Mohanty's "snapshot" disparagement is of "a 'snapshot **of a vulnerability assessment report,**'" not VM/disk snapshots. Reply 3 (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 "a point in time" resource state (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 28. 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: precisely what Mohanty disparages, weighing strongly against Wiz's combination.

Wiz's workaround—Veselov's "reasonably current and continuous" snapshots (Reply 4)—is inapposite. Mohanty emphasizes "continuous" monitoring, which POSAs recognized were only provided by *agent-based* systems, not agentless

snapshot-based ones. POR 12-13; Ex.2044-002 (“agent-based scanning, you receive real-time monitoring” unlike agentless systems); Ex.2106-001 (“agentless or ‘side-scanning’ solutions...are not continuous, real-time solutions”), -002 (“agentless solutions...unable to provide continuous visibility”).

Wiz’s “continuous” snapshotting argument fails for two other reasons. First, it’s not in the Petition. Second, it would render Veselov’s system inoperable for its intended purpose: allowing target resources to operate/run normal workloads during security analyses. Veselov 2:42-67; POR 7-8. Continuous 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 provides the “same” data as Mohanty’s agent-based analysis—was wrong. POR 9-12. Wiz contends Veselov’s Figs.3A/3B duplicate-VM/agent approach and Figs.5A/5B’s snapshot-as-a-data-file analysis share the “same snapshot content.” Reply 2-3. Wiz wrongly conflates 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 “data itself”); POR 9-12; *see also* Ex.2067-005 (describing

Orca's snapshot-based SideScanning analogous to "medical MRI" compared to agents "probing inside the body with needles and scalpels").

Wiz's made-for-IPR argument (agent-based/agentless solutions collecting the "same data") lacks credibility: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The industry likewise reflected this consensus. POR 10-12; 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"). The different data considered by Veselov and Mohanty's techniques counsel against combination.

Wiz's fallback, alleged "bodily incorporation" (Reply 4-5), isn't Orca's argument. Orca addressed what *Wiz's Petition argued*, applying Mohanty's "well-known" techniques **without modification** to "perform their known functions." Pet.23, 21-22; *see also id.* 23 ("known function" and "predictable results" of "Mohanty's techniques"). Indeed, for [1.4], Wiz proposed **adding** Mohanty's "vulnerability" and "threat detection" to Veselov, without proposing combination/modification. *Id.* 34-40. Then Wiz cited Mohanty *alone* for [1.5]-[1.6], not referencing any "combination." *Id.* 41-42; *cf. id.* 42 ("The combination of

Veselov and Mohanty teaches” element 1.7.). Wiz’s implicit assertion requiring **modifying** Mohanty to combine Veselov undermines its positions and supports rejecting Wiz’s arguments. *See ActiveVideo Networks, Inc. v. Verizon Commc’ns, Inc.*, 694 F.3d 1312, 1327 (Fed. Cir. 2012) (obviousness arguments lacking explanation how “specific combination would operate” insufficient and “fraught with hindsight”); *Apple Inc. v. Zentian Ltd.*, IPR2023-00037, Paper 34 at 24-27 (June 11, 2024) (rejecting petitioner’s “bodily incorporation” argument because “inexplicably, the Petition relies on Jiang alone to teach limitations 1(d) and 1(e)” without explaining “how...combination of Jiang and Chen would have operated or read on limitations 1(d) and 1(e)”). Wiz’s bodily-incorporation arguments are also misplaced; the combined teachings don’t render obvious [1.4]-[1.7]. *See infra* §§II.B.1-3.

B. Combination’s Missing Elements

1. Limitations 1.4/14.4/15.4

Neither reference, alone or combined, renders obvious determining existence of potential cyber threats based on Wiz’s five alleged data types. POR 16-26; Kaeli ¶¶115-140. Wiz’s misdirection, that Orca attacks references “individually,” not the combination (Reply 5), should be rejected. Orca explained (*supra* §III.A; POR 16, 25-26), Wiz’s Petition argued the references **individually** disclosed certain elements, without explaining *how* they would be combined. *See* Pet.34-40. Wiz’s

sparse motivation-to-combine section (Pet.23) stated only that “Mohanty’s techniques” apply to Veselov’s snapshot analysis without explaining *how*. *Supra* §III.A. Wiz’s kitchen-sink approach evidences its inability to find disclosure of [1.4]; its grab-bag of potential theories all fail.

