

PROTECTIVE ORDER MATERIAL
REDACTED

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WIZ, INC.,
Petitioner,

v.

ORCA SECURITY LTD.,
Patent Owner.

IPR2024-01191
Patent No. 11,775,326

PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

PROTECTIVE ORDER MATERIAL
REDACTED

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I. INTRODUCTION

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

II. CLAIM CONSTRUCTION

A. “location”

PO does not dispute Wiz’s construction. Paper 29 (“POR”), 7-9. Moreover, PO’s expansive view of “location” as encompassing an identifier reinforces Wiz’s obviousness arguments. *Id.*, 38, 58; [REDACTED]

[REDACTED]
EX1400, ¶9.

B. “analyzing the snapshot”

PO’s argument that the claims exclude Veselov’s instantiated assessment-VM approach is contradictory and irrelevant. POR, 7-9.

PO’s argument has numerous contradictions. PO does not explain contrary positions in its district-court complaint (Pet., 10; EX1006, 23, 57-58), claim-

construction briefing (EX1117, 64 (“indirect analysis” of snapshot), 67-68 (POPR assertion not limiting)), and the specification/provisional (EX1001, 7:37-52; EX2149, 7-8 (¶22), 11 (¶43)). Dr. Kaeli testified that the specification identifies analyzing an instantiated VM as an example of analyzing the snapshot. EX1401, 33:12-36:11; *see also* EX1402, 215:5-222:7 (refusing to address). PO argues that a document describing “examin[ing] the VMs spun up from the snapshot” shows Wiz practicing this limitation. POR, 58 (citing EX2026, 2-3); *see also* EX1401, 30:15-31:17 (“spinning up” VM “interchangeable” with instantiating), 127:7-131:8 (evasive regarding EX2026, 3). When asked to explain his opinion that Wiz analyzes snapshots as recited without evidence of how Wiz actually performs the analysis, [REDACTED]

[REDACTED]

Regardless, the petition does not depend on the assessment-VM approach, which moots PO’s claim-construction argument. Pet., 31-33; EX1400, ¶¶10-15.

III. GROUND 1

PO does not dispute that the combination, if made, satisfies all aspects of the independent claims. Instead, PO disputes the reasons for making the combination and certain dependent claims. These arguments fail.

A. PO's Attack on the Combination Fails

Wiz showed that Veselov and Basavapatna consider comparable data, that the combination predictably applies Basavapatna's teachings to snapshot analysis, and that a POSA would have appreciated well-known benefits of the combination, including improved security and useful prioritization. *E.g.*, Pet., 21-23. In response, PO erects a strawman by portraying the combination as requiring bodily incorporation of agents. PO also mischaracterizes Veselov and misapplies the law of obviousness.

First, PO repeats bodily-incorporation arguments that were properly rejected at institution. Paper 9, 24-25. PO argues that Basavapatna's agent-based techniques are incompatible with snapshot-based assessments. POR, 13-15. But the combination does not incorporate agents, as PO assumes.¹ Pet., 20-23. Dr. Kaeli confirmed his bodily-incorporation assumptions during cross-examination. EX1415 ("Kaeli-Transcript"), 63:11-65:18, 69:22-75:2 (agents "cannot be installed on a snapshot"), 75:3-79:2 ("You can't install a sensor on a snapshot.").

¹ PO later claims it is not arguing bodily incorporation (POR, 16 n.3), but its reasoning shows otherwise. POR, 13-15; Kaeli-Dec, ¶¶99-101.

Second, PO's complaint of insufficient explanation fails. PO claims Wiz did not show how Veselov would use Basavapatna's data. POR, 15-17. But this ignores Wiz's explanation that the combination collects the same types of data used in Basavapatna and then assesses it in the same predictable way. Pet., 20-23; *see also* Kaeli-Transcript, 75:19-79:10 (admitting no consideration of whether Basavapatna evaluates installed software or how software configuration stored). PO claims Basavapatna's data is "inextricably tied" to host/network-based sensors. POR, 17-18; EX1400, ¶¶17, 20. But the record confirms that equivalent data—files, applications, configurations, etc.—is included and readily analyzed in Veselov's snapshot. Pet., 20-23, 46-47; EX1007, 3:20-4:4, 7:16-22, 9:55-10:16; EX1002, ¶108; *see also* EX1002, ¶¶54-58 (commonly evaluated data and well-known out-of-VM analysis techniques); EX1400, ¶¶16-18, 20; Kaeli-Transcript, 77:16-25 (admitting Basavapatna's software-configuration data stored on disk), 81:18-25 (package-manager files indicates whether system files accessed/run).

Third, PO mischaracterizes Veselov. PO claims the robust data in Veselov's 3A/B snapshot is "absent" from Veselov's 5A/B snapshot. POR, 18-21. But Veselov states that these snapshots are the "same." EX1007, 16:56-67 (volume image 508 same as 308); EX1400, ¶22. Previous descriptions similarly describe the same robust content of the snapshot used in both approaches. EX1007, 3:20-4:4, 9:14-10:16; EX1400, ¶22. Veselov describes an additional way to use stored

activity/connection data in the 3A/B analysis, but the underlying data is still stored in the snapshot. EX1007, 15:50-59 (snapshot taken during “capture period” includes VM activity/connections), 16:3-6 (snapshot captures traffic profile). The string/pattern comparison discussed for Figs. 5A/B is an example data-identification technique, not a comprehensive description of subsequent assessment tasks or snapshot contents. EX1007, 18:34-44; EX1400, ¶23. PO’s claim that snapshot-analysis capabilities were viewed as “rudimentary” relies on a competitor’s marketing. POR, 18-19; EX2106; EX1400, ¶21. Regardless, Veselov contradicts PO’s characterization. EX1007, 3:20-4:4 (results comparable to assessments performed on original VM), 10:1-16; *see also* EX1002, ¶¶54-58 (well-known out-of-VM analysis techniques); EX1400, ¶22. Dr. Kaeli lacks credibility since he was unable to identify the data agent-based scanners collect and was unfamiliar with their operation. Kaeli-Transcript, 15:16-24:10.

