

(19) World Intellectual Property
Organization
International Bureau



(43) International Publication Date
6 October 2005 (06.10.2005)

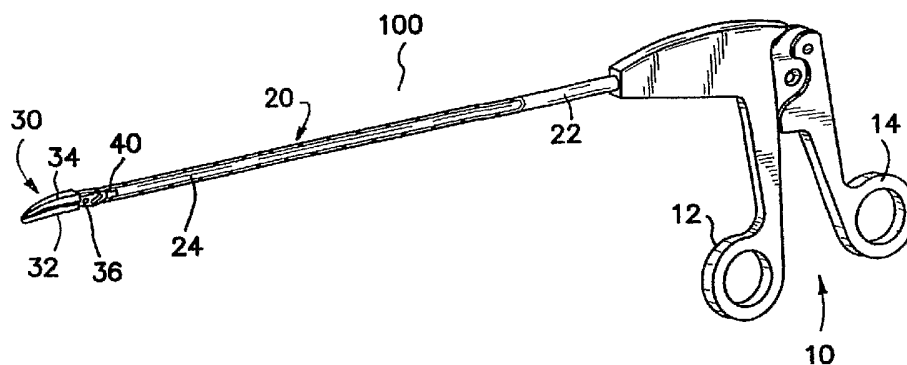
PCT

(10) International Publication Number
WO 2005/092216 A1

- (51) International Patent Classification⁷: **A61B 17/28**, 17/32
- (74) Agent: **VU, Kenneth, K.**; 22872 Avenida Empresa, Rancho Santa Margarita, CA 92688 (US).
- (21) International Application Number:
PCT/US2005/005105
- (22) International Filing Date: 17 February 2005 (17.02.2005)
- (25) Filing Language: English
- (26) Publication Language: English
- (30) Priority Data:
60/548,747 27 February 2004 (27.02.2004) US
- (71) Applicant (for all designated States except US): **APPLIED MEDICAL RESOURCES CORPORATION** [US/US]; 22872 Avenida Empresa, Rancho Santa Margarita, CA 92688 (US).
- (72) Inventors; and
- (75) Inventors/Applicants (for US only): **JOHNSON, Gary, M.** [US/US]; 24662 Canela, Mission Viejo, CA 92692 (US). **AHLBERG, Russell, E.** [US/US]; 7 Feldspar, Rancho Santa Margarita, CA 92688 (US). **OKIHISA, David** [US/US]; 11 Halifax Place, Irvine, CA 92602 (US). **BAK-BOYCHUCK, Gregory, I.** [US/US]; 24842 Hidden Hills Road, Apt. F, Laguna Niguel, CA 92677 (US).
- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, 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, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- Published:
— with international search report

[Continued on next page]

(54) Title: SYSTEM AND METHOD FOR ACTUATING A LAPAROSCOPIC SURGICAL INSTRUMENT



(57) Abstract: The invention is directed to a pin and slot design where the driving slots are moved from the tips to the actuation rod in one aspect of the invention. As a result, the back end of each blade or tip can be dramatically reduced in area so that during full deflection, very little or no part of the blade or tip extends beyond the outside diameter of the shaft. This ensures that nothing catches on the blades or tips during grasper use and the shrink tubing found on the scissors would not be deformed. This can be done because the area for the slots is not needed. Moreover, the usable area for the drive slots on the blade or tip of the actuation rod is maximized to the overall diameter of the outer tube or shaft which provides additional leverage to the blades or tips. In addition, the depth of each slot can be varied such that during actuation, increased tension can be put on the blades or tips throughout the cut. More specifically, the surgical instrument of the invention comprises an elongate tube extending along an axis including an actuation rod coaxially slidable within the elongate tube, a first tip including a first pin formed on a proximal end surface of the first tip, and a second tip including a second pin formed on a proximal end surface of the second tip, the second tip pivotally connected to the first tip at a common pivot pin operably connected to the elongate tube to open and close the tips in, response to movement of the actuation rod. The actuation rod has a slot to accept the pins of the first and second tips, the slot has camming surfaces for the pins to slide within the slot, and the proximal ends of the tips extend minimally outside the diameter of the elongate tube during actuation of the tips.



-
- *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.*

SYSTEM AND METHOD FOR ACTUATING A LAPAROSCOPIC SURGICAL INSTRUMENT

This is a non-provisional application claiming the priority of provisional application Serial No. 60/548,747, filed on February 27, 2004, entitled "System and Method of Actuating a Laparoscopic Surgical Instrument," which is fully incorporated herein by reference.

BACKGROUND OF THE INVENTION

Field of the Invention

This invention generally relates to laparoscopic surgical instruments and, in particular, to a system and method for actuating the tips of a laparoscopic surgical instrument.

Description of Prior Art

Laparoscopic surgical instruments or devices that use actuating blades or tips are typically activated by some mechanical means. In most cases, the surgical instruments or devices use an actuation rod to translate motion from a handle at one end to a tip at the opposite end of the device. Common to laparoscopic scissors and graspers is an actuation rod that includes a pin that works in conjunction with a slot in the tips. Moving the actuation rod cams the pin in the slot which opens and closes the tips.

The blades or tips typically have slots proximal to the pivot and because of this configuration, the back end of the blades or tips need to be quite large.

When used on a grasper and the tips are in their open position, the back end of the tips extend out beyond the outside diameter of the grasper shaft and look like "wings." This may be a problem for the user and, in particular, the patient as they can catch or interfere on tissue or other devices during use.

When used on scissors, these wings will most likely be covered up with a plastic shrink tubing to insulate all the metal components during electro-surgical cautery. However, when the blades or tips are open, the wings can stretch and deform the shrink tubing. This can be problematic in that when the scissors is withdrawn from the trocar, the deformed tubing may not relax and it may catch on the end of the cannula, thereby pulling the trocar out of the patient. Accordingly, there is a need in the art for an improved system and method for actuating the blades or tips of laparoscopic instruments so as to minimize the adverse wing effect.

SUMMARY OF THE INVENTION

The invention is directed to a pin and slot design where the driving slots are moved from the blades or tips to the actuation rod in one aspect of the invention. As a result, the back end of each blade or tip can be dramatically reduced in area so that during full deflection, very little or no part of the blade or tip extends beyond the outside diameter of the outer tube or shaft. This ensures that nothing catches on the blades or tips during grasper use and the shrink tubing found on the scissors would not be deformed. This can be done because the area for the slots is not needed. Moreover, the usable area for the drive slots

on the blade or tip of the actuation rod is maximized to the overall diameter of the outer tube or shaft which provides additional leverage to the blades or tips. In addition, the depth of the slot can be varied such that increased tension can be placed on the blades or tips during actuation.

More specifically, the invention is directed to a surgical instrument comprising an elongate tube extending along an axis including an actuation rod coaxially slidable within the elongate tube, a first tip including a first pin formed on a proximal end surface of the first tip, and a second tip including a second pin formed on a proximal end surface of the second tip, the second tip pivotally connected to the first tip at a common pivot pin operably connected to the elongate tube to open and close the tips in response to movement of the actuation rod. With this aspect, the actuation rod has a slot to accept the pins of the first and second tips, the slot has camming surfaces for the pins to slide within the slot, and the proximal ends of the tips extend minimally outside the diameter of the elongate tube during actuation of the tips. In another aspect, the proximal ends of the tips do not extend outside the diameter of the elongate tube during actuation of the tips. The actuation rod can be formed by machining, stamping, overmolding, casting, or metal injection molding. The pins can be formed on the proximal end surfaces of the tips by press fitting, threading, welding or bonding. The actuation rod can be a tongue actuation rod or a fork actuation rod. With the fork actuation rod, the rod can include a through slot on each side of the rod, which may be curved and transverse to one another. The tongue actuation rod can also include two curved and transverse slots on

opposing sides of the tongue. It is appreciated that the slots can be open-ended or closed-ended. As stated above, the slot may have a depth that varies along the length of the slot. In particular, the different depth of the slot provides different tension along the tip. In another aspect, the tongue actuation rod includes means for ratcheting the tips into a desired position; the ratcheting means may include a series of detents.

In another aspect of the invention, there is disclosed a surgical instrument comprising an elongate tube extending along an axis including an actuation rod coaxially operable within the elongate tube, a first tip including a first cam slot with a first camming surface, and a second tip including a second cam slot with a second camming surface, the second tip pivotally connected to the first tip at a common pivot pin operably connected to the elongate tube to open and close the tips in response to movement of the actuation rod. With this aspect, the actuation rod includes a third slot to hold a floating drive pin, the floating drive pin is placed through the first and second cam slots, and the proximal ends of the tips extend minimally outside the diameter of the elongate tube during actuation of the tips. In another aspect, the proximal ends of the tips do not extend outside the diameter of the elongate tube during actuation of the tips. The third slot may be a vertical slot and the elongate tube may further comprise a floating drive pin slot at the proximal portion of the tube.