CVE Detection: Wiz doesn’t dispute (1) POSAs would have understood Veselov/Mohanty’s CVEs are “Common **Vulnerabilities** Exposure[s],” that detect **vulnerabilities**, and (2) the claimed cyber threats based on stored data do not represent vulnerabilities, as the specification explains. POR 16-17. Wiz’s CVE theories therefore fail. Wiz misleadingly asserts Mr. Shua relied “on CVE detection when arguing that PO practices the claims.” Reply 6. Wiz cites no discussion from Mr. Shua *for limitations 1.4/14.4/15.4*, where Mr. Shua confirmed the claims detect “cyber threats that *do not* represent vulnerabilities,” and showed SideScanning analyzing snapshots for *claimed* cyber threats, e.g., unencrypted sensitive data and PII. Ex.2074 (“Shua”) ¶¶44-45. Wiz cites paragraphs for different limitations/claims, which discuss “separately detected...vulnerabilities,” not the claimed cyber threats. *Id.* ¶¶47, 52, 59.

Wiz’s CVE arguments fail in the details too. None of Wiz’s CVE exhibits allegedly showing “typical startup-services” (Pet.36-37 (citing Exs.1090-1091, 1100-1103)) actually describe vulnerabilities associated with “common startup services.” POR 18-19. Wiz effectively concedes this, offering no response or

elaboration. *Cf.* Reply 9. Dr. Stavrou acknowledged Dr. Kaeli rebutted each cited CVE exhibit, yet provides no rejoinder. Ex.1400¶44. Wiz's "typical CVE assessments covered numerous startup services" assertion (Reply 9), rests solely on Dr. Stavrou's reply declaration, which merely repeats the Petition's conclusion without credible evidence. Ex.1400¶44.

Orca also explained, even if any CVE definition could map to [1.4]'s specifically-recited threats based on data (they can't), Wiz hadn't shown, in the combination, POSAs would have detected that specific CVE. POR 18-19. Dr. Stavrou concedes Orca's argument, explaining the "CVE definitions" Wiz cited "describe the security flaw, not the typical use case for a given piece of software or the assessments that will look for that CVE." Ex.1400¶44. Wiz agrees inherency is a non-starter, and provides nothing supporting particular CVEs in Veselov/Mohanty being "suggested." Reply 9. Wiz's CVE-based arguments should be rejected.

Veseslov's "Host Configuration Assessments"/"Any Suitable Security Assessment": Orca explained Veselov's generic "security assessments" and "host configuration assessments" disclosures do not, as Wiz asserts, detect sensitive data or weak passwords/encryption schemes. POR 19-21. Wiz argues weak passwords/encryption schemes *could be* a host-configuration assessment (Reply 6); "could be" isn't enough. Dr. Stavrou recognizes host configuration assessments

reflect a broad genus (*see* Ex.1400¶37), but genus disclosure “does not necessarily disclose every species [e.g., weak passwords/encryption schemes] within that genus.” *OSRAM Sylvania, Inc. v. Am. Induction Techs., Inc.*, 701 F.3d 698, 705 (Fed. Cir. 2012); *Iron Grip Barbell Co. v. USA Sports, Inc.*, 392 F.3d 1317, 1321 (Fed. Cir. 2004) (“Both the genus and species may be patentable.”). Wiz’s argument fares worse here; none of Wiz’s alleged “background” art connects claimed data types with configuration assessments.

Again, inherency is concededly a non-starter (POR 19-21; Reply 6-7, 9); thus Wiz’s combination fails for claims 1/14/15. Wiz can’t avoid inherency’s “rigorous requirements” by elevating form over substance, “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).

Mohanty’s External Threats: Orca explained Mohanty’s threat module determines external threats (e.g., hackers), rather than the claims’ potential cyber threats based on data stored on a virtual disk. POR 23-25. Wiz claims Mohanty “correlates threat information with the asset’s data.” Reply 6. The cited discussion, however, describes irrelevant threat scores “relative to the vulnerability under consideration” (Mohanty 7:55-58); the claims aren’t satisfied by detecting vulnerabilities.

