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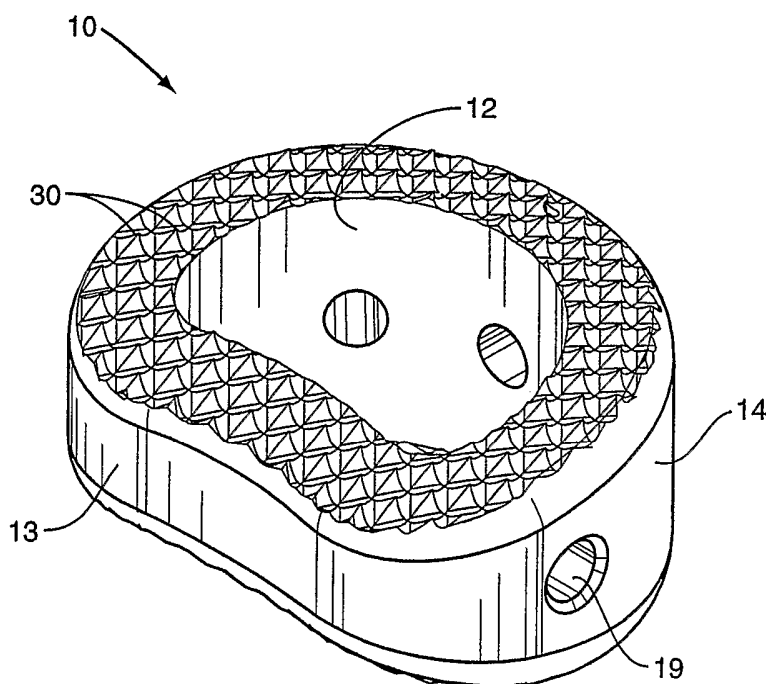
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**Declarations under Rule 4.17:**

- as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))
- as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))

[Continued on next page]

(54) Title: INTERVERTEBRAL SPACER



(57) Abstract: An interbody spacer (10) for insertion between vertebral members. The spacer includes a body having posterior and anterior sides (13,14), and inferior and superior faces (17,18). The spacer further includes a plurality of teeth (30) to maintain the position of the spacer between the vertebral members. The teeth are aligned in a pattern and have a shape to allow insertion into the space between the vertebral members, and prevent or limit movement once the spacer is positioned in the space.

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**Published:**

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments

*For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.*

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# INTERNATIONAL SEARCH REPORT

International application No

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**A. CLASSIFICATION OF SUBJECT MATTER**  
INV. A61F2/44 A61F2/30

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

A61F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EP0-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2001/047208 A1 (MICHELSON GARY K) 29 November 2001 (2001-11-29)	1-6, 8-12, 15-29, 33-39, 51-55
Y	paragraph [0037]  paragraph [0044] - paragraph [0051] ----- -/--	4,5,7, 13,14,41

☒ Further documents are listed in the continuation of Box C.

☒ See patent family annex.

### \* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance  
"E" earlier document but published on or after the international filing date  
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)  
"O" document referring to an oral disclosure, use, exhibition or other means  
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone  
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.  
"&" document member of the same patent family

Date of the actual completion of the international search

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# INTERNATIONAL SEARCH REPORT

International application No  
PCT/US2005/041077

## C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 511 509 B1 (FORD LOUIS ET AL) 28 January 2003 (2003-01-28)	1-3, 8-10, 15-24, 27, 33-35, 37,39, 40,43, 44,46-55
Y	column 1, line 44 - column 2, line 11 column 4, line 34 - column 5, line 8	41,42,45
X	US 2004/002761 A1 (ROGERS CHRISTOPHER ET AL) 1 January 2004 (2004-01-01) figure 20b	1,2,10, 15
X	US 2004/122518 A1 (RHODA WILLIAM S) 24 June 2004 (2004-06-24)	29-32, 65-69
Y	paragraph [0085] - paragraph [0090] paragraph [0098]	13,61
X	US 2002/087212 A1 (JAMES STEPHEN B ET AL) 4 July 2002 (2002-07-04)	29-32, 65-69
Y	paragraph [0007] - paragraph [0009]  paragraph [0025] - paragraph [0043]	13,14, 45,61
Y	US 5 888 222 A (COATES ET AL) 30 March 1999 (1999-03-30) figure 16	4
Y	EP 0 860 152 A (SIGNUS MEDIZINTECHNIK GMBH) 26 August 1998 (1998-08-26) figure 3	5
Y	DE 296 11 595 U1 (WEBER, GERHARD, 78727 OBERNDORF, DE) 12 September 1996 (1996-09-12) page 4, paragraph 2; figure 1	7,42
X	US 2002/029084 A1 (PAUL DAVID C ET AL) 7 March 2002 (2002-03-07)	29,31, 56-60, 62-64
Y	paragraph [0125]; figures 28,29	61
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Y	paragraph [0059] - paragraph [0079]; figure 5	59
Y	US 5 702 450 A (BISSERIE ET AL) 30 December 1997 (1997-12-30) figure 1	59

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US2005/041077

## Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-15, 16-28, 29-32, 33-38, 39-50, 51-55

An interbody spacer having teeth on the bone contact surface, wherein the teeth have a diagonal configuration defined in different ways.

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2. claims: 56-64

An interbody spacer having teeth on the bone contacting surfaces, the teeth having 2 surfaces, being ramped and arranged in columns.

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3. claims: 65-69

An interbody spacer having teeth on the bone contact surface, comprising a gap formed between the teeth and a convex outer wall of the body, a plurality of distorted teeth positioned within the gap.

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# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

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