In yet another aspect of the invention, there is disclosed a surgical instrument comprising a shaft assembly extending along an axis including a rotatable outer shaft and a coaxial inner rod, a first tip including a first pin formed

on a proximal end surface of the first tip, and a second tip including a second pin formed on a proximal end surface of the second tip, the second tip pivotally connected to the first tip at a common pivot pin operably connected to the shaft assembly to open and close the tips in response to movement of the outer shaft. With this aspect, the outer shaft has a slot to accept the pins of the first and second tips, the slot has camming surfaces for the pins to slide within the slot, and the proximal ends of the tips extend minimally outside the diameter of the shaft assembly during actuation of the tips, which are actuated by rotating the outer shaft. In another aspect, the proximal ends of the tips do not extend outside the diameter of the elongate tube during actuation of the tips.

These and other features and advantages of the invention will become more apparent with a discussion of the embodiments in reference to the associated drawings.

DESCRIPTION OF THE DRAWINGS

FIG. 1 illustrates a perspective view of a laparoscopic view of a surgical instrument of the prior art;

FIG. 2 illustrates a side cutaway view of a tool mechanism of the surgical instrument of FIG. 1 in the open position;

FIG. 3 is an exploded perspective view of FIG. 2;

FIGS. 4(a) – 4(c) illustrate a perspective view of a laparoscopic surgical instrument of the invention, a perspective view of a blade or tip of the tool mechanism of the invention, and a side view of FIG. 4(a), respectively;

FIG. 5 illustrates a perspective view of an assembled surgical instrument of the invention having mobile tips and an actuation rod;

FIGS. 6(a) and 6(b) illustrate a fork actuation rod and a tongue actuation rod of the invention, respectively;

FIGS. 7(a) and 7(b) illustrate a perspective view and a side view of the fork actuation rod having slots on both sides of the fork end;

FIGS. 7(c) and 7(d) illustrate a perspective view and a side view of an actuation rod having a slot with an open end in accordance with another aspect of the invention;

FIGS. 7(e) and 7(f) illustrate a perspective view and a side view of an actuation rod having a curved slot in accordance with another aspect of the invention;

FIGS. 8(a) and 8(b) illustrate a side view and a cross-section view of an actuation rod having an angled slot in accordance with another aspect of the invention;

FIG. 8(c) illustrates a slot in an actuation rod having a detent or elevation shift to temporarily lock or ratchet the tips into a desired position in accordance with another aspect of the invention;

FIG. 8(d) illustrates a slot in an actuation rod having a locking mechanism in accordance with another aspect of the invention;

FIG. 9 illustrates a perspective view of an assembled surgical instrument having a fixed tip and a mobile tip in accordance with another aspect of the invention;

FIGS. 10(a) and 10(b) illustrate perspective views of a surgical instrument having an actuation rod with a vertical slot to hold a floating drive pin in accordance with another aspect of the invention;

FIG. 11 illustrates an actuation rod that is split into at least two pieces to provide independent motion to the tips in accordance with another aspect of the invention; and

FIG. 12 illustrates an outer tube or shaft having slots to actuate the pins in the tips of a surgical instrument in accordance with another aspect of the invention.

DESCRIPTION OF THE INVENTION

Referring to FIG. 1, there is shown a perspective view of a laparoscopic surgical instrument 100 of the prior art as shown in U.S. Patent No. 5,626,609, which is incorporated herein by reference. The surgical instrument 100 typically comprises a handle assembly 10 having a fixed handle 12 and a pivoting handle 14. Extending from the handle assembly 10 is a shaft assembly 20 comprising an outer tube 22 and an inner actuation rod 24. The actuation rod 24 slides in the outer tube 20 in a coaxial relationship. The outer tube 22 may be secured to the fixed handle 12, while the actuation rod 24 may be secured to the pivoting handle 14. Attached at a distal end of the shaft assembly 20 is a tool mechanism 30, which comprises of a lower jaw 32 and an upper jaw 34. The tool mechanism 30 is connected to the shaft assembly 20 at pivot point 36 through linkage mechanism 40. During use, as the actuation rod 24 slides within the

outer tube 22, the linkage mechanism 40 is actuated to pivot jaws 32 and 34 about pivot point 36 to open and close the jaws.

Referring to FIGS. 2 and 3, there is shown a tool mechanism 30a of the prior art which includes, for example, a first scissor blade 32a and a second scissor blade 34a. In this embodiment, a housing member 50 is attached to the outer tube 22, and the tool mechanism 30a is attached to the housing member 50. As the handles move, the actuation rod 24 slides through the outer tube 22 towards the tool mechanism 30a. As illustrated in FIG. 2, scissor blades 32a, 34a are provided with cam slots 38 and 39, respectively, which slots accept a bearing post 60 which is attached to inner rod 24. As the rod 24 moves, the bearing post 60 slides within cam slots 38, 39 to pivot blades 32a, 34a about pivot pin 36a to open and close the blades. A drawback of this tool mechanism 30a is when the blades 32a, 34a are open, the tail end of the blades pass through slot 70 in housing member 50 to allow the blades to open. That is, the tail end of the blades 32a, 34a extend out beyond the outside diameter of the surgical instrument and look like "wings." This may be a problem for the user as they can catch or interfere on tissue or other devices during use. Moreover, when the blades 32a, 34a are open, the wings can stretch and deform the plastic shrink tubing that is used to insulate the shaft assembly 20. For example, this can be problematic in that when the instrument is withdrawn from a trocar after a procedure, the deformed tubing may not relax and it may catch on the end of the cannula, thereby pulling the trocar out of the patient.

Referring to FIGS. 4(a) – 4(c), there is shown a surgical instrument 200 in accordance with a first aspect of the invention having a tool mechanism 210 including a first blade or tip 212 and a second blade or tip 214, each of which has a pin 218 and 216, respectively, formed at the proximal end. The pins 218, 216 are fixed, typically by welding, to blades or tips 212, 214 and extend outwardly of the surface of the back end of the blades or tips 212, 214. The blades or tips 212, 214 are overlapped in a scissors configuration and are held in a pivotal relationship with an outer tube by a common pin 220. A novel feature of the invention is it includes the tool mechanism 210 that interacts with a slotted actuation rod 224 as further explained below. It is appreciated that because the blades or tips 212, 214 include pins 218, 216, rather than slots, much area is not needed on the back ends. This is beneficial because the “wingspan” of the blades or tips 212, 214 when opened is minimized if not eliminated. In addition, the overall strength of the blades or tips 212, 214 and the rod 224 is maximized because both the rod and the blades are integral or are single piece components.

The fork actuation rod 224 can be formed in a number of different ways. For example, the desired features can be machined from a solid rod or tube of a desired diameter. In another aspect, a strip of metal can be stamped with the desired slots at the end, then the tube can be rolled into a particular diameter where the slotted end can form a “fork”. In yet another aspect, the fork features at the end of the actuation rod can be overmolded onto a shaft to provide a cost effective component.

As to the tongue actuation rod, it can be formed in a similar way to the fork actuation rod. More specifically, machining the detail in the tip is an option as is overmolding the detail. The end of the actuation rod can also be formed as a separate part, i.e., molded, machined, cast, MIM, etc., with the feature detail in it and then attached to a standard length shaft by means of a thread, snap, adhesive, welding process or some other attachment method.

Referring to FIG. 5, there is shown a perspective view of the tool mechanism 210 of FIG. 4 being connected to the actuation rod 224. It is appreciated that there are numerous methods of manufacturing the blades or tips 212, 214. For example, the blades or tips 212, 214 can be formed from conventional stamping and then heat treated. In another example, the blades or tips 212, 214 can be formed from a blank of pre-hardened material and then EDM cut, waterjet cut, laser cut or even machined to obtain the final shape. It should be noted that pins 218, 216 in the back ends of the blades or tips 212, 214 can be formed directly onto the blades or pins themselves, or they can be added after the pins have been manufactured.

The pins 218, 216 can be locked in any one or a combination of the following ways: press-fitted, swaged, threaded and/or welded. To manufacture the pin as part of the blades or tips 212, 214, a multitude of processes can be used. A sheet of material can be machined to include a pivot hole as well as the pin. The sheet can then be heat treated and sent to a form grinder, which can grind one profile of the blade or tip. The ground plate can then be sent to be EDM cut and the second profile can be cut out. This type of process can yield

numbers components, with the drive pin integrally located, with relatively low cost.

There are also additional processes that can yield the entire part from a minimum number of operations. These can include but are not limited to metal injection molding (MIM), casting, and powder metallurgy (PM). The final blade can also then be sent to be sharpened or other post processing.

The following is a discussion of the pin and slot design of the invention, where there are a number of advantages which can be realized. For example,

- (1) The back end of each blade or tip is reduced in area so that during full deflection, very little or no part of the blade or tip extends beyond the outside diameter of the outer tube or shaft. This ensures that nothing catches on the blades or tips during grasper use and the shrink tubing found on scissors would not be deformed. This can be done because the area for the slots is not needed;
- (2) The usable area for the drive slots on the blade or tip of the actuation rod is maximized to the overall diameter of the outer tube or shaft which provides additional leverage to the blades or tips; and
- (3) If channels are used on the actuation rod, the depth of the channels can be varied such that increased tension can be placed on the blades during actuation.