Mohanty's Static Tags

Mohanty doesn't detect sensitive data in its security assessments. POR 24-25. Rather, sensitive data is a static tags type assigned as an asset characteristic, not by "analyzing" a virtual disk (let alone a snapshot) to "*determine*" its existence. Wiz argues Orca ignores "the combination" (Reply 7), but the cited Petition pages (Pet.38-40) discuss references individually/separately; no combination explanation appears. *See* POR 25-26. And Wiz's using the challenged claims to rewrite Mohanty (and the Petition) is hindsight.

Wiz contends Orca overlooks Mohanty's tag addition to assets post-deployment, and stronger sensitive data encryption remediation, allegedly suggesting "particularized [data] detection/evaluation" given well-known sensitive data detection methods. Reply 7-8. Mohanty's "[f]urther information [that] may be added to tags *as situations occur*" (Mohanty, 4:4-9) refers to Mohanty's "dynamic tags" reflecting "information that is *subject to change* during the lifespan of the asset" (*id.*, 4:15-16), like virus detection (*id.*, 5:43-46). That is unlike sensitive data, which Mohanty describes as a static tag defined as an asset characteristic upon asset "creat[ion]." POR 24. And Mohanty recommends stronger sensitive data encryption based on detected vulnerabilities, completely different than analyzing disk data to determine sensitive data. Mohanty, 10:28-34, 8:31-40.

No PII/Passwords: Wiz's baseless argument that Veselov/Mohanty "suggest" detecting personally identifiable information and weak passwords fails. Wiz concedes neither reference discloses this, and its improper gap-filling alleged "common knowledge" fails, considering the overwhelming non-obviousness objective indicia. *See* Reply 9; POR 20-21.

2. Limitations 1.5-1.6/14.5-14.6/15.5-15.6

Wiz doesn't remedy the Petition's failure to identify risks for any alleged cyber threats based on data Wiz identified for [1.4] as required, i.e., (1) unencrypted sensitive data; (2) weak encryption schemes; (3) personally identifiable information; (4) weak passwords; or (5) services run at startup. POR 26-27.

3. Limitations 1.7/14.7/15.7

Veselov and Mohanty, alone or combined, don't disclose "reporting" "determined...potential cyber threats" as "alerts prioritized according to their associated risks." POR 27-29. Veselov only discusses vulnerabilities and is silent regarding notifications "stand[ing] out," as Dr. Stavrou conceded is required. *Id.* 27-29. Wiz's new characterizations are inapposite: Veselov reports all user-requested assessment findings together and doesn't prioritize.

Mohanty doesn't fix Wiz's problems. Mohanty's "threats" are external, unlike Wiz's [1.4] mapping of cyber threats. Wiz doesn't dispute "prioritization

scores” (different than “threat score” in [1.5]-[1.6]) are for vulnerabilities, **not** the claimed cyber threats. *Supra* §III.B1.

Wiz’s independent claim obviousness arguments fail even without considering objective evidence. Objective evidence further cements nonobviousness because the industry praised Orca’s inventions providing “prioritized alerts” when analyzing virtual disk snapshots, facilitated by cloud computing environment APIs/services, determining threats based on data (e.g., PII) stored on a virtual disk, all copied by Wiz. POR 33-62.

4. Claim 13

Wiz hasn’t shown Veselov’s Figs.5A/5B snapshot analyses render obvious “querying a cloud management console...for the location of the snapshot and the location of a specific virtual disk.” POR 30-33; Kaeli ¶¶162-168. Wiz’s Reply points to no virtual-disk-location-queries disclosure in Veselov. Reply 11-12; POR 30-32. Despite relying on Veselov’s querying **VM** (not disk) locations for querying *virtual disk* locations (Pet.55-56; POR 30-31), Wiz’s rehabilitation attempt alleges general storage locations aren’t “typically different.” Reply 12.

