

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
31 October 2002 (31.10.2002)

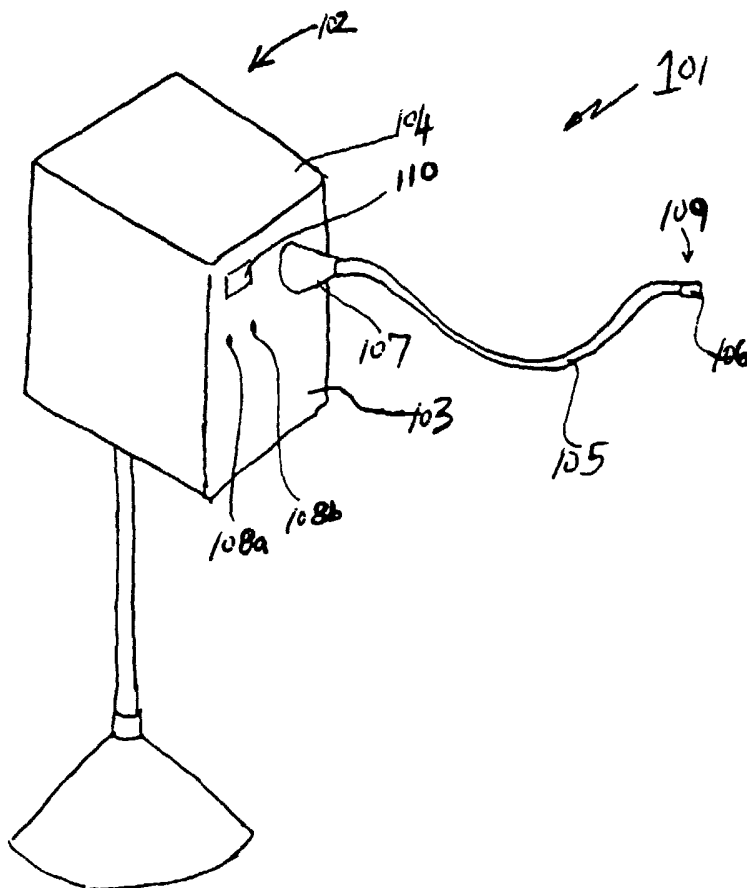
PCT

(10) International Publication Number
WO 02/085218 A3

- (51) International Patent Classification⁷: **A61B 17/14**
- (21) International Application Number: PCT/US02/12922
- (22) International Filing Date: 22 April 2002 (22.04.2002)
- (25) Filing Language: English
- (26) Publication Language: English
- (30) Priority Data:
60/285,113 20 April 2001 (20.04.2001) US
60/289,370 8 May 2001 (08.05.2001) US
- (71) Applicant: **POWER MEDICAL INTERVENTIONS, INC.** [US/US]; 110 Union Square Drive, New Hope, PA 18938 (US).
- (72) Inventor: **WHITMAN, Michael, P.**; 16 Pheasant Run, New Hope, PA 18938 (US).
- (74) Agents: **BIRDE, Patrick, J.** et al.; Kenyon & Kenyon, One Broadway, New York, NY 10004 (US).
- (81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, UZ, VN, YU, ZA, ZM, ZW.
- (84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR,

[Continued on next page]

(54) Title: BIPOLAR OR ULTRASONIC SURGICAL DEVICE



(57) Abstract: An electro-mechanical surgical device, system and/or method may include a housing, at least two opposing jaw, and at least one electrical contact associated with at least one of the jaws. The electrical contact may include at least one of a bipolar electrical contact and an ultrasonic electrical contact. The electrical contact may be a row of electrodes located on one or all of the jaws. A sensor may also be associated with any tissue located between the jaws to sense and report the temperature of that tissue. A pierceable ampulla containing fluid may also be placed on at least one of the jaws so that the fluid is releasable when the jaws are in closed position and the electrode(s) pass through the tissue into the pierceable ampulla.