Moreover, by moving the slot from the blades or tips to the actuation rod, the "wingspan" of the blades can be reduced or eliminated because the back end

does not need to endcase the slot, but rather a small pin which minimizes the chance of catching on tissue, other instruments or suture.

Referring to FIGS. 6(a) and 6(b), there are shown the end of the actuation rod which can be a fork design 224a or a tongue design 224b. With the fork design 224a, a through slot 226 can be formed on each side of the rod 224a. The back end of the blades or tips can be inserted into the rod where the pin of the first blade or tip can be locked into the first slot and the pin of the second blade or tip can be locked into the opposing second slot. The blades or tips can be fixed by a common pivot point on the outer tube or shaft. When the actuation rod is moved in one direction, the blades or tips will cam via the pins and the slots 226. The pin that locks each blade or tip into the shaft can be integral to the blades or tips or they can be separate components. Similarly to the fork design 224a, the tongue design 224b can include a slot 226 on each side of the tongue as further discussed below.

Referring to FIGS. 7(a) and 7(b), there are shown a perspective view and a side view of the actuation rod 224 incorporating slots 226 on both sides of the tongue end, respectively. As explained above, the blades or tips can have pins on the back end that nest in the slots of the rod. The rod may be pushed forward or pulled backwards to cam the blades or tips, which are pivoted by a common pivot point that is attached to the outer tube or shaft. In some cases, it is beneficial to have different slot designs to actuate the tips to different openings, at different speeds, for different length tips and for varying force. Referring to FIGS. 7(c) and 7(d), the slots 226 can include an open or closed end slot (or

combination of both) as desired. FIGS. 7(e) and 7(f) illustrate an actuation rod having a curved slot in accordance with another aspect of the invention. It is appreciated that as the jaw providing the blades or tips of the invention articulates a pivot point, the distance between the pin and slot and the hinge vary depending on the actuation rod position. Accordingly, the curved slot of the invention can be used to compensate for this phenomenon and provide for a more linear relation between the actuation rod and the jaw motion. For example, the slot can be shaped to provide for more control as the blades or tips are nearing the closed position, and greater acceleration as the blades or tips are near the opened position. With this aspect, the instrument can be tuned to provide the desired instrument control and user feedback.

In another embodiment of the invention as illustrated in FIGS. 8(a) and 8(b), a slot 226b for the tongue can be formed such that it has an angle to it. In other words, the depth of the slot 226b at one end ('B') 227 may be deeper or shallower than at the other end ('A') 228. This is beneficial because as the actuation rod 224 is pulled, and the blades or tips close, the pins camming in the slots can be forced apart by the angle at the bottom surface of the slots. This would spread the back end of the blades or tips which in turn push the front of the blades or tips together putting more tension along the cutting surface.

In yet another aspect of the invention as illustrated in FIG. 8(c), there is shown a slot 226c having a detent or elevation shift 229 to temporarily "lock" or "ratchet" the blade or tip into a desired position without affecting the linear motion of the jaws relative to the handle actuation. FIG. 8(d) illustrates that a slot 226d

can also be formed with different cross sections, e.g., slot 226d having a locking mechanism with a dovetail profile 230. With this embodiment, the mating pin on the blades or tips can match the slot to "lock" it in.

In another aspect of the invention as illustrated in FIG. 9, both blades or tips 212, 214 do not need to be mobile. That is, one blade 212 may be fixed while the other blade 214 may actuate. The mobile blade 214 may contain a pin 300 and an actuation rod 302 that would contain only one slot to actuate the blade 214.

In yet another aspect of the invention, FIGS. 10(a) and 10(b) illustrate a surgical instrument 400 providing a floating drive pin 402 in an actuation rod 410. More specifically, the actuation rod 410 includes a vertical slot 404 to allow the drive pin 402 to float in. With this aspect, the drive pin 402 is positioned through slots 406, 408 of blades or tips 412, 414, respectively, and is located in the actuation rod slot. An outer shaft tip 416 has a floating pin slot 418 from the tip in. The floating drive pin 402 slides in this slot and is contained therein. A pivot pin 420 is located at the tip of the shaft to lock the tip assembly in place.

Referring to FIG. 11, there is shown another aspect of the invention where the slots or channels 226 can be of any of the above-described design, however, the actuation rod is split into a plurality of multiple pieces 224c, 224d to provide independent motion to the blades or tips. This would be useful if the blades or tips need to be articulated at different speeds, or over different distances.

Referring to FIG. 12, there is shown another aspect of the invention where the slot or channel is located in an outer shaft 524 rather in the actuation rod. In

particular, the blades or tips 512, 514 are similar to those of the previous design, except pin 516 of blade 512, for example, extends to the outer shaft 524, which includes slots 518 to receive pins 516, 520 of blades or tips 512, 514, respectively. With this aspect of the invention, blades or tips 512, 514 are actuated by rotating the outer shaft 524, which cause pins 516, 520 to cam along the slots 518 in the outer shaft 524 and actuate the blades 512, 514 open and closed. The outer shaft 524 can also be made up of multiple pieces and can include a channel rather than a through slot.

It will be understood that many other modifications can be made to the various disclosed embodiments without departing from the spirit and scope of the invention. For these reasons, the above description should not be construed as limiting the invention, but should be interpreted as merely exemplary of preferred embodiments.

CLAIMS

1. A surgical instrument, comprising:
an elongate tube extending along an axis including an actuation rod
coaxially slidable within the elongate tube;
a first tip including a first pin formed on a proximal end surface of the first
tip; and
a second tip including a second pin formed on a proximal end surface of
the second tip, the second tip pivotally connected to the first tip at a common
pivot pin operably connected to the elongate tube to open and close the tips in
response to movement of the actuation rod,
the actuation rod having a slot to accept the pins of the first and second
tips, the slot having camming surfaces for the pins to slide within the slot, and the
proximal ends of the tips extend minimally outside the diameter of the elongate
tube during actuation of the tips.
2. The surgical instrument of claim 1, wherein the proximal ends of the
tips do not extend outside the diameter of the elongate tube during actuation of
the tips.
3. The surgical instrument of claim 1, wherein the actuation rod is
formed by machining, stamping, overmolding, casting, or metal injection molding.

4. The surgical instrument of claim 1, wherein the actuation rod is a tongue actuation rod or a fork actuation rod.
5. The surgical instrument of claim 4, wherein the fork actuation rod includes a through slot on each side of the rod.
6. The surgical instrument of claim 5, wherein the slots are curved.
7. The surgical instrument of claim 5, wherein the through slots are transverse to one another.
8. The surgical instrument of claim 4, wherein the tongue actuation rod includes two transverse slots on opposing sides of the tongue.
9. The surgical instrument of claim 8, wherein the slots are curved.
10. The surgical instrument of claim 5 or claim 8, wherein at least one of the slots is an open-end slot or a closed end slot.
11. The surgical instrument of claim 1, wherein the slot has a depth that varies along the length of the slot.

12. The surgical instrument of claim 11, wherein the different depth of the slot provides different tension along the tip.

13. The surgical instrument of claim 8, wherein the tongue actuation rod includes means for ratcheting the tips into a desired position.

14. The surgical instrument of claim 13, wherein the ratcheting means includes a series of detents.

15. The surgical instrument of claim 1, wherein the slot includes a locking mechanism.

16. The surgical instrument of claim 1, wherein the pins are formed on the proximal end surfaces of the tips by press fitting, threading, welding or bonding.

17. A surgical instrument, comprising:
an elongate tube extending along an axis including an actuation rod coaxially operable within the elongate tube;
a first tip including a first cam slot with a first camming surface; and
a second tip including a second cam slot with a second camming surface, the second tip pivotally connected to the first tip at a common pivot pin operably

connected to the elongate tube to open and close the tips in response to movement of the actuation rod,

the actuation rod including a third slot to hold a floating drive pin, the floating drive pin being placed through the first and second cam slots, and the proximal ends of the tips extend minimally outside the diameter of the elongate tube during actuation of the tips.

18. The surgical instrument of claim 17, wherein the proximal ends of the tips do not extend outside the diameter of the elongate tube during actuation of the tips.

19. The surgical instrument of claim 17, wherein the third slot is a vertical slot.

20. The surgical instrument of claim 17, wherein the elongate tube further comprises a floating drive pin slot at the proximal portion of the tube.

21. A surgical instrument, comprising:
a shaft assembly extending along an axis including a rotatable outer shaft and a coaxial inner rod;
a first tip including a first pin formed on a proximal end surface of the first tip; and

a second tip including a second pin formed on a proximal end surface of the second tip, the second tip pivotally connected to the first tip at a common pivot pin operably connected to the shaft assembly to open and close the tips in response to movement of the outer shaft,

the outer shaft having a slot to accept the pins of the first and second tips, the slot having camming surfaces for the pins to slide within the slot, and the proximal ends of the tips extend minimally outside the diameter of the shaft assembly during actuation of the tips.

22. The surgical instrument of claim 21, wherein the proximal ends of the tips do not extend minimally outside the diameter of the shaft assembly during actuation of the tips.

