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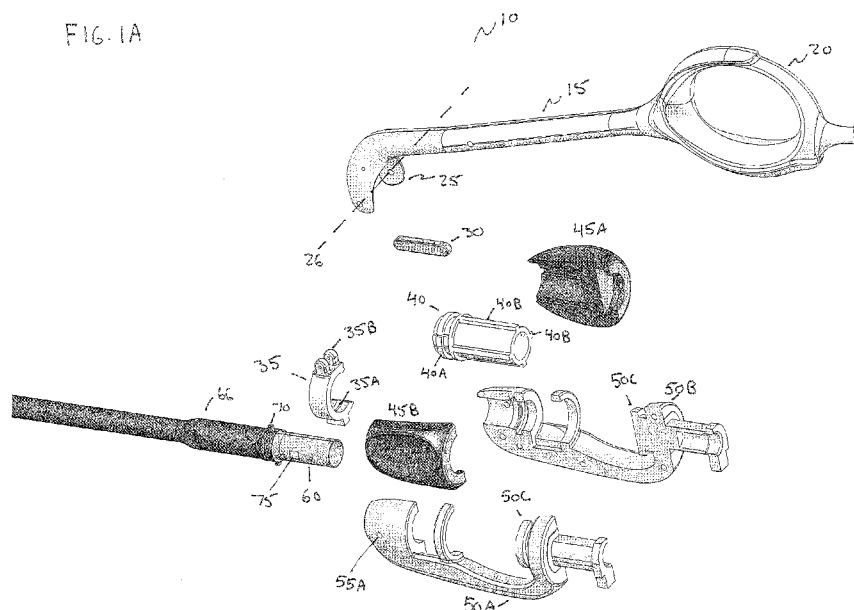
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## Declarations under Rule 4.17:

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

[Continued on next page]

(54) Title: ENERGY-BASED SCISSORS DEVICE



(57) Abstract: An energy-based surgical instrument is configured to permit selective cutting, coagulation, and fine dissection required in fine and delicate surgical procedures. The scissors grip instrument provides for tube-in-tube construction (60, 70) so the device is useful for both open and minimally invasive procedures. The assembly includes a clamping mechanism, including a clamp arm and/or housing which are specifically configured to create a desired level of tissue clamping forces.



- 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))
- 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))

**(88) Date of publication of the international search report:**

24 January 2013

**Published:**

- with international search report (Art. 21(3))

# INTERNATIONAL SEARCH REPORT

International application No  
PCT/US2012/029924

A. CLASSIFICATION OF SUBJECT MATTER  
INV. A61B17/32  
ADD.

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 practicable, search terms used)

EP0-Internal, WPI Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 325 811 B1 (MESSERLY JEFFREY D [US]) 4 December 2001 (2001-12-04) cited in the application the whole document -----	1-5, 7-12,14, 18
X	WO 2009/046234 A2 (ETHICON ENDO SURGERY INC [US]; PRICE DANIEL W [US]; ROBERTSON GALEN C) 9 April 2009 (2009-04-09) page 45, line 30 - page 46, line 18; figure 14 -----	1,2,9
A	US 4 893 530 A (WARHEIT WILLIAM A [US]) 16 January 1990 (1990-01-16) the whole document -----	14-20
A	US 2004/122433 A1 (LOUBENS THIERRY [FR] ET AL) 24 June 2004 (2004-06-24) the whole document ----- -/--	18-20



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 application or patent 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

4 December 2012

Date of mailing of the international search report

10/12/2012

Name and mailing address of the ISA/

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# INTERNATIONAL SEARCH REPORT

International application No  
PCT/US2012/029924

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	DE 20 2009 013504 U1 (AESCULAP WERKE AG [DE]) 14 January 2010 (2010-01-14) the whole document -----	14-20

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US2012/029924

### Box No. 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 No. 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 fees, this Authority did not invite payment of additional fees.
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 and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.
- ☒ No protest accompanied the payment of additional search fees.

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2012/029924

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DE 202009013504	U1	14-01-2010	NONE
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**FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210**

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

1. claims: 1-12

the yoke having an annular recess that is configured to mate with the annularly disposed transfer link raised rail, which relate to the technical problem of providing an alternative mating means for these parts.

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2. claims: 13-20

a stop pin slidably attached to the thumb ring as defined in claim 13 or a slot and a handle stud as defined in claim 14, which relate to the technical problem of providing a clamp force modifying mechanism.

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