Wiz’s inherency arguments are admittedly non-starters: storage locations aren’t necessarily identical. POR 31-32; Reply 12. Wiz suggesting snapshots and virtual disks share computing locations, citing Veselov’s figures, still lacks

supporting disclosure. Reply 12. Without its last refuge inherency, Wiz's combination has no disclosure of claim 13; inherency can't be avoided. *See Dropbox*, IPR2016-00851, Paper 40 at 17-18. Even if virtual disk identifications were known, Wiz admittedly didn't provide the necessary motivation to modify Veselov accordingly. Reply 11-13; *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 claimed elements, garnered significant praise, [REDACTED] POR 32-33.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

IV. Ground 2

Wiz's Veselov-Mohanty-Ranum combination fails for reasons similar to Ground 1. POR 62-68. Wiz's bodily-incorporation responsive argument (Reply 13) misses the point. "Fundamental differences between" Veselov's snapshot analysis, Mohanty's agent-based assessments, and Ranum's network scanners "are central to [the] motivation to combine inquiry," and wouldn't have motivated combination.

Adidas AG v. Nike, Inc., 963 F.3d 1355, 1359 (Fed. Cir. 2020). Orca's challenges don't attack references individually (*cf.* Reply 14); they respond to Wiz's arguments the combination "merely involves using Ranum's teachings according to their known function" and showed those arguments were wrong. *See, e.g.*, Pet.58-59; POR 62-67. Wiz's Reply doesn't remedy Wiz's improper mappings.

How Ranum collects data matters (*cf.* Reply 13): it determines the security assessment's considered data. Kaeli¶177; POR 64-65. Wiz's Dr. Stavrou-reliant retort fails: his stonewalling and refusal to admit basic disclosures is discrediting. Rewriting Dr. Stavrou's answers doesn't save Wiz. Reply 14-15 (changing "precise" to "imprecise"). Eventually, Dr. Stavrou admitted POSAs understood Ranum's active scanners' using packets or other network messages to detect sensitive data and potential malware couldn't be used with snapshot analyses. StavrouTr2.256:11-257:17, 257:20-258:6; POR 65 (citing Ex.2182). Wiz can't remedy that flaw, dooming its combination. POR 64 (precedent regarding combination incompatibility).

V. Grounds 3-4

Wiz hasn't shown that POSAs would have, or how they would have, combined Seo's application installation record techniques for detecting malware with the Grounds 1/2 combinations. POR 68-69. Wiz's proposed motivation—Seo's assessment could provide yet another threat detection option (Pet.68)—wasn't

“specific” (Reply 15); it could generically apply to any security assessment and doesn’t address why POSAs would have combined Seo with the Veselov/Mohanty/Ranum techniques. POR 68. Wiz’s tired “bodily-incorporation”/“references individually” arguments (Reply 15-16) fail again; Wiz argued Seo discloses claim 3 without explaining how installation records would detect threats using claim 1’s recited data types, let alone the alleged Veselov/Mohanty/Ranum data types. *See* Pet. 69-70; POR 69. Wiz’s hindsight-driven arguments are inadequate.

VI. Grounds 5-6

Grounds 5-6 rest on impermissible hindsight. *See In re NTP, Inc.*, 654 F.3d 1279, 1299 (Fed. Cir. 2011). Wiz doesn’t address why, absent hindsight, POSAs would selectively combine Hutchins’s “replicated” VM virus scanning/quarantining technique with carved-out Veselov/Mohanty/Ranum portions. POR 69; *see also supra* §IV. Wiz’s “bodily-incorporation” safe-harbor fails (Reply 16); Orca squarely addressed Wiz’s bare-bones argument. *See* Pet.72-73 (failing to describe combination). POSAs wouldn’t have combined Hutchins; its replicated-VM assessment methods conflict with Veselov’s snapshot-analysis and Mohanty’s agent-based target VM scanning. POR 69.

VII. 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 33-34. Wiz's two reasons against Orca's nexus are wrong.

First, Orca doesn't rely on a presumption (*cf.* Reply 17-19), which isn't needed when 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 33-34, 35-38. 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 how Orca's (and Wiz's) "agentless [side]scanning" leveraged [REDACTED] thus "agentless" scanning discussions had claim nexus, including [1.1]-[1.3]. *See* POR 35-36. Similarly, snapshot scanning that [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] referred generally/specifically to [1.4]. *See id.* 37-38. And [REDACTED] the industry's) lauding

Orca's ability to provide targeted "alerts" drawing attention to what mattered referred generally/specifically to [1.7]. *See id.*

Second, Wiz's other nexus arguments repeatedly assert limitations were individually "known." *See* Reply 19-24, 27-28. Focusing "on isolated claim limitations," 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 "individually known" elements, 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); *see generally* POR 33-62.