23. The surgical instrument of claim 21, wherein the tips are actuated by rotating the outer shaft.

24. The surgical instrument of claim 21, wherein the outer shaft is formed of a plurality of components.

25. The surgical instrument of claim 21, wherein the slot is a through slot or a channel.

26. The surgical instrument of claim 25, wherein the slot is curved.

27. The surgical instrument of claim 21, wherein the outer shaft further comprises a second slot transverse to the first slot to accept the second of the two pins of the first and second tips.

28. A surgical instrument, comprising:
an elongate tube extending along an axis including an actuation rod coaxially slidable within the elongate tube;
a first tip including a pin formed on a proximal end surface of the first tip;
and
a second tip pivotally connected to the first tip at a common pivot pin and operably connected to the elongate tube to open and close the first tip in response to movement of the actuation rod,
the actuation rod having a slot to accept the pin, the slot having camming surfaces for the pin to slide within the slot, and the proximal end of the first tip extends minimally outside the diameter of the elongate tube during actuation of the tips

29. The surgical instrument of claim 28, wherein the proximal end of the first tip does not extend outside the diameter of the elongate tube during actuation of the tips.

30. The surgical instrument of claim 28, wherein the slot is curved.

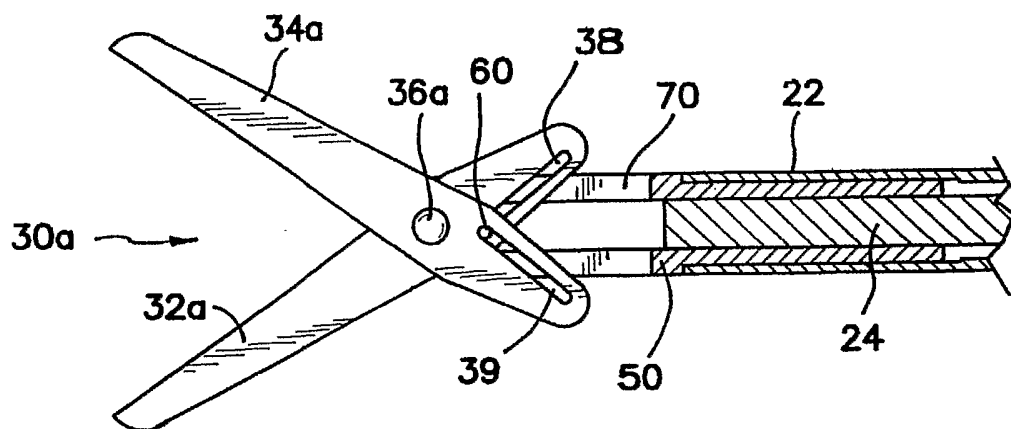
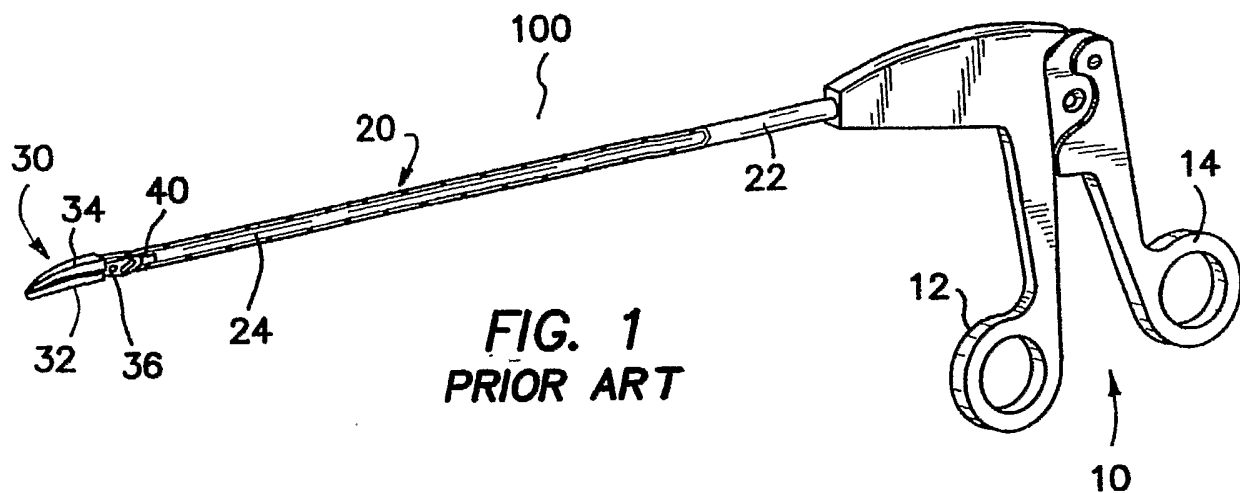
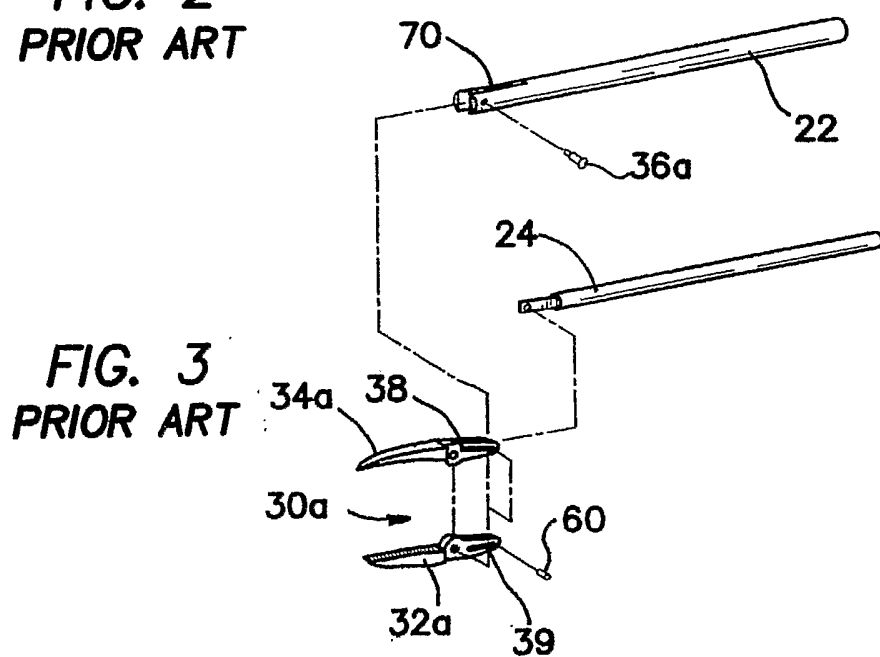
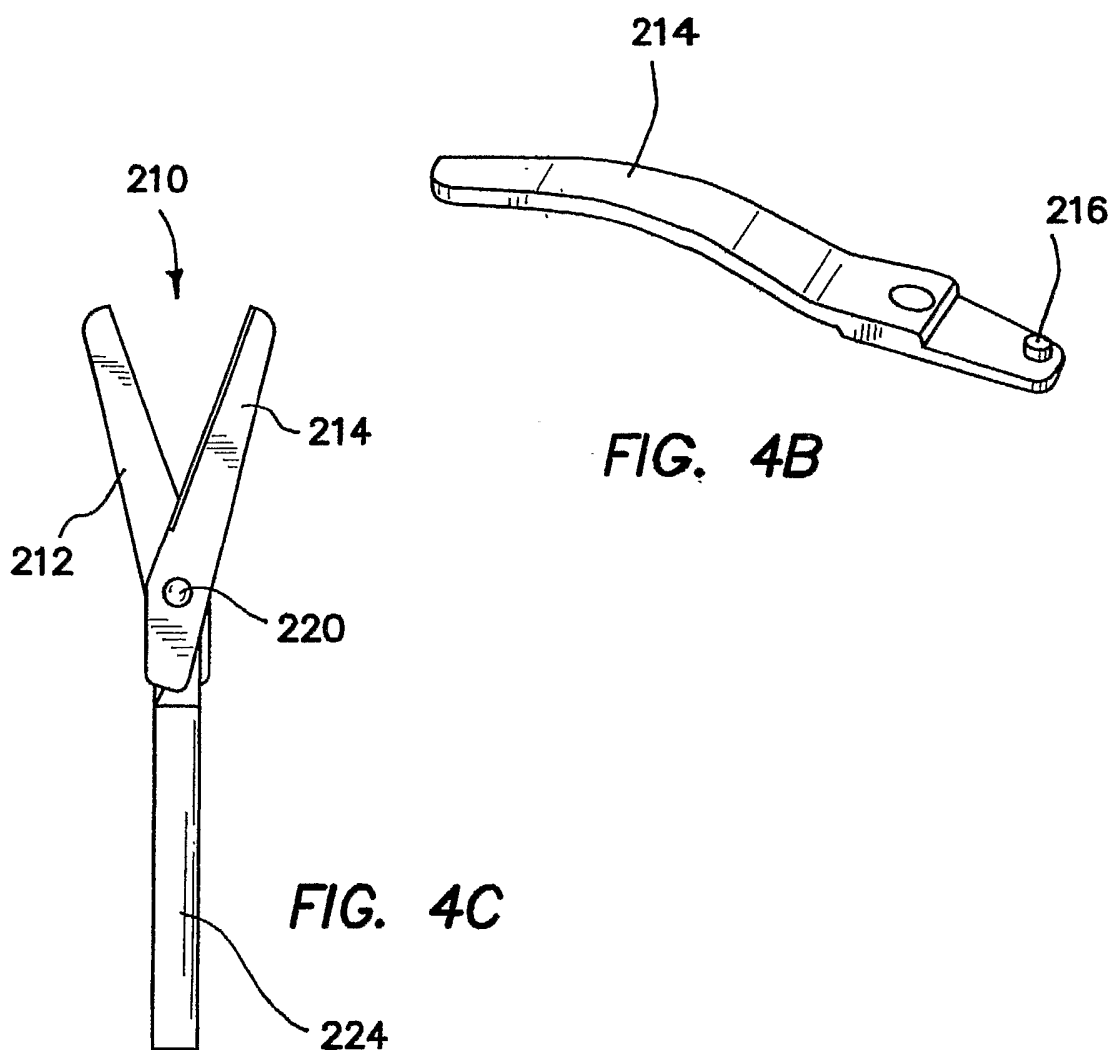
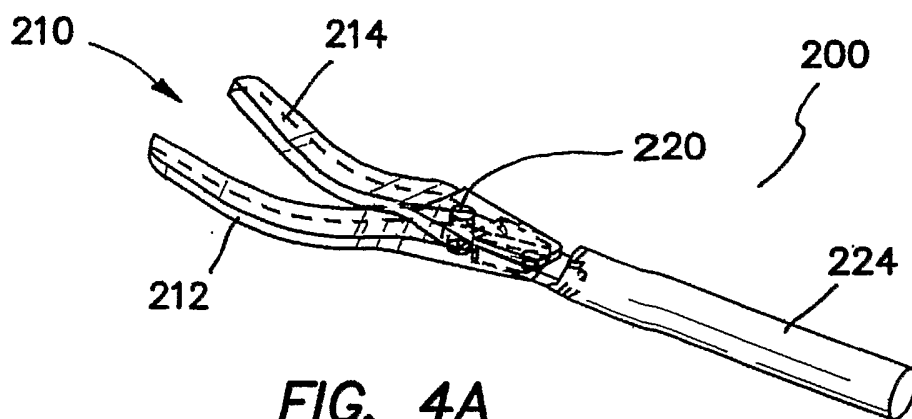
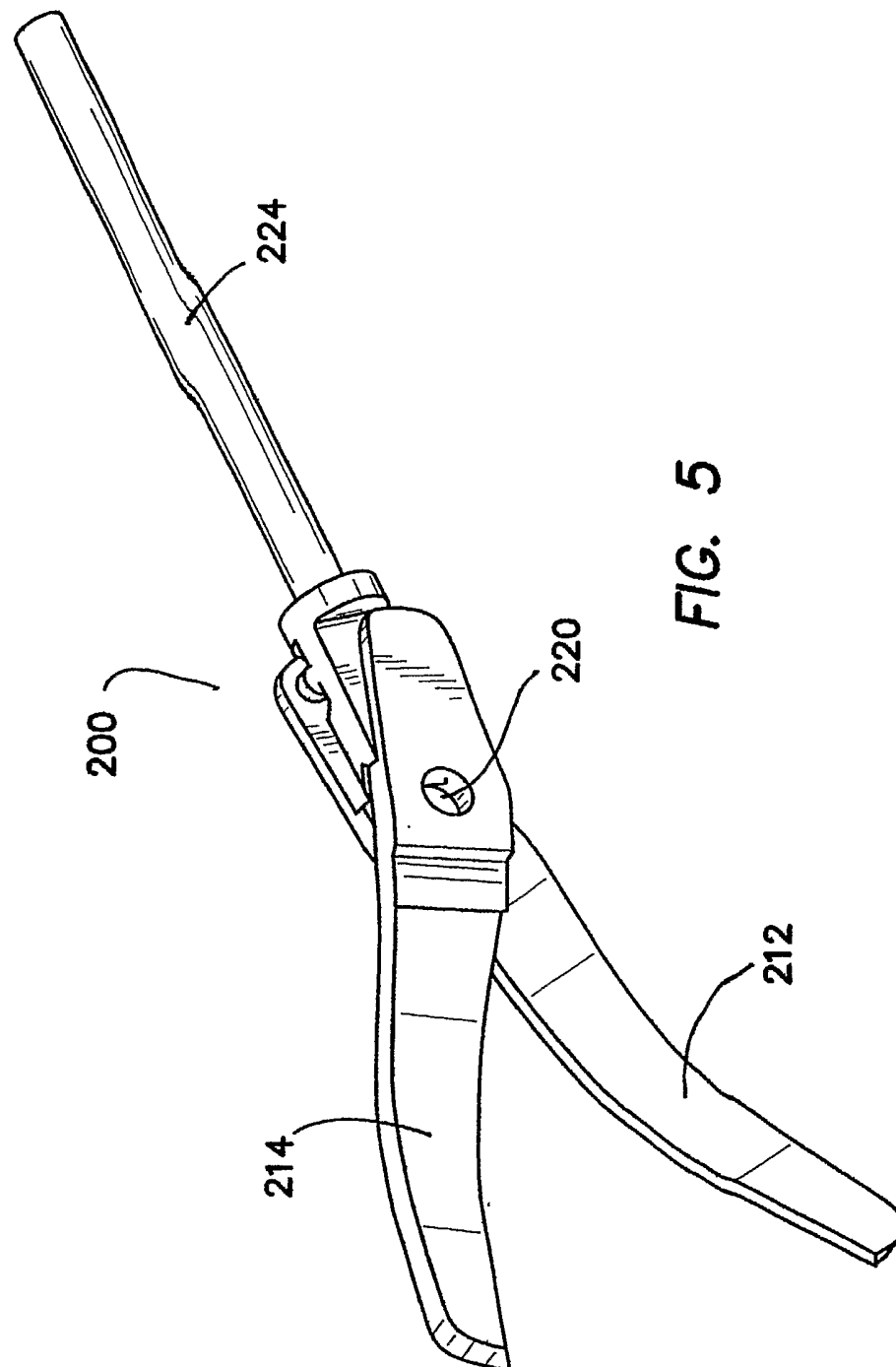