Fourth, PO’s hindsight accusation fails. PO claims a POSA would only combine Basavapatna with Veselov’s 3A/B approach since it is closer to Basavapatna. POR, 21-22. First, this relies on PO’s contradictory claim-construction argument. *Supra*, §II.B. Regardless, a “POSA can be motivated to do more than one thing.” *Janssen Pharms., Inc. v. Teva Pharms. USA, Inc.*, 97 F.4th 915, 930 (Fed. Cir. 2024); *see also Intel Corp. v. Qualcomm Inc.*, 21 F.4th 784, 800 (Fed. Cir. 2021). Veselov describes duplicate-VM and direct-snapshot

analysis as alternative approaches yielding comparable findings, and Wiz proved *both* versions of the combination obvious. EX1007, 3:51-4:4; Pet., 20-24, 31-32.

Fifth, PO's additional arguments fail. PO claims Wiz manufactured a problem because Veselov does not criticize itself. POR, 23. But motivation does not require self-criticism. *Janssen*, 97 F.4th at 929-30. Regardless, the discussed risk-level determinations and prioritization are consistent with Veselov's high-level description of assessment tasks and reporting, and they provide their well-known benefits in that context. Pet., 22-23; EX1400, ¶19. PO claims the motivation is too generic (POR, 23), but the rationale goes well beyond making the system "better." Pet., 22-23; *see also Intel Corp. v. Qualcomm Inc.*, 21 F.4th 784, 797 (Fed. Cir. 2021) (motivations may have "broad applicability"). PO claims Veselov teaches away by disparaging complexity. POR, 23-24. But Veselov's observation that agentless scanning avoids complex agent installation/monitoring on assessment targets does not address complexity generally, let alone disparage it. EX1007, 2:42-3:19; EX1400, ¶27; *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013 (Fed. Cir. 2017). Veselov invites multiple assessment tasks, and the applied teachings are not overly complex. EX1007, 2:35-41; Pet., 21-22; EX1002, ¶¶61, 65-68, 107; EX1400, ¶27.

Sixth, PO fails to rebut Wiz's known element/function showing. Pet., 21-22 (citing *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 416-17 (2007)). PO argues

against using agent/network-based assessments in snapshot analysis (POR, 24), but this is another bodily-incorporation strawman. PO treats corroboration of the POSA's knowledge and the applied teachings' routine, predictable nature as indicative of hindsight (*id.*), which is contrary to *KSR*. 550 U.S. at 416; EX1400, ¶¶24-26.

Seventh, PO fails to rebut Wiz's expectation-of-success showing. PO's assertion of insufficient risk information in the snapshot (POR, 25) ignores Wiz's showing that snapshots contain the same types of data used by Basavapatna and that Veselov's assessment yields findings comparable to those performed on targets themselves. Pet., 21-23; EX1007, 3:20-4:4, 9:42-67; EX1400, ¶¶18, 27; *see also* Kaeli-Transcript, 75:19-81:25. Moreover, Wiz's dependent-claim analysis identifies specific risk information available and readily used in Veselov's assessment. Pet., 38-40 (external intelligence), 44-48 (application-use determinations that include checking application configuration files); EX1400, ¶¶28, 30-33.

B. The Combination Satisfies the Claims

1. Claims 6 and 8

Claims 6 and 8 involve similar application-use determinations, and PO makes similar arguments for each. EX1400, ¶¶29-30, 34-35. These arguments fail.

PO uses the same bodily-incorporation playbook. PO claims the combination would not work because Basavapatna determines application usage with agents. POR, 26-27. But the combination does not rely on bodily incorporation of agents (*supra*, §III.A), and Wiz showed that Veselov and Basavapatna collect the same types of configuration information, which was readily assessed to determine applications in use. Pet., 21-23, 44-45; EX1002, ¶¶204-07; EX1400, ¶¶31-32.

PO's dispute regarding the data's comparable nature is unconvincing. Claim 6 does not recite the use-determination's basis, and for claim 8 (use-determination includes checking "configuration files" of the matching installed applications), Wiz showed that Veselov's snapshot includes the same types of files used in Basavapatna. Pet., 46-47; EX1007, 2:35-41, 7:16-22, 9:55-67; EX1008, ¶¶37, 53, 60, 79, 84, 105; EX1002, ¶¶215-16 (citing EX1079, 31-36). PO responds that Basavapatna discusses configurations, not configuration *files*. POR, 27-28. But PO's demand for verbatim claim-term usage is legally flawed and does not apply the POSA's perspective. *Adasa Inc. v. Avery Dennison Corp.*, 55 F.4th 900, 910 (Fed. Cir. 2022) (no verbatim-usage requirement); *Janssen*, 97 F.4th at 928 (POSA's perspective); EX1400, ¶32; *see also* EX1400, ¶36; Kaeli-Transcript, 77:16-25 (admitting Basavapatna's configurations include files on disk). PO claims Basavapatna's application-use determination does not involve configuration

files (POR, 28), but Wiz showed otherwise. Pet., 46-47; EX1002, ¶¶215; EX1008, ¶¶37 (asset configuration includes “software running on the asset” and “configuration” of such software), 60 (applicability assessment—including application-use determination—based on asset configuration), 79, 83-84; EX1400, ¶36.

PO fails to rebut Wiz’s additional obvious reasoning. Wiz showed that assessing risk based on application usage—and making use determinations by checking application configuration files—was obvious in view of the references’ teachings given the POSA’s understanding that application usage impacts risk and that systems typically stored application-use-indicating configuration files. Pet., 44-45, 47; EX1002, ¶¶68, 205, 216; EX1063, ¶¶80, 100-13; EX1078, ¶¶121, 140; EX1079, 31-36. PO asks the Board to ignore exhibits that are not grounds references (POR, 27), but evidence of the POSA’s knowledge is core to the obviousness inquiry. *Ariosa Diagnostics v. Verinata Health, Inc.*, 805 F.3d 1359, 1365 (Fed. Cir. 2015); *KSR*, 550 U.S. at 418. PO claims the exhibits do not show that snapshots support application-usage determinations (POR, 27), but Wiz showed that the snapshot includes use-indicating data. Pet., 21-23, 46-47; EX1007, 3:20-4:4; 9:42-67; EX1400, ¶¶32, 36; *see also* Kaeli-Transcript, 77:16-25 (software-configuration files stored on disk); *compare* Kaeli-Transcript, 81:18-25 (package-manager files indicate use) *with* EX1007, 7:16-22 (snapshot includes

“package manager database, which lists all software packages installed on the virtual machine and their configurations”). PO argues that storing such files does not mean it was obvious to check them (POR, 28-29), but this ignores Wiz’s obviousness analysis. Pet., 46-47; EX1400, ¶¶32, 36.