B. Long-Felt Need and Skepticism

Before Orca's patent, a long-felt need existed for an unobtrusive, comprehensive security solution addressing cyber threats based on data stored on the virtual disk in cloud environments. POR 34-38. Wiz falsely argues this wasn't needed and Orca didn't solve it. Reply 20-22. The industry recognized Orca's pioneering "Pivotal Moment[] in Cloud": "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 19-22. [REDACTED]

[REDACTED]

[REDACTED];

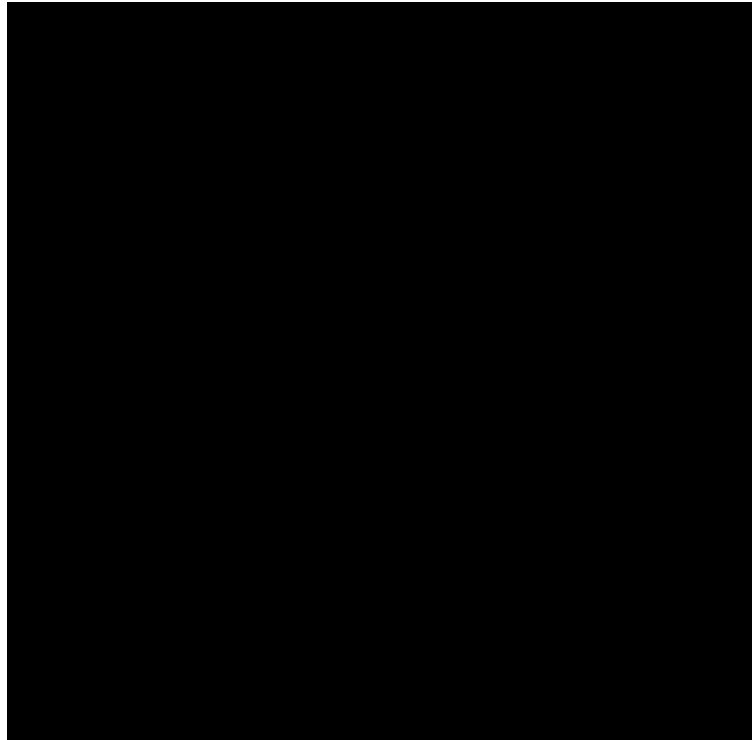
Ex.2076-007 (“CSPM...defined by pre and post-Orca”). [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

Despite these pre-IPR contradictions, Wiz discounts needs for agentless cloud environment systems that detected stored-data threats. Reply 21. Industry reports and Orca's success corroborate: prior systems failed. *See* Ex.2152-005; *infra* §§VII.D-E. [REDACTED]

[REDACTED]

[REDACTED] Wiz disputes nexus because prior systems discuss sensitive data, but misses the point. Reply 21. Orca's nexus isn't tied to individual elements, and [REDACTED]

[REDACTED]

[REDACTED] which the industry recognized Orca trailblazed. *See, e.g.,* Ex.2076-005-7; [REDACTED] POR 39-40, 42-43, 60.

Orca also provided significant skepticism evidence tied directly to the claims using [REDACTED] others' reports. POR 39-40. Wiz wrongly asserts no nexus with "agentless" scanning skepticism. Wiz acknowledges "two fundamental principles" for "[a]gentless analysis approaches": (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 claims (e.g., [1.1]-[1.4]) embody those "fundamental principles."² [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

² [REDACTED]