FIG. 3
PRIOR ART







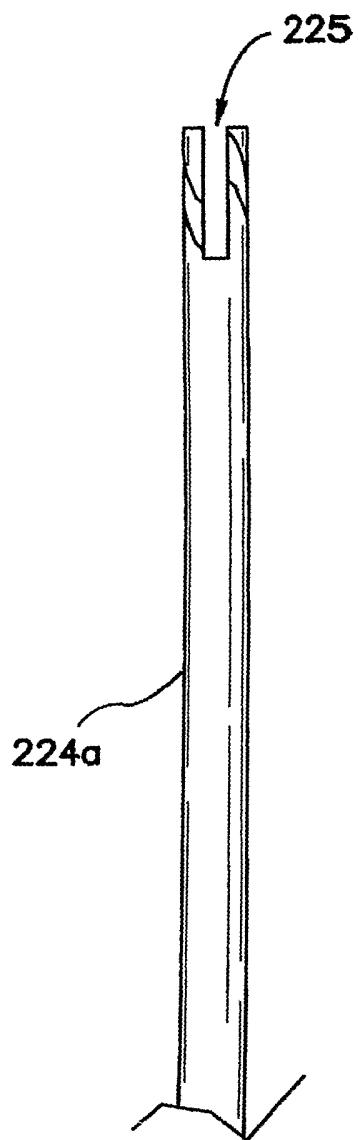


FIG. 6A

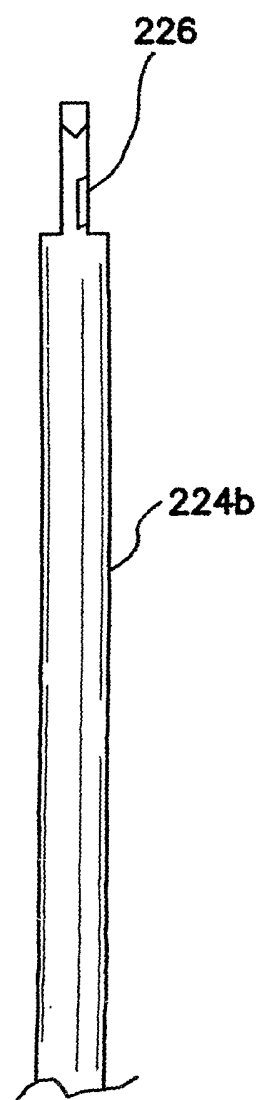


FIG. 6B

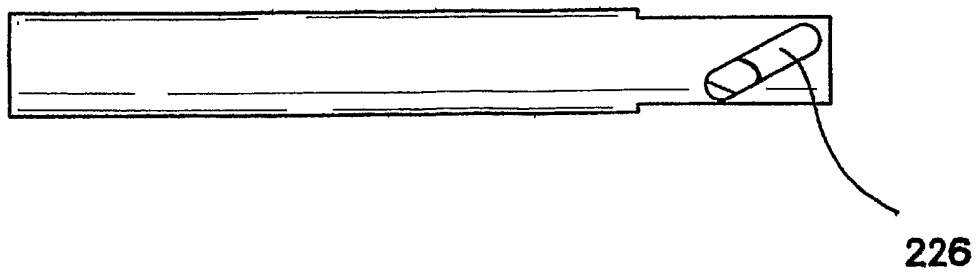
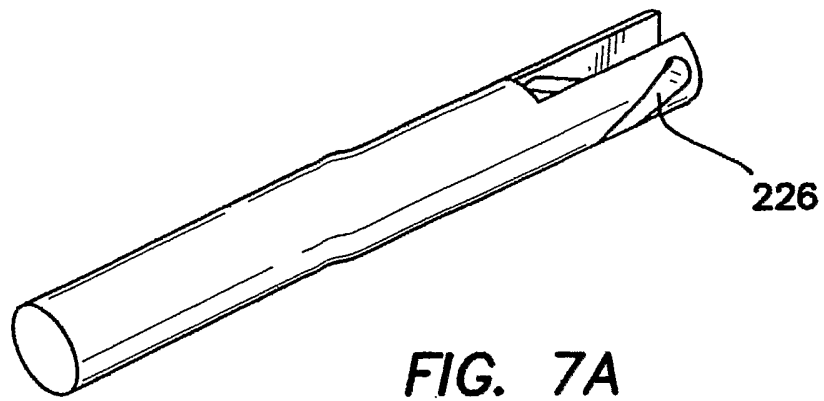


FIG. 7B

FIG. 7C

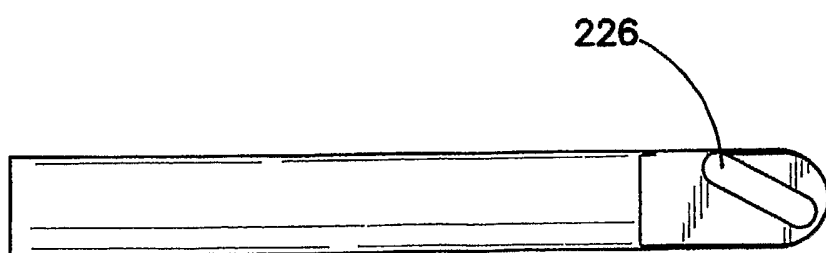
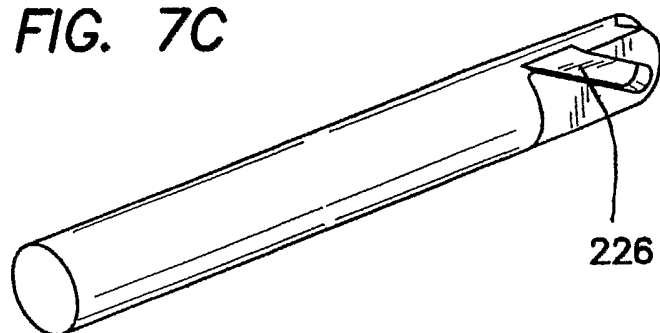


FIG. 7D

FIG. 7E

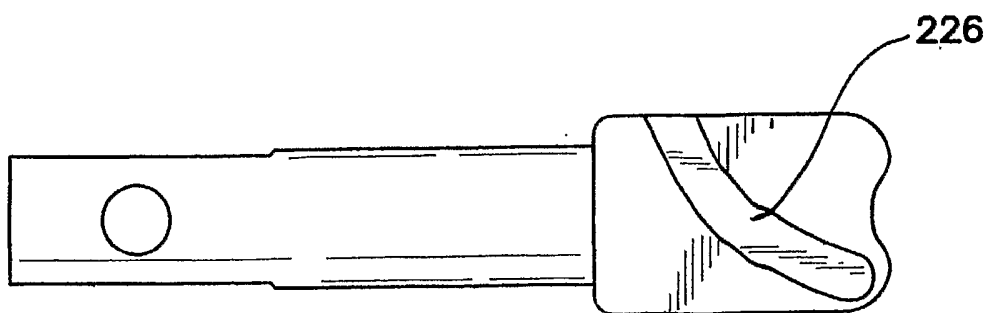
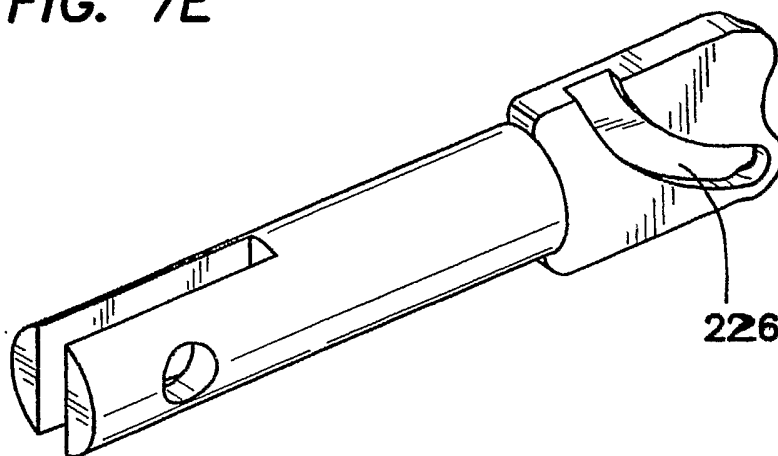
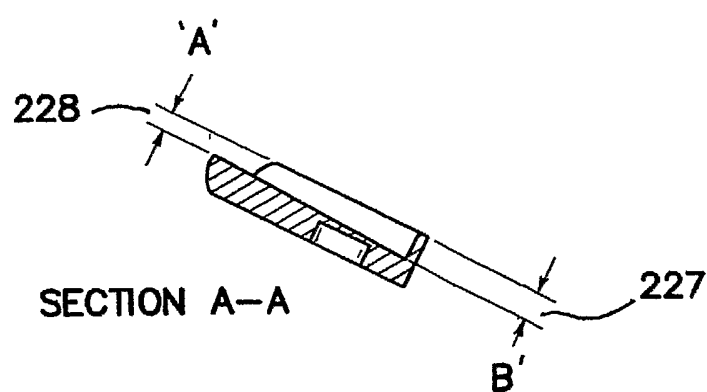
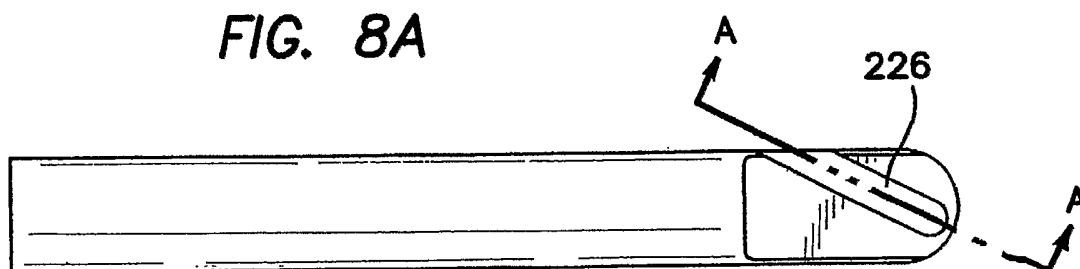


FIG. 7F

FIG. 8A**FIG. 8B**

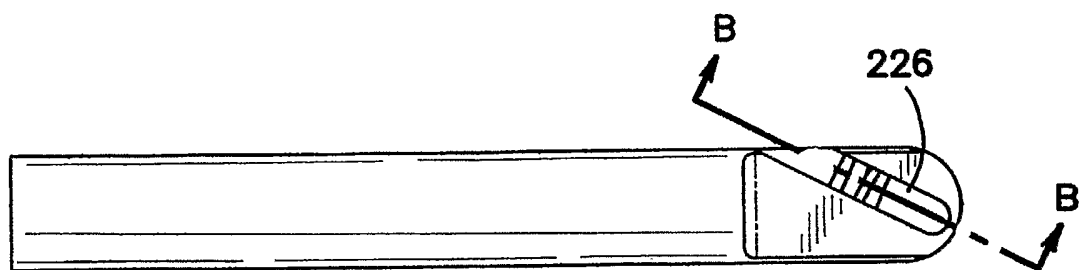
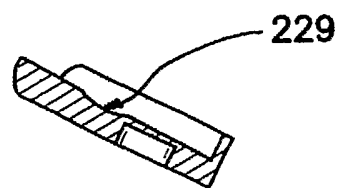