PO’s attack on corroborating evidence fails. PO dismisses EX1078 because it is supposedly limited to “pre-deployment container image analysis.” POR, 27. But it addresses VMs/images and use during deployment. EX1078, ¶¶108, 149, 159; EX1400, ¶33. PO argues that EX1079 “does not read on the claim language” or support “incorporate[ion] into the Veselov-Basavapatna combination.” POR, 29. But EX1079 is not a grounds reference. Pet., 47; EX1002, ¶216; EX1400, ¶37.

2. Claim 14

Wiz showed that Veselov teaches or suggests the recited querying of the cloud management console (“CMC”) “for the location of the snapshot and the location of the virtual disk.” Pet., 54-57. In response, PO deflects.

PO’s “cloud” argument fails. PO claims Wiz admitted the 5A/B embodiments do not involve a “cloud” provider (POR, 29), but Wiz showed the opposite. Pet., 24-25, 54-55; EX1002, ¶¶91, 250-51; EX1007, 2:22-3:19 (cloud); EX1400, ¶¶38-40 (citing EX1118-1120); EX1401, 38:17-50:12 (discussing

EX1118-1120 and admitting Veselov's "service provider" refers to cloud provider).

PO's arguments addressing "virtual disk" location fail. The petition presented several independent arguments: (1) the previously discussed querying for the snapshot's location satisfies this because Veselov teaches/suggests a snapshot and virtual disk having the same general location, (2) Veselov teaches/suggests querying the virtual-disk location as part of the assessment configuration (e.g., selecting a particular virtual disk for the snapshot), and (3) it was obvious as part of the mitigation process. Pet., 56-57. PO responds with mischaracterization and strawmen.

PO mischaracterizes the record. PO claims Wiz conceded that Veselov lacks virtual-disk-location queries (POR, 30), but Wiz showed the opposite. Pet., 56-57. PO claims Wiz argued that such querying was obvious simply because the user's initial request can identify a target VM (POR, 30), but the scan request was just the starting point of Wiz's analysis. Pet., 54-57. PO claims the user already knows the location of the VM and its components because the request can identify the VM. POR, 30. But this non sequitur conflates the VM's identity with the virtual disk's location. Regardless, VM identification in the request is optional. EX1007, 6:34-38; EX1400, ¶45.

PO attacks strawmen. PO argues that the limitation is not “inherent” because Veselov says the snapshot can be “obtained.” POR, 29-30. But Wiz did not rely on inherency. Pet., 54-57; EX1400, ¶44. PO claims Wiz’s argument involving the snapshot’s/disk’s general location is inherency because it supposedly relies “exclusively” on figures. POR, 31. But Wiz cited other evidence and explained what Veselov suggests to a POSA. Pet., 57 (citing, *inter alia*, EX1002, ¶257); EX1400, ¶¶46-48. PO claims snapshots in Figure 1 are located in a separate storage service and snapshots in other figures are read by a hypervisor. POR, 31-32. But the storage service is optional (EX1007, 5:1-22), and hypervisors and cloud APIs are not mutually exclusive. EX1400, ¶¶41-42. PO argues that locating a VM does not necessarily locate its disks. POR, 31. But Wiz did not rely on inherency here either (Pet., 56-57), and the general locations of VMs and their disks are not typically different. EX1400, ¶¶43-45 (citing EX1133). PO’s “could vs. would” arguments are also strawmen since Wiz explained what Veselov’s process suggests to a POSA, not a modification. POR, 30-31, 32; Pet., 56-57; *Janssen*, 97 F.4th at 928 (references read for all they fairly suggest).

PO’s secondary-consideration arguments fail. PO says disk-locating was commercially important (POR, 32-33) but does not prove commercial success or nexus. *Infra*, §§VI.A, VI.B.5; EX1400, ¶¶59-64, 111-14. Moreover, the supposedly important location is not what PO later identifies as the location.

Compare POR, 32-33 (emphasizing physical storage location) *with id.*, 38 (snapshotId). PO also fails to prove copying. *Infra*, §§VI.A, VI.B.4; EX1400, ¶¶49, 95-110.

IV. GROUND 2

PO relies solely on its Ground-1 arguments, leaving Wiz’s additional analysis unrebutted. POR, 66; EX1400, ¶¶50-51.

V. GROUND 3

PO does not dispute that the Veselov-Basavapatna-Giakouminakis combination, if made, satisfies claims 22-27. Nor does PO dispute (beyond reference to Ground-1 arguments) that claims 22-27 merely use known elements to perform known functions with predictable results. Pet., 64-65. Instead, PO repeats flawed rationale arguments from Ground 1.

PO’s rationale arguments fail. PO argues that Giakouminakis uses agents and does not contemplate snapshots (POR, 67-68), but this assumes bodily incorporation and attacks the references individually. PO again claims snapshots lack data used by agents (POR, 67-68), but this fails for the reasons discussed for Ground 1. *Supra*, §III.A; EX1007, 3:20-4:4, 7:16-22, 9:42-10:16; EX1400, ¶¶52-53. PO claims the motivation is too generic. POR, 68-69 (citing *ActiveVideo Networks, Inc. v. Verizon Commc'ns, Inc.*, 694 F.3d 1312, 1328 (Fed. Cir. 2012)). But *ActiveVideo* is inapposite. There the court criticized motivation to “build

something better,” which bore “no relation” to the combined elements.

ActiveVideo, 694 F.3d at 1328. The motivation here is specific and tied to the combined features. Pet., 64-66 (discussing “well-known advantages of multi-factorial risk assessments such as providing a more comprehensive view of asset risk and conveying accurate risk information”). PO argues that Wiz did not prove Basavapatna’s risk assessment is deficient (POR, 68), but references need not be explicitly flawed for motivation, and PO does not dispute the demonstrated benefits. *Janssen*, 97 F.4th at 929-30; Pet., 65. PO again claims Veselov teaches away from added functionality (POR, 68-69), which is incorrect as discussed above. *Supra*, §III.A; EX1007, 2:35-41; EX1400, ¶53.

PO’s cursory invocation of secondary considerations fails. POR, 69. Beyond the flaws for the independent claims (*infra*, §VI), PO’s assertion that it practices dependent claims is conclusory, and PO’s vague reference to claim 25 in the copying section does not show copying of this feature. POR, 40, 54; EX1400, ¶106.