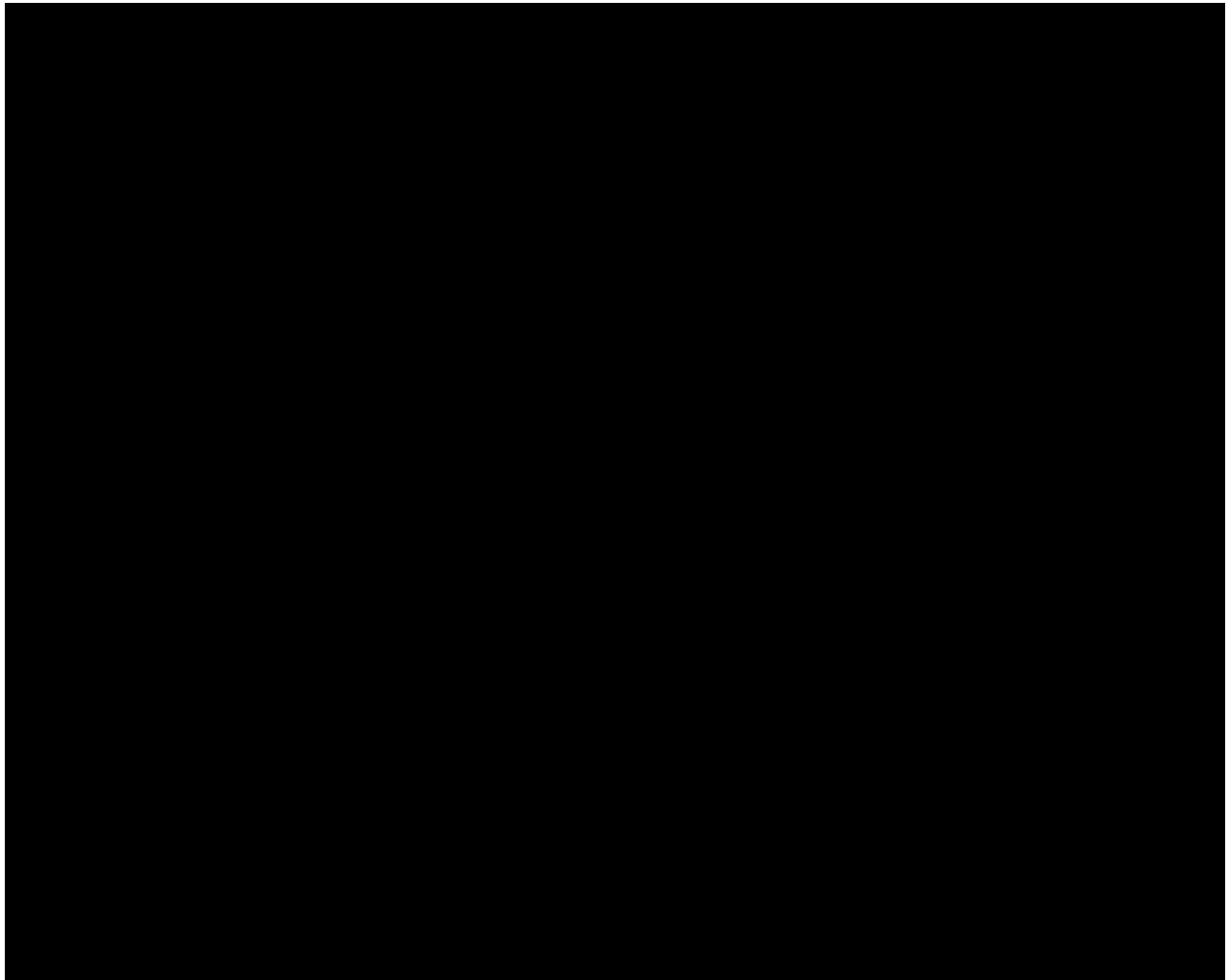
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