FIG. 8C



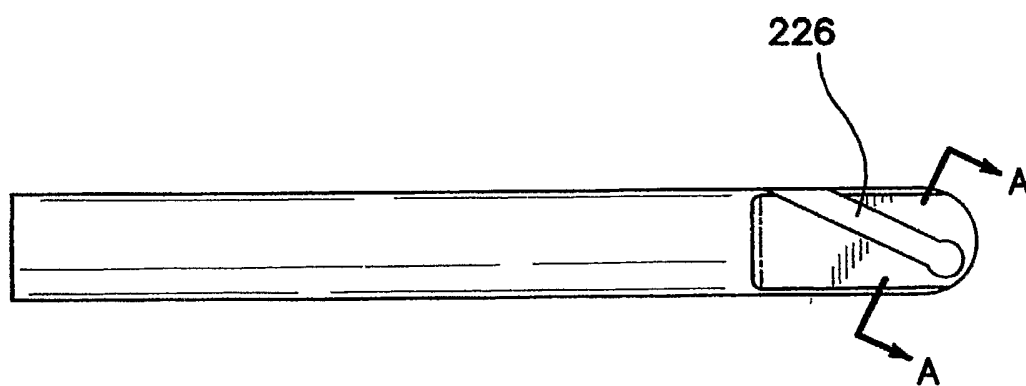
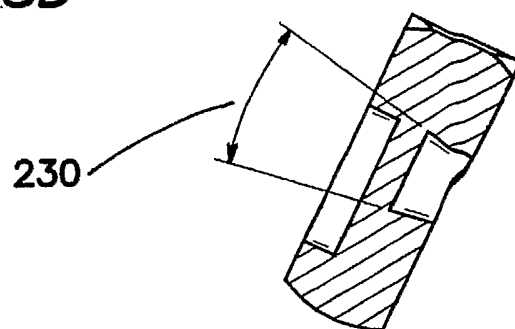
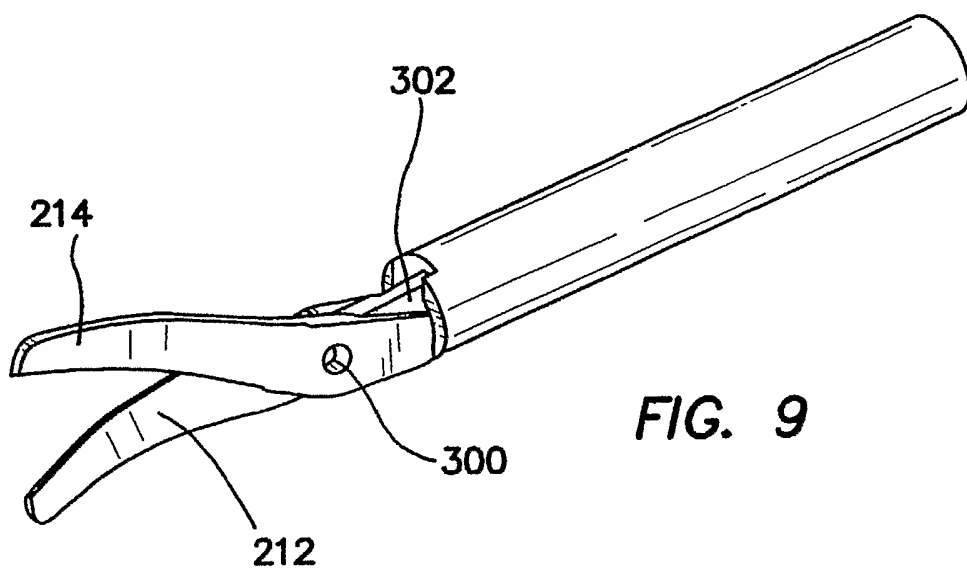
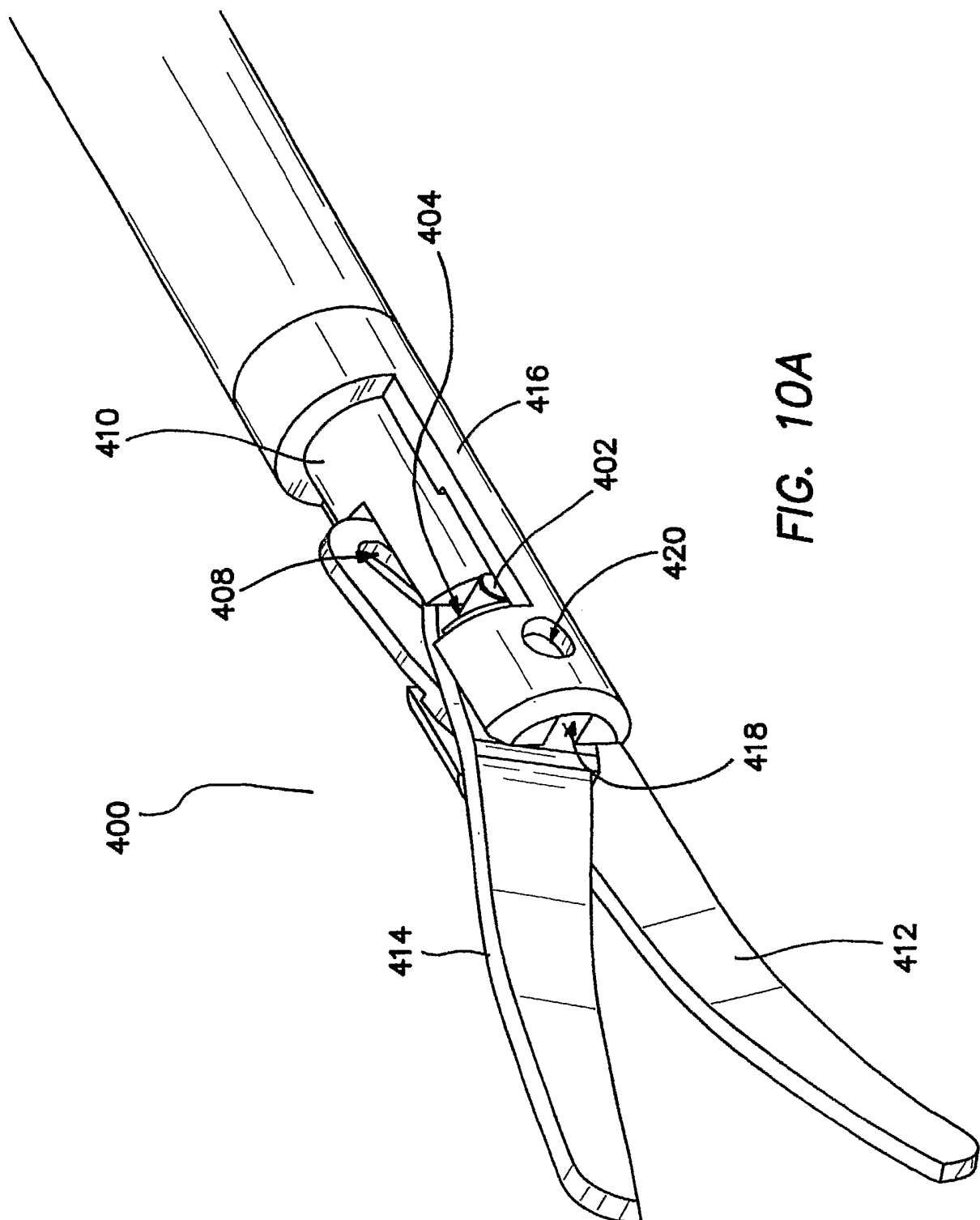
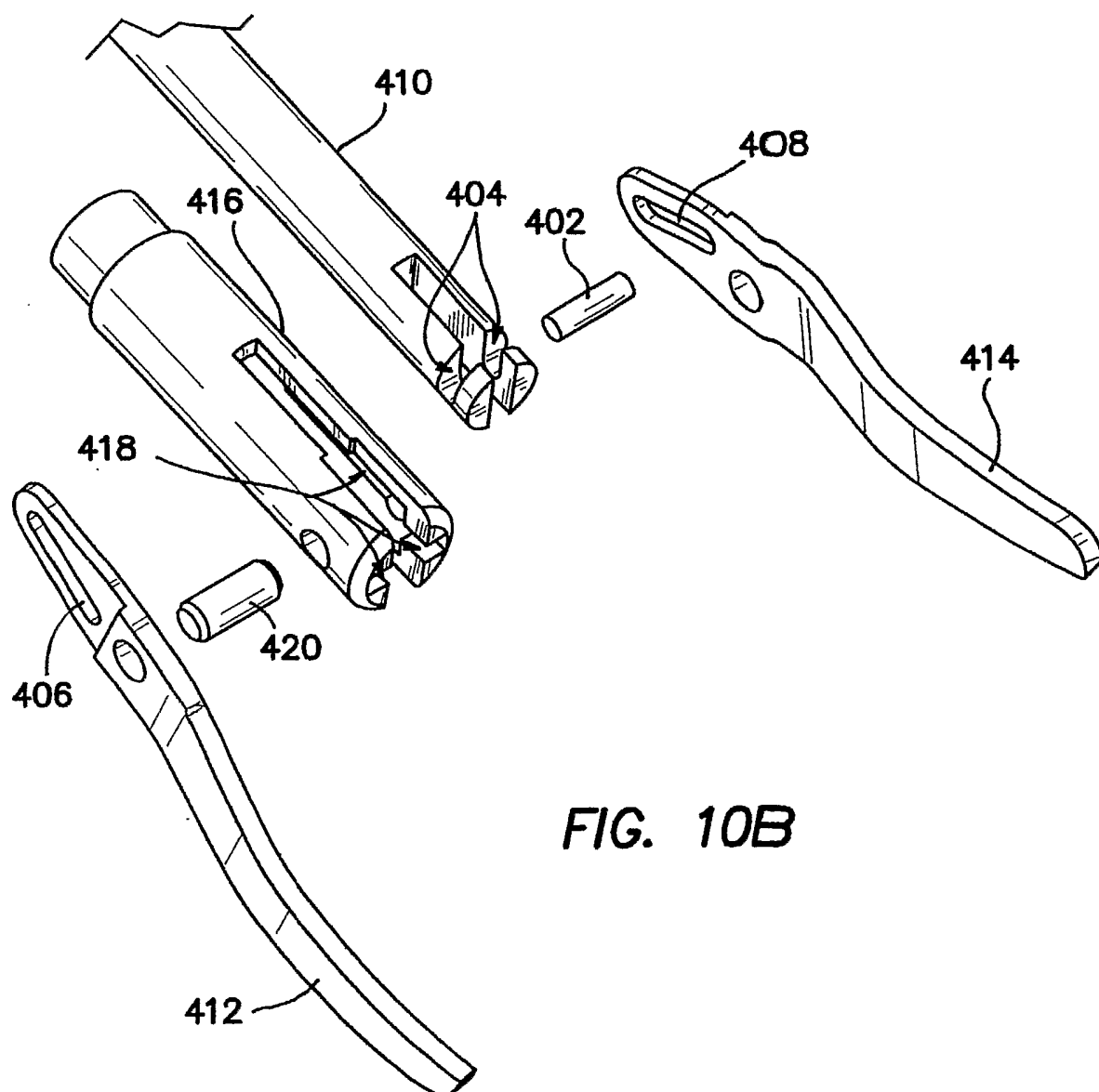