VI. SECONDARY CONSIDERATIONS

PO’s secondary-considerations arguments fail at every level. For evidence to receive meaningful weight, patentees must prove nexus to the claims. *Fox Factory, Inc. v. SRAM, LLC*, 944 F.3d 1366, 1373-74 (Fed. Cir. 2019). Because PO does not allege entitlement to a presumption of nexus, POs must prove

secondary considerations are the “direct result” of the claims’ “unique characteristics.” *Id.*; *Janssen*, 97 F.4th at 935 (consideration must result from something “both claimed and *novel*”); *Yita LLC v. MacNeil IP LLC*, 69 F.4th 1356, 1364 (Fed. Cir. 2023), *cert. denied*, 144 S. Ct. 499 (2023) (considerations tied to known features lack nexus). Even with the presumption, it is rebutted by showing that evidence relates to unclaimed or known features. *Ormco Corp. v. Align Tech., Inc.*, 463 F.3d 1299, 1312 (Fed. Cir. 2006).

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

To establish a nexus presumption, patentees must prove the product (1) embodies the claims and (2) is coextensive with the claims. *Fox Factory*, 944 F.3d at 1373-74. Even if the Board were to credit PO’s assertion of “practicing” the claims as a veiled presumption argument, PO does not satisfy its burden.

The presumption question is open and shut since PO never addresses coextensiveness. POR, 37-41; *Lectrosonics, Inc. v. Zaxcom, Inc.*, IPR2018-01129, Paper 33, 33 (precedential) (no presumption where patentee did not provide coextensiveness analysis).

Nor could PO have proven coextensiveness. Significant unrecited features undercut coextensiveness. *Fox Factory*, 944 F.3d at 1374-75; *SightSound Technologies, LLC v. Apple Inc.*, 809 F.3d 1307 (Fed. Cir. 2015). The claims address scans of snapshots of virtual disks, yet PO emphasizes automatically

enumerating “every asset” in the “control plane path,” with snapshots/volumes listed as just one of 17 categories of enumerated assets. EX2067, 8-9; *see also*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The claims determine

“vulnerabilities,” yet in PO’s so-called “secret sauce” that is just one of seven data-collection steps. EX2067, 9-10; EX1402, 76:7-77:10 (admitting significance of other steps); EX1400, ¶¶54-63; *see also* EX2300, 11.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Coextensiveness is further undercut by [REDACTED]

[REDACTED]

[REDACTED] *Fox Factory*, 944 F.3d at 1375-78 (no coextensiveness if critical unrecited feature claimed in different patent); IPR2024-00863, Paper 32, 35-62 (cloud-API-based disk identification/locating); IPR2024-00864, Paper 32, 31-61 (application matching and use determinations); IPR2024-00865, Paper 32, 34-62

(sensitive-data detection/filtering/prioritizing); IPR2024-01109, Paper 30, 30-67
(network-location correlation/prioritization); IPR2024-01190, Paper 28
("926-POR"), 33-62 (data-based threat detection/prioritization).

PO also fails its burden for the "embodiment" requirement. PO provides virtually no analysis for any independent-claim element and offers a single sentence for dependent claims. POR, 37-40; *Volvo Penta of the Americas, LLC v. Brunswick Corp.*, 81 F.4th 1202, 1211 (Fed. Cir. 2023) (conclusory arguments insufficient). The outsourced discussion is improper (37 C.F.R. §42.6(a)(3)), but falls short regardless. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

B. PO's Evidence Falls Short

Each alleged secondary consideration has similar shortcomings (discussed for each category below). Most arguments address PO's supposedly "patent-practicing" product generally, which is insufficient. *Ancora Techs., Inc. v. Roku Inc.*, 140 F.4th 1351, 1360-61 (Fed. Cir. 2025) (praise tied to "products using the

patent” lacked nexus to claims); *supra*, §VI.A. Regardless, the evidence relates exclusively to unrecited and/or known features. Most evidence merely addresses “agentless” scanning, yet PO does not show this is recited, and it was known. *E.g.*, EX1002, ¶¶57, 88-89; EX1040, Abstract, ¶¶8-12, 23, 43-48, 52; EX1073, 1; EX1400, ¶¶65-66. PO cites cases involving secondary-considerations evidence tied to inventive combinations of features (POR, 33-34), but no evidence indicates that PO’s use of common techniques in agentless scans was innovative.² To the contrary, the evidence shows that all touted features were known for agentless scanning. EX1400, ¶¶66-76. Cloud APIs were the backbone of cloud security, including agentless scanning. EX1400, ¶67 (citing EX1020, 21:9-43; EX1053, ¶¶79-94). [REDACTED]

[REDACTED]

[REDACTED]

² PO disregards evidence that the touted features were known because Wiz argued obviousness rather than anticipation (POR, 33-34), but patentees cannot prove nexus simply by arguing lack of anticipation. *See Janssen*, 97 F.4th at 935. Indeed, the nexus inquiry only arises in the obviousness context, so PO’s position would largely nullify the nexus requirement.

[REDACTED] PO also touts additional unrecited features, relies on self-interested statements, and mischaracterizes the record.

1. Long-Felt Need

PO's arguments have myriad flaws. PO alleges a vague need for "unobtrusive, comprehensive" cloud security and emphasizes agents' limitations. POR, 34-37. But the alleged solution—agentless scanning—was known. POR, 35-37 (citing EX1001, 2:16-17; EX2076, 11; EX2103, 2; Ex.2136, 2); *Newell Companies, Inc. v. Kenney Mfg. Co.*, 864 F.2d 757, 768 (Fed. Cir. 1988) (no solution to long-felt need if "another supplied the key element"); EX1400, ¶¶66, 77-79. Indeed, there is little daylight between the touted features and Veselov. EX1400, ¶¶66-72; *Geo. M. Martin Co. v. Alliance Mach. Sys. Int'l, LLC*, 618 F.3d 1294, 1304 (Fed. Cir. 2010) (no long-felt need when differences between art/claims are "minimal"). High-level comments about "security" are not commensurate with the claims. EX1029, 1; EX2136, 2. Self-interested statements are insufficient. POR, 34-36 (citing Shua-Dec, ¶¶85-95; EX1001; EX2082-2083; EX2099-2100; EX2133); [REDACTED] *Bayer Healthcare Pharms., Inc. v. Watson Pharms., Inc.*, 713 F.3d 1369, 1377 (Fed. Cir. 2013). Mr. Shua also inadvertently refutes the alleged need. Shua-Dec, ¶¶91-92 (companies "disagreed" that network/agent-based scanners were inadequate).

