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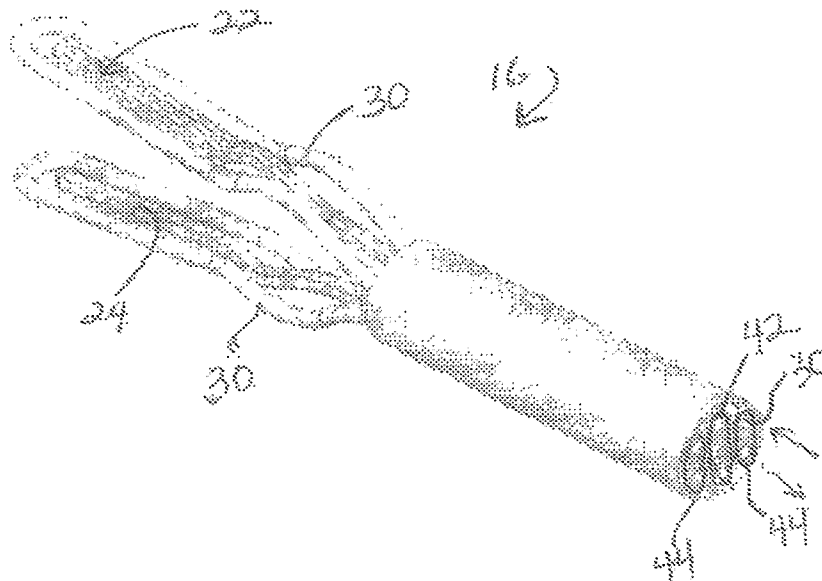
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- (54) Title:** SURGICAL INSTRUMENT AND METHOD FOR USE THEREOF



- (57) Abstract:** A surgical instrument for treating a tissue includes a handpiece and a tissue engaging portion arranged to be received by the handpiece. The tissue engaging portion includes first and second opposed jaw members having an open position and a closed position for engaging the tissue therebetween, where the first and second jaw members are arranged to receive surgical energy from a surgical generator. The tissue engaging portion further includes at least one cooling member spaced from at least one of the first and second jaw members, where the cooling member has an open position and a closed position for engaging the tissue. Positioning the jaw members in their closed position and applying surgical energy to the tissue allows for treatment of the tissue, and positioning the cooling member in its closed position provides at least one of a pressure gradient or a thermal gradient between the jaw members and the cooling member.



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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))*

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A. CLASSIFICATION OF SUBJECT MATTER

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USPC - 606/41

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)

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USPC - 606/41, 128/898

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 practicable, search terms used)

MicroPatent, IP.com, Google Patents

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6,849,075 B2 (BERTOLERO et al) 01 February 2005 (01.02.2005) entire document	1-4, 6-9, 12-13, 15-19, 22
Y		5, 10-11, 14, 20-21
Y	US 6,971,395 B2 (EDWARDS et al) 06 December 2005 (06.12.2005) entire document	5, 10-11, 14, 20-21

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

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