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Declarations under Rule 4.17:

— as to the identity of the inventor (Rule 4.17(i))

[Continued on next page]

(54) Title: POWERED SURGICAL CUTTING AND STAPLING APPARATUS WITH MANUALLY RETRACTABLE FIRING SYSTEM

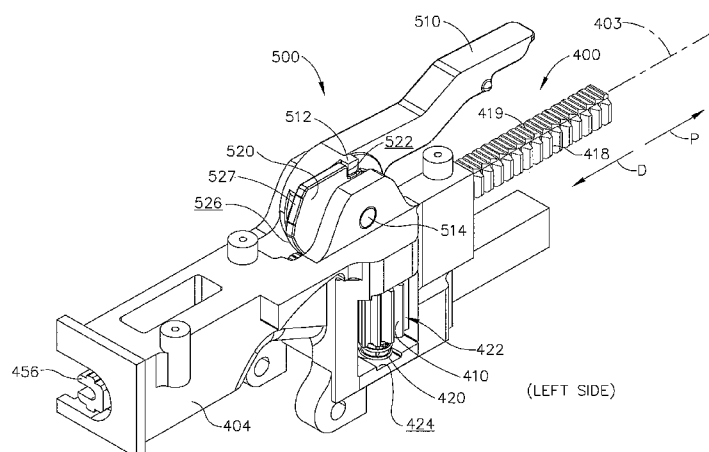


FIG. 43

(57) Abstract: In one general aspect, various embodiments of the present invention can include a motorized surgical cutting and fastening instrument having a drive shaft, a motor selectively engageable with the drive shaft, and a manual return mechanism configured to operably disengage the motor from the drive shaft and retract the drive shaft. In at least one embodiment, a surgeon, or other operator of the surgical instrument, can utilize the manual return mechanism to retract the drive shaft after it has been advanced, especially when the motor, or a power source supplying the motor, has failed or is otherwise unable to provide a force sufficient to retract the drive shaft.



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- *as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))* — *before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))*
- *as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))*

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INTERNATIONAL SEARCH REPORT

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A. CLASSIFICATION OF SUBJECT MATTER

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ADD. A61B17/29

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)

A61B

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)

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C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2008/245842 A1 (MARCZYK STANISLAW [US]) 9 October 2008 (2008-10-09) abstract; figures 4,5-6,10-12 paragraphs [0037] - [0040], [0044] -----	1,7,8, 16,17,28
A	US 2007/175961 A1 (SHELTON FREDERICK E IV [US] ET AL SHELTON IV FREDERICK E [US] ET AL) 2 August 2007 (2007-08-02) abstract; claim 1; figures 26,33 paragraph [0082] -----	1,7,8, 16,17,28
A	EP 1 621 138 A2 (ETHICON ENDO SURGERY INC [US]) 1 February 2006 (2006-02-01) abstract; figures 1,2,4,16-23 paragraph [0073] - paragraph [0075] ----- -/--	1,7,8, 16,17,28

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

☒ See patent family annex.

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"&" document member of the same patent family

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C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

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A,P	abstract; figures 37,44-58 page 69, line 18 - page 72, line 11 -----	1,7,8,16
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INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

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