PO also fails to prove that it *solved* the alleged need. *Perfect Web Techs., Inc. v. InfoUSA, Inc.*, 587 F.3d 1324, 1332 (Fed. Cir. 2009). PO offers no analysis and cites self-interested testimony. POR, 36-37 (citing Shua-Dec, ¶¶2, 8-9). PO's own evidence refutes its assertion. EX2102, 1-2 (competitor "resolve[d]" issues with agents/network scanners in 2015); EX2076, 10 (agentless "severely limited"), 12-13 (agentless "doesn't fit the containerized world well" and such solutions have "matur[ed] into agent based ones"), 23 (market recognizes "pitfalls of a pure agentless approach"); EX1400, ¶¶80-81. PO also obscures a statement in EX2076 that companies who "once championed agentless solutions are now all building agents." *Compare* EX1125, 2 *with* EX2076, 2. Mr. Shua admits that PO now offers agent-based scanning. EX1402, 128:16-129:19.

2. Skepticism

PO's skepticism arguments fail. Most evidence relates exclusively to "agentless" scanning, but this unrecited aspect was known. POR, 41-43; EX2076, 7-8; EX2106, 1; [REDACTED]; EX1400, ¶¶66, 82-86. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. *Auris Health, Inc. v. Intuitive*

Surgical Operations, Inc., 32 F.4th 1154, 1159 (Fed. Cir. 2022) (skepticism "must

be specific to the invention”). Dr. Kaeli’s conclusory assertion (EX2073 (“Kaeli-Dec”), ¶¶166-71), and Mr. Shua’s self-interested testimony are equally unhelpful. Shua-Dec, ¶¶96-98.

3. Praise

The “praise” evidence largely consists of self-interested statements, which are not relevant praise. *Bayer*, 713 F.3d at 1377. Many are PO’s press releases (EX2121-2122; EX2124-2125; EX2128-2130; EX2132) or self-interested marketing from investors/partners. *E.g.*, EX2117; EX2123; EX1400, ¶¶87-88. Several so-called “awards” were sponsored by PO’s investors, and PO commissioned the TAG Security Report (EX2118). EX1402, 173:7-184:1; EX1400, ¶89 (citing EX2129-2131; 2145). Given the number of undisclosed relationships already discovered, it is difficult to know how pervasive the problem is.

Regardless, PO’s awards discussion is irrelevant absent connection to the claims. *Bosch Auto. Serv. Sols., LLC v. Matal*, 878 F.3d 1027 (Fed. Cir. 2017). PO does not establish a nexus presumption (*supra*, §VI.A), and PO’s conclusory assertion of a connection does not satisfy its burden. POR, 47-48; EX1400, ¶¶90-91. Quoted statements relate exclusively to known/unrecited features such as the “agentless approach” (EX2123, 1-2; EX2124, 1) and “automatically” scanning every discovered asset (EX2119, 6-7). EX1400, ¶¶66, 91; *supra*, §§VI.A, VI.B.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] *E.g.*, EX1007, 2:27-41 (block-level assessment, configuration assessment), 3:29-4:4 (block-level image, snapshot-based results comparable to target scan), 5:1-5 (APIs); EX1400, ¶¶66-72, 76, [REDACTED].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

PO's additional evidence is equally unconvincing. POR, 47-48. PO's 2024 article is not an "industry" statement. *Cf. Ingenico Inc. v. IOENGINE, LLC*, IPR2019-00929, Paper 53, 100-01 (article hearsay personal opinion, not industry praise). Regardless, being first to commercialize a known idea is "not probative" of nonobviousness. *Novartis AG v. Torrent Pharmaceuticals Ltd.*, 853 F.3d 1316, 1330-31 (Fed. Cir. 2017); EX2076, 7. That agentless scanning uses cloud APIs is irrelevant since that too was known. EX2076, 11-12; EX1400, ¶¶66-69, 76, 94.

Additional quotes similarly describe the unrecited/known features discussed above.

EX2118, 4-5; [REDACTED] EX1400, ¶¶66-72, 94.

4. Copying

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

PO's copying story does not withstand scrutiny. Discussing a 2019 meeting, Mr. Shua provides [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

EX1128, 42-50.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

PO's "access" accusations do not salvage its copying story. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] But

market monitoring—a standard competitive practice—is not indicative of copying patents/product. *Wm. Wrigley Jr. Co. v. Cadbury Adams USA LLC*, 683 F.3d 1356

(Fed. Cir. 2012); EX1400, ¶106; [REDACTED]

[REDACTED]

[REDACTED] See

also EX1128, 41 (counterclaim ¶¶14-15) (PO accessing Wiz’s confidential documents). [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Regardless, PO fails to prove substantial similarity. PO alleges Wiz practices the claims but again outsources the analysis. POR, 57-60. Regardless, the cited testimony does not explain how Wiz receives the “request” of element 1.1, does not explain why [REDACTED] is the recited location, handwaves over elements 1.2.c-d, and does not address element 1.4 as a whole. Kaeli-Dec, ¶¶214-32; EX1400, ¶107. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Removing any doubt, PO’s own evidence and public statements emphasize the platforms’ differences. EX2076, 7-8, 21-26, 31; EX1126; EX1400, ¶109.

Even if PO had shown copying, PO fails to prove nexus. PO does not establish the presumption, and the allegedly copied features were known (or both known and unrecited). As discussed above, cloud-API-based agentless scanning is not recited or novel. *Supra*, §§VI.A-B. PO alleges copying of certain API calls (POR, 52), but they were well known in this context. For example,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The other referenced features—e.g., read-only access, using “block storage level” analysis, and contextualized/prioritized alerts—were similarly known. *Supra*, §§III.B, VI.B; EX1400, ¶¶66-72.

5. Commercial Success

PO fails to show commercial success, let alone nexus. PO's discussion of financing, sales, and Wiz's platform falls flat.

PO's startup financing evidence consists of self-interested statements and articles quoting such statements. POR, 62-64; *Bayer*, 713 F.3d at 1377. The alleged connection to the claims is conclusory and unsupported by the evidence. POR, 63-64; EX1400, ¶¶111-13. Regardless, the self-interested quotes exclusively address known features such as analyzing VMs, APIs, and prioritized alerts. EX1400, ¶¶66-72, 112-13.