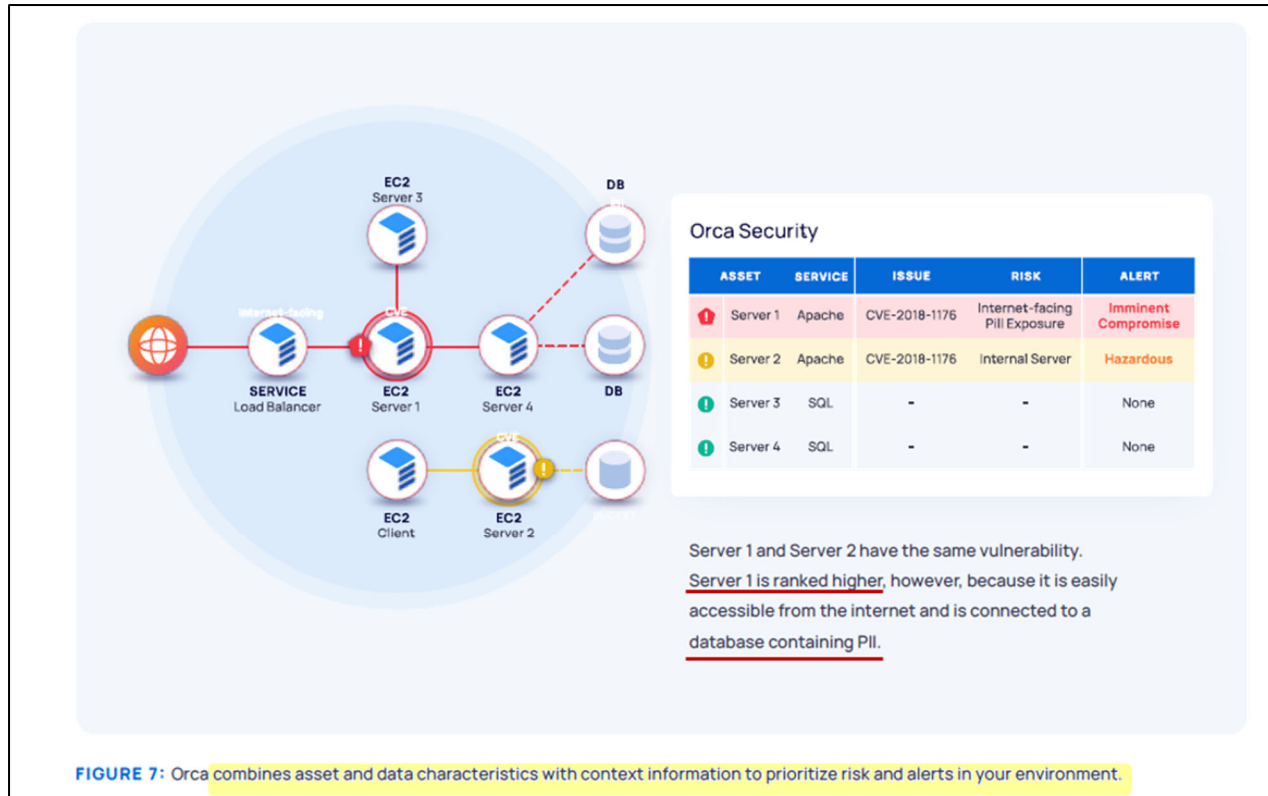
Attacking certain documents' weight and Mr. Shua's testimony as "self-interested" and/or "hearsay" is erroneous. Reply 20-22. **First**, inventor and/or patent owner testimony is "substantial evidence." *See, e.g., Transocean Offshore Deepwater Drilling, Inc. v. Maersk Drilling USA, Inc.*, 699 F.3d 1340, 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 (Paper 53) wrongly argues hearsay; Orca's opposition will counter it 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 43-58. Orca's declarants provided limitation-by-limitation analyses, supported by thorough evidence, detailing SideScanning's claim correspondence and direct nexus with Wiz's copying. *Id.* 55-57; Shua ¶¶28-79; Kaeli¶¶202, 213-224, 261-263. Wiz's "outsource[ing]" and "handwav[ing]" assertions are meritless.³ The close overlap between documentary evidence and claimed combinations shows little explanation was needed, and Mr. Shua confirmed SideScanning's operation. For [1.5]-[1.7]:

³ Although Orca did far more here, presenting patent-practicing nexus in declarations is consistent with Board practice. *See, e.g., Quanergy Sys., Inc. v. Velodyne Lidar, Inc.*, IPR2018-00255, Paper 59 at 29-30 (May 23, 2019) (nexus in 150+ declaration paragraphs).



Ex.2092-020 (annotated); POR 37; Shua¶¶46-60 (additional examples).