GB, GR, IE, IT, LU, MC, NL, PT, SE, TR), OAPI patent
(BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR,
NE, SN, TD, TG).

(88) Date of publication of the international search report:
27 February 2003

Published:

— with international search report

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.

INTERNATIONAL SEARCH REPORT

Int. Application No

PCT/US 02/12922

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61B18/14

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)

IPC 7 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)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 6 024 741 A (YATES DAVID C ET AL) 15 February 2000 (2000-02-15)	1-17
A	column 10, line 13 - line 32 abstract; figure 1	18
X	US 6 162 220 A (NEZHAT CAMRAN) 19 December 2000 (2000-12-19)	18-20
Y	column 7, line 30 - column 8, line 14; figures 3,4	1-17
X	WO 97 17033 A (BACHER UWE ;STORZ KARL (DE); STORZ KARL GMBH & CO (DE); REMORGIDA) 15 May 1997 (1997-05-15)	18
A	abstract; figure 6B	1,9
A	EP 0 878 169 A (ETHICON ENDO SURGERY INC) 18 November 1998 (1998-11-18)	1,9,18
	column 12, line 30 - line 36; figure 1	
	--- -/--	

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in 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

6 November 2002

Date of mailing of the international search report

12/11/2002

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Hansen, S

INTERNATIONAL SEARCH REPORT

Int. Patent Application No
PCT/US 02/12922

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6 096 033 A (TU HOSHENG ET AL) 1 August 2000 (2000-08-01) abstract; figure 1 -----	1,9,18

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 02/12922

Box I Observations where certain claims were found unsearchable (Continuation of item 1 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.: 21-26
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
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 II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

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

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.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 02/12922

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 6024741	A	15-02-2000	US 5807393 A	15-09-1998
			US 5558671 A	24-09-1996
			US 5403312 A	04-04-1995
			AU 722398 B2	03-08-2000
			AU 5213596 A	21-11-1996
			CA 2175870 A1	09-11-1996
			EP 0741996 A2	13-11-1996
			JP 8336544 A	24-12-1996
			AU 701320 B2	28-01-1999
			AU 4026495 A	27-06-1996
			CA 2165714 A1	23-06-1996
			EP 1157666 A1	28-11-2001
			EP 0717967 A2	26-06-1996
			JP 8229050 A	10-09-1996
			US 5817093 A	06-10-1998
			AU 3179795 A	04-04-1996
			CA 2158783 A1	24-03-1996
			EP 1151725 A1	07-11-2001
			EP 0703461 A2	27-03-1996
			JP 8196543 A	06-08-1996
			AT 184467 T	15-10-1999
			AU 687405 B2	26-02-1998
			AU 6862294 A	02-02-1995
			CA 2128450 A1	23-01-1995
			DE 69420650 D1	21-10-1999
			DE 69420650 T2	25-05-2000
			EP 0640317 A1	01-03-1995
			ES 2136168 T3	16-11-1999
			GR 94100336 A	22-05-1996
			JP 7171163 A	11-07-1995
			US 5709680 A	20-01-1998
			US 5688270 A	18-11-1997
			US 5693051 A	02-12-1997
			US 5833690 A	10-11-1998
			US 5810811 A	22-09-1998
			US 5876401 A	02-03-1999
US 6162220	A	19-12-2000	US 6030384 A	29-02-2000
			US 2002013583 A1	31-01-2002
			AU 3779099 A	23-11-1999
			EP 1079745 A1	07-03-2001
			JP 2002513623 T	14-05-2002
			WO 9956650 A1	11-11-1999
WO 9717033	A	15-05-1997	WO 9717033 A2	15-05-1997
EP 0878169	A	18-11-1998	US H2037 H1	02-07-2002
			AU 729567 B2	01-02-2001
			AU 6486998 A	19-11-1998
			CA 2237423 A1	14-11-1998
			EP 0878169 A1	18-11-1998
			JP 11070124 A	16-03-1999
US 6096033	A	01-08-2000	NONE	