PO's revenue arguments fail. PO cites sales but does not establish a nexus presumption for the product. POR, 64-65; *supra*, §VI.A; EX1400, ¶113. PO claims it would have earned more without competition from Wiz but only cites Mr. Shua's self-interested speculation. POR, 64; Shua-Dec, ¶115; EX1400, ¶114

Even with nexus, this evidence would not move the needle. PO gives no market-share data, making the sales evidence "very weak" at best. POR, 63-65; *In re Huang*, 100 F.3d 135, 140 (Fed. Cir. 1996). Nor does PO discuss sales compared to the relevant market. *In re Applied Materials, Inc.*, 692 F.3d 1289, 1300 (Fed. Cir. 2012) (market must include "all competing" products); EX1402, 107:18-113:8, 118:17-123:10 (admitting PO competes with agent-based platforms). PO's own evidence shows minimal market share (even setting aside

the exhibit's apparent inflation of PO's annual revenue). *Compare* EX2076, 21 *with* EX2312. Mr. Shua also effectively admits to deterring others from pursuing agentless scanning. Shua-Dec, ¶16 (patent coverage emphasized in "virtually all" marketing/presentations); *Galderma Lab'ys., L.P. v. Tolmar, Inc.*, 737 F.3d 731, 740 (Fed. Cir. 2013) (deterrence makes commercial-success evidence "weak").

PO's cursory discussion of Wiz's platform fares even worse. PO makes no nexus showing for Wiz's platform. POR, 65-66; *SightSound Techs., LLC v. Apple Inc.*, 809 F.3d 1307, 1319 (Fed. Cir. 2015). PO alleges infringement (POR, 65), but PO's earlier argument that Wiz practices the claims falls short. *Supra*, §VI.B.4. PO cites API-based agentless scanning, but that was known. EX2116, 1; EX1400, ¶114. PO claims Wiz attributed its success to PO's approach (POR, 65-66), but PO's evidence says that "Wiz's true strength" was not agentless scanning but rather meeting customers' evolving needs. EX2076, 7-8; EX1400, ¶¶114-16. "Wiz is frightening to the market precisely because they're not just a history lesson stuck in what they invented, but continue to release just the right features at just the right time...." EX2076, 8.

* * *

PO thus fails to show that any secondary considerations favor non-obviousness. Regardless, PO's evidence cannot overcome the overwhelming

evidence of obviousness. *Wyers v. Master Lock Co.*, 616 F.3d 1231, 1246 (Fed. Cir. 2010).

VII. CONCLUSION

For the above reasons, claims 1-28 are unpatentable and should be canceled.

Respectfully submitted,

Dated: August 15, 2025

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

VIII. CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. §42.24(d), the undersigned certifies that this Reply complies with the type-volume limitation of 37 C.F.R. §42.24(c). The word count application of the word processing program used to prepare this Reply indicates that the Reply contains 5,563 words, excluding the parts of the brief exempted by 37 C.F.R. §42.24(c).

Dated: August 15, 2025

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

IX. APPENDIX–PETITIONER’S UPDATED EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,775,326 to Shua
1002	Declaration of Dr. Angelos Stavrou
1003	<i>Curriculum Vitae</i> of Dr. Angelos Stavrou
1004	File History of U.S. Patent Application No. 18/055,181 (’326 Pat.)
1005	Scheduling Order (Dkt. No. 33), <i>Orca security ltd. v. Wiz, Inc.</i> , No. 1:23cv-00758-GBW (DDE)
1006	Second Amended Complaint for Patent Infringement (Dkt. No. 15), <i>Orca security ltd. v. Wiz, Inc.</i> , No. 1:23cv-00758-GBW (DDE)
1007	U.S. Patent No. 11,216,563 B1 to Veselov
1008	U.S. Publication No. 2013/0191919 A1, published July 25, 2013, to Basavapatna
1009	Wolf, “Virtualization: From the Desktop to the Enterprise” APRESS (2005)
1010	Waldspurger, “Memory Resource Management in VMware ESX Server,” USENIX, Proceedings of the 5 th Symposium on Operating Systems Design and Implementation (Dec. 9-11, 2002)
1011	Goldberg, “Survey of Virtual Machine Research,” COMPUTER, Vol. 7, No. 6 (June 1974)
1012	U.S. Patent No. 10,944,811 B2 to Doctor
1013	Wood, “Black-box and Gray-box Strategies for Virtual Machine Migration” NSDI ’07: 4 th USENIX Symposium on Networked Systems Design & Implementation, USENIX

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Exhibit No.	Description
1014	Klemperer, “Efficient Hypervisor Based Malware Detection,” Carnegie Mellon University (May 2015)
1015	vSphere Web Services SDK Programming Guide, VMWare, Inc. (April 17, 2018)
1016	Souppaya, “Application Container Security Guide,” NIST Special Publication 800-190 (Sept. 2017) https://doi.org/10.6028/NIST.SP.800-190
1017	U.S. Patent No. 11,106,784 B2 to Rosendahl
1018	Scarfone, “Guide to Security for Full Virtualization Technologies: Recommendations of the National Inst. of Standards and Technology,” NIST Special Publication 800-125 (Jan. 2011)
1019	U.S. Patent No. 9,881,040 B2 to Rawat
1020	U.S. Patent No. 9,116,633 B2 to Sancheti
1021	“NIST Cloud Computing Standards Roadmap,” NIST Special Publication 500-291, Version 2 (July 2013).
1022	Roberts, “Public Cloud Service Definition,” VMware vCloud® Architecture Toolkit™ for Service Providers, VMware, Inc. (2018)
1023	ITL Bulletin, “Security Patches and the CVE Vulnerability Naming Scheme: Tools to Address Computer System Vulnerabilities,” NIST (Oct. 2002)
1024	ITL Bulletin, “Preventing and Handling Malware Incidents: How to Protect Information Technology Systems from Malicious Code and Software,” NIST (Dec. 2005)
1025	Cichonski, “Computer Security Incident Handling Guide: Recommendations of the National Institute of Standards and Technology,” NIST Special Publication 800-61, Rev. 2 (Aug. 2012) http://dx.doi.org/10.6028/NIST.SP.800-61r2