Wiz's assertion of no documentary tie between determining threats based on stored-data types and alerting those threats according to associated risks (*cf.* Reply 18-19) are incorrect. Ex.2067 explains detecting sensitive data, e.g., weak passwords and PII, determining risk scores by evaluating whether data and correlated network locations are "easily accessible to attackers" through "other machine[s]," and "alert[ing]." Ex.2067-014 ("Sensitive Information Scanning"), -016 ("Orca contextualizes the information"), -017 (prioritized PII alert). [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Wiz concedes

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Wiz first accessed Orca's technology in May 2019—when Orca and Wiz's co-founder,

Yinon Costica, had a technical meeting. POR 44; Shua^{¶¶}111-115;

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Adding to access, Orca showed substantial similarity between Wiz’s/Orca’s platforms relative to claim limitations. POR 35-37, 55-58. Wiz argues it doesn’t “practice[] the claims” (Reply 27, 29); that’s irrelevant. “[C]opying” compares “the competitor’s product with the allegedly copied patented product” not “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. Ex.1400¶127; Kaeli¶¶225-291; *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 27. Mr. Shua described detailed numerous customers remarking about similarities. Shua¶111; Kaeli¶¶267-276. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

There's much more: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Wiz purportedly (wrongly) claims, [REDACTED]

[REDACTED]

██████████ Relevant SideScanning materials were unquestionably “publicly available...and accessible ██████████ ██████████ ██████████ ██████████ ██████████

████████████████████” *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 Orca “alert[ed] on” “PII” and “weak passwords.” Ex.2133-003, -005, -007; Shua¶85. Publicly-accessible material and substantial similarities provide “more than sufficient” copying evidence. *Medtronic*, 70 F.4th at 1340 (footnote omitted).

Wiz’s two remaining copying excuses fail.

First, Wiz claims individual copied features, like sensitive-data detection and agentless scanning/API calls, were “known.” Reply 28; *see also id.* 19-20. 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 27 (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, p.2.

D. Praise

 Orca's numerous awards and laudatory statements resulted from the claimed features' unique combination. *See, e.g.*, POR 39-43. Wiz's six arguments fail.

First, Wiz incorrectly argues Orca's press releases can't be considered as "self-interested." Reply 22-24. These exhibits describe **outside** industry sources awarding Orca (*see* Exs.2121-2125, 2128-2129) and include, from industry veterans, statements with direct nexus, constituting "substantial evidence" of praise. *Arctic Cat Inc. v. Bombardier Recreational Prods. Inc.*, 876 F.3d 1350, 1364-65 (Fed. Cir. 2017) (crediting industry comments in PO press releases).

Second, Wiz's "nexus presumption" strawman is wrong. Reply 23. The awards resulted from the novel features combined. POR 41-43. Statements' alleged relation to "known/unrecited features" is irrelevant (Reply 23); 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 22. Orca's industry-transforming "patent-pending SideScanning" *attracted* those investors. POR 39-43. Orca also received awards unaffiliated with investors/partners, focusing on claimed features; e.g., 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...weak and leaked passwords and unsecured PII." Ex.2120-007; POR 39-43; *see also* Ex.2119-006-7 (similar CRN praise); Ex.2123-001 (similar SC praise). These awards' general and/or specific reference to limitations "strongly weigh[] in favor of nonobviousness." *Lectrosonics*, IPR2018-01129, Paper 33 at 69-70.

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Fifth, Wiz erroneously discredits [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sixth, Wiz contends Ex.2118 is a “commissioned” security report. Reply 22. But TAG Cyber, a third-party “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 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 58-62. Wiz's nexus presumption argument (Reply 29) 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 (“extreme growth” of patent-practicing product “sales data”, *without* presumption, overcame “moderately strong” obviousness case). Even crediting Wiz's “unrecited features” argument, nothing requires “the patented invention be solely responsible for...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 69-70 (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 unclaimed features driving Orca’s success.

Orca provided market-share data (*cf.* Reply 28-29): [REDACTED]

[REDACTED] POR 60. A patented product creating a “new market,” even without presumed nexus, requires giving commercial success more than “some weight” as nonobviousness evidence. *See Volvo Penta of the Ams., LLC v. Brunswick Corp.*, 81 F.4th 1202, 1213-14 (Fed. Cir. 2023) (vacating nonobviousness decision); *Echelon*, IPR2020-01541, Paper 54 at 60-63. 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 29.

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 61-62. Wiz’s pre-IPR blog posts contradict Wiz’s argument these features lack nexus; even if features were “known” (Reply 28), [REDACTED]

VIII. Conclusion

The Board should confirm every challenged claim’s patentability.

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 5,600 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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