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1026	ENISA Threat Landscape Report 2018, “15 top Cyberthreats and Trends” V1.0 (Jan. 2019)
1027	Verizon, “2019 Data Breach Investigations Report” (May 2019)
1028	Di Pietro, “Virtualization Technologies and Cloud Security: Advantages, Issues, and Perspectives,” Springer Nature Switzerland AG (2018) https://doi.org/10.1007/978-3-030-04834-1_9
1029	Singh, “Overview of Attacks on Cloud Computing, Int’l. J. of Eng. And Innovative Technology (IJEIT), Vol. 1, Issue 4 (Apr. 2012)
1030	Bairwa, “Vulnerability Scanners: A Proactive Approach to Assess Web Application Security,” Int’l. J. on Computational Sciences & Applications (IJSCA), Vol. 4, No. 1 (Feb. 2014)
1031	Stone, “IT Asset Management,” NIST Special Publication 1800-5 (Sept. 2018) http://doi.org/10.6028/NIST.SP.1800-5
1032	EP Patent No. 3,360,071 B1 to Li
1033	Garfinkel, “A Virtual Machine Introspection Based Architecture for Intrusion Detection,” Computer Science Dept., Stanford University (2003)
1034	Tang, “VirtAV: An Agentless Runtime Antivirus System for Virtual Machines,” KSII Transactions on the Internet and Information Systems, Vol. 11, No. 11 (Nov. 2017) https://doi.org/10.3837/tiis.2017.11.026
1035	Lengyel, “Scalability, Fidelity and Stealth in the DRAKVUF Dynamic Malware Analysis System (2014) https://doi.org/10.1145/2664243.2664252
1036	U.S. Patent No. 8,613,080 B2 to Wysopal
1037	Bauman, “A Survey on Hypervisor-Based Monitoring: Approaches, Applications, and Evolutions,” ACM Computing Surveys, Vol. 48, No. 1, Article 10 (Aug. 2015)

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1038	Suneja, “Exploring VM Introspection: Techniques and Trade-offs,” ACM, VEE’15 (Mar. 2015) http://dx.doi.org/10.1145/2731186.2731196
1039	Payne, “Simplifying Virtual Machine Introspection Using LibVMI,” SANDIA Report-SAND2012-7818, Sandia National Labs. (Sep. 2012)
1040	U.S. Publication No. 2013/0111018 A1 to Ammons
1041	U.S. Patent No. 5,893,131 to Kornfeld
1042	U.S. Patent No. 7,975,305 B2 to Rubin
1043	Jiang, “Stealthy Malware Detection and Monitoring Through VMM-Based “Out-of-the-Box” Semantic View Reconstruction,” ACM Transactions on Information and System Security, Vol. 13, No. 2, Article 12 (Feb. 2010)
1044	U.S. Patent No. 9,141,805 B2 to Giakouminakis
1045	U.S. Publication No. 2019/0379700 A1 to Canzanese Jr.
1046	U.S. Patent No. 10,783,241 B2 to Crabtree
1047	Bourquin, “Binslayer: Accurate Comparison of Binary Executables,” 2nd ACM SIGPLAN Program Protection and Reverse Engineering Workshop (2013)
1048	U.S. Publication No. 2013/0247133 A1 to Price
1049	Huseinovic–VM Memory Forensics.
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1051	Using VMware Workstation Pro: VMware Workstation Pro 14.0, VMware, Inc. (December 17, 2017)
1052	VMware VirtualCenter User's Manual version 1.4, VMware, Inc. (July 7, 2006)
1053	U.S. Publication No. 2010/0070725 A1 to Prahlad
1054	U.S. Patent No. 9,830,182 B2 to Ackley
1055	Virtual Disk Programming Guide: vSphere Storage APIs for Data Protection (VADP) 6.0 & Virtual Disk Development Kit (VDDK) 6.0, VMware, Inc. (March 25, 2016)
1056	U.S. Publication No. 2015/0033221 A1 to Chari
1057	Archived copy of "CWE-200: Information Exposure," published by MITRE and archived on January 26, 2019, by the Internet Archive's "Wayback Machine" https://web.archive.org/web/20190126150012/https://cwe.mitre.org/data/definitions/200.html
1058	Archived copy of "CWE-311: Missing Encryption of Sensitive Data," published by MITRE and archived on January 17, 2019, by the Internet Archive's "Wayback Machine" https://web.archive.org/web/20190117150049/https://cwe.mitre.org/data/definitions/311.html
1059	Archived copy of "CWE-359: Exposure of Private Information ('Privacy Violation')," published by MITRE and archived on January 13, 2019, by the Internet Archive's "Wayback Machine" https://web.archive.org/web/20190113052451/https://cwe.mitre.org/data/definitions/359.html
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1062	Intentionally Left Blank
1063	U.S. Publication No. 2014/0245376 A1 to Hibbert
1064	U.S. Publication No. 2017/0180318 A1 to Lutas
1065	U.S. Patent No. 9,900,333 B2 to Thakar
1066	Zhou, “Always Up-to-date—Scalable Offline Patching of VM Images in a Compute Cloud,” 26th annual computer security applications conference (2010)
1067	Jeswani, “ImageElves: Rapid and Reliable System Updates in the Cloud,” 2013 IEEE 33rd International Conference on Distributed Computing Systems (2013)
1068	U.S. Patent No. 8,984,478 B2 to Epstein
1069	U.S. Patent No. 11,061,682 B2 to Vorbach
1070	U.S. Publication No. 2013/0024940 A1 to Hutchins
1071	U.S. Patent No. 9,875,160 B2 to Bezbaruah
1072	U.S. Patent No. 10,536,471 B1 to Derbeko
1073	Ammons, “Virtual machine images as structured data: the Mirage image library,” 3rd USENIX conference on Hot topics in cloud computing (2011)
1074	VMware Infrastructure Architecture Overview White Paper, VMWare, Inc. (2006)
1075	U.S. Patent No. 9,692,778 B1 to Mohanty

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1076	U.S. Patent No. 10,055,576 B2 to Milner
1077	U.S. Patent No. 9,824,216 B1 to Khalid
1078	U.S. Publication No. 2020/0097662 A1 to Hufsmith
1079	Carroll, “Challenges in Modern Digital Investigative Analysis,” published in Forensic Science and Forensic Evidence I, U.S. Att’ys Bull. Vol. 65 No. 1 (January 2017)
1080	U.S. Patent No. 7,831,739 B2 to Lambeth
1081	U.S. Publication No. 2010/0169948 A1 to Budko
1082	United States District Courts—National Judicial Caseload Profile (December 31, 2023) https://www.uscourts.gov/sites/default/files/fcms_na_distprofile1231.2023_0.pdf
1083	Amended Scheduling Order (Dkt. No. 90), <i>Orca security ltd. v. Wiz, Inc., No. 1:23cv-00758-GBW (DDE)</i>
1084	U.S. Patent No. 9,749,349 B2 to Czarny
1085	U.S. Publication No. 2017/0048266 A1 to Hovor
1086	Intentionally Left Blank
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1091	Intentionally Left Blank
1092	Federal Information Processing Standards Publication 180-4, “Secure Hash Standard (SHS),” NIST (August 2015) https://nvlpubs.nist.gov/nistpubs/FIPS/NIST.FIPS.180-4.pdf
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1095	U.S. Publication No. 2017/0372070 A1 to Burdett
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1106	International Telecommunication Union, “Common vulnerability scoring system 3.0,” Recommendation ITU-T X.1521 (Mar. 2016) https://www.itu.int/rec/dologin_pub.asp?lang=e&id=T-REC-X.1521-201603-I!!PDF-E&type=items
1107	<i>Orca Security Ltd., v. Wiz, Inc.</i> , C.A. No. 23-758-JLH – Doc. 170 Wiz, Inc.’s Stipulation Concerning Invalidity Grounds (October 10, 2024)
1108	Archived copy of “Public Cloud Service Definition,” published by VMware and archived on November 20, 2016, by the Internet Organization’s “Wayback Machine” https://web.archive.org/web/20161120131550/http://www.vmware.com/content/dam/digitalmarketing/vmware/en/pdf/vcat/vmware-public-cloud-service-definition.pdf [served, not filed]
1109	Archived copy of “Binslayer: Accurate Comparison of Binary Executables,” by Bourquin et al., published by 2nd ACM SIGPLAN Program Protection and Reverse Engineering Workshop (2013), and

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1110	Archived copy of “State of California: California Technology Agency Infrastructure Consolidation Program Server, Virtualization, Backup and Storage Workgroup,” published by the California Department of Technology on December 19, 2017, by the Internet Organization’s “Wayback Machine” https://web.archive.org/web/20171219141802/https://cdt.ca.gov/wp-content/uploads/2017/03/TRM_4.17.865.002_Server_Virtualization_Practices_12152010_r1.pdf [served, not filed]
1111	Supplemental Declaration of Dr. Angelos Stavrou [served, not filed]
1112	Stipulation and Order for Stay Pending Inter Partes Review (Dkt. No. 233), Orca Security Ltd., v. Wiz, Inc., 1:23-cv-00758-JLH (D. Del. January 16, 2025)
1113	Email exchange between counsel for Wiz, Inc., counsel for Orca Security Ltd., and the PTAB Clerk (Feb. 24, 2025–Feb. 25, 2025)
1114	Avi Shua June 12, 2025, deposition exhibit of U.S. Patent No. 11,943,251 (June 12, 2025)
1115	Avi Shua deposition exhibit of “Cloud Security: Vendor Landscape and TCO Analysis,” Orca Security Ltd. (June 12, 2025) https://orca.security/lp/tag-cyber-cloud-security-vendor-landscape-tco-analysis (accessed June 11, 2025)
1116	Avi Shua deposition exhibit of Application No. 62/797,718 (June 12, 2025)
1117	Joint Claim Construction Brief (Dkt. No. 202), Orca security ltd. v. Wiz, Inc., No. 1:23cv-00758-GBW (DDE)

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Exhibit No.	Description
1118	Dr. Kaeli deposition exhibit of US Patent No. 10,834,050 (June 19, 2025)
1119	Dr. Kaeli deposition exhibit of US Patent No. 9,805,202 (June 19, 2025)
1120	Dr. Kaeli deposition exhibit of US Patent No. 10,956,242 (June 19, 2025)
1121	Dr. Kaeli's June 19, 2025, deposition exhibit of an archived copy of "CreateSnapshot," archived by the Internet Archive's "Wayback Machine" https://web.archive.org/web/20141226192222/https://docs.aws.amazon.com/AWSEC2/latest/APIReference/API_CreateSnapshot.html (December 26, 2014)
1122	Nexpose User's Guide, Product Version: 5.16, Rapid7, LLC. Copyright (2015)
1123	Nessus Enterprise for Amazon Web Services (AWS) Installation and Configuration Guide, Copyright © 2014. Tenable Network Security, Inc., Revision 2 (July 16, 2014)
1124	Configuring AWS EC2 Connectors with Cross-Account Role Authentication (ARN), Hari Srinivasan (/discussions/s/profile/0052L000003olee), (April 24, 2018) (last modified April 27, 2018)
1125	Redefining CNAPP: A Complete Guide To the Future of Cloud Security, Francis and James Berthoty, https://softwareanalyst.substack.com/p/redefining-cnapp-a-complete-guide
1126	How Orca Security Compares to Wiz, https://orca.security/resources/comparisons/wiz/ , Orca Security (2025)
1127	Veselov LinkedIn, https://www.linkedin.com/in/vladimir-veselov-2769753/details/experience/ (personal information redacted)

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

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1138	“Security Audit” Reference Guide by Amazon https://docs.aws.amazon.com/aws-managed-policy/latest/reference/SecurityAudit.html)
1139	Scarfone et al., “Technical Guide to Information Security Testing and Assessment: Recommendations of the National Institute of Standards and Technology,” NIST Special Publication 800-115 (Sep. 2008), https://doi.org/10.6028/NIST.SP.800-115
1140	“Vuls: Agentless Vulnerability Scanner for Linux/FreeBSD,” archived on September 1, 2018, by the Internet Archive’s “Wayback Machine” (https://web.archive.org/web/20180901153521/https://vuls.io)
1141	Rapid7 Research, “Quarterly Threat Report: Q3 2018” (Nov. 13, 2018), https://www.rapid7.com/globalassets/_pdfs/research/rapid7-threat-report-2018q3.pdf
1142-1399	Intentionally Left Blank
1400	 [PROTECTIVE ORDER MATERIAL]
1401	 [PROTECTIVE ORDER MATERIAL]
1402	 [PROTECTIVE ORDER MATERIAL]
1403	 [PROTECTIVE ORDER MATERIAL]
1404	 [PROTECTIVE ORDER MATERIAL]
1405	 [PROTECTIVE ORDER MATERIAL]

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Exhibit No.	Description
1406	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1407	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1408	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1409	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1410	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1411	[REDACTED] [PROTECTIVE ORDER MATERIAL]
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1413	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1414	[REDACTED] [PROTECTIVE ORDER MATERIAL]
1415	[REDACTED] [PROTECTIVE ORDER MATERIAL]

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Petitioner's Reply to Patent Owner's Response and Exhibits 1114 – 1129, 1131 – 1141 and 1400 - 1415 were served on August 15, 2025, at the following electronic service addresses:

Christopher Henry
Raghav Bajaj
Kristina McKenna
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