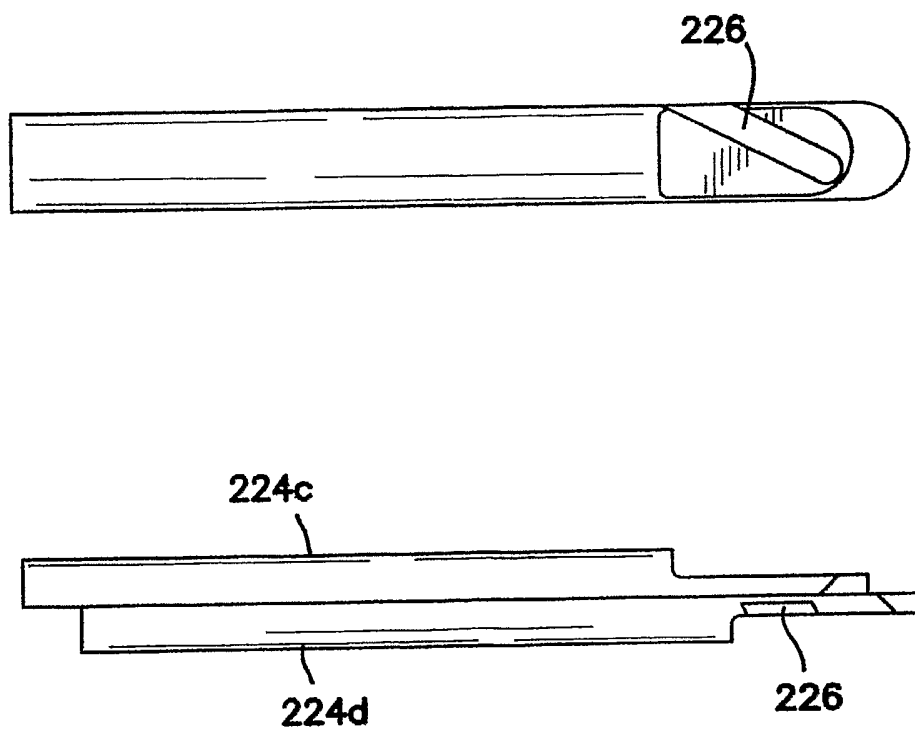
FIG. 8D

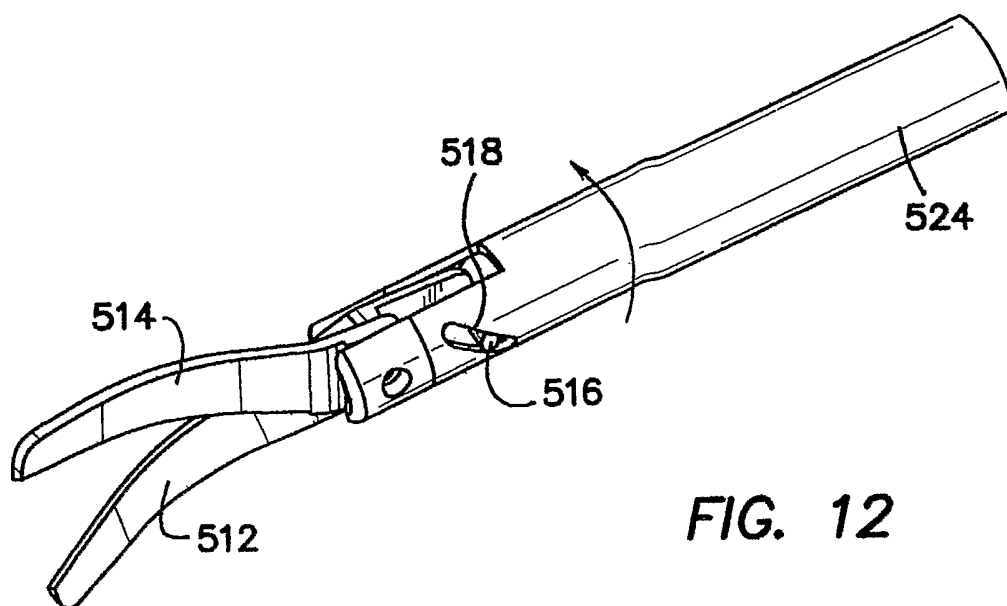






**FIG. 10B**

**FIG. 11**



INTERNATIONAL SEARCH REPORT

International Application No
PCT/U52005/005105

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61B17/28 A61B17/32

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.
X	DE 200 01 492 U1 (AESCULAP AG & CO. KG) 21 June 2000 (2000-06-21) page 7 - page 11 figures 2-5	1-10,16
X	DE 201 21 161 U1 (OLYMPUS WINTER & IBE GMBH) 4 April 2002 (2002-04-04) page 1 - page 7 figure 1	1-10,16
X	US 5 496 347 A (HASHIGUCHI ET AL) 5 March 1996 (1996-03-05) column 5, line 23 - column 11, line 59 figures 1-23	1-10,16



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

15 August 2005

Date of mailing of the international search report

23 AUG 2005

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

Compos, F

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2005/005105

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 6 007 561 A (BOURQUE ET AL) 28 December 1999 (1999-12-28) figures 1-5, 7-10 column 3, line 22 - column 5, line 7 column 6, line 21 - column 7, line 24 -----	1-10, 16
X	US 5 700 276 A (BENECKE ET AL) 23 December 1997 (1997-12-23) the whole document -----	28-30
A	DE 203 09 774 U1 (AESCULAP AG & CO. KG) 2 October 2003 (2003-10-02) page 9, line 2 - page 13, line 26 figures 1-4 -----	5-7
X	EP 0 537 574 A (UNITED STATES SURGICAL CORPORATION) 21 April 1993 (1993-04-21) column 15, line 32 - column 16, line 22 figures 7-9 -----	17-20

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2005/0051 05

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.:
1-20, 28-30

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: 1-16, 28-30

Surgical instrument having first and second tip members being pivotally connected via a common pivot pin connected to the outer elongated member, each tip member having a pin at their proximal end. The inner rod having a slot for said proximal pins, the slot having camming surfaces for the pins of the tip members to slide within.

2. claims: 17-20

Surgical instrument having first and second tip members being pivotally connected via a pivot pin connected to the outer elongated member, each tip member having a cam slot at their proximal end. The inner rod having a third slot to hold a floating drive pin, the floating drive pin being placed through the first and second cam slots of the first and second tip members.

3. claims: 21-27

Surgical instrument having an inner and outer shaft, and first and second tip members being pivotally connected via a common pivot pin connected to the shaft assembly such that they are actuated by movement of the outer member, each tip member having a pin at their proximal end. The outer shaft having a slot for the proximal pins of said tip members, the slot having camming surfaces for the pins to slide within the slot.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US2005/005105

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 20001492	U1	21-06-2000	NONE
DE 20121161	U1	04-04-2002	NONE
US 5496347	A	05-03-1996	JP 3384581 B2 10-03-2003
			JP 6285079 A 11-10-1994
			JP 3390041 B2 24-03-2003
			JP 6285078 A 11-10-1994
			JP 6292676 A 21-10-1994
			JP 3390044 B2 24-03-2003
			JP 6311987 A 08-11-1994
			JP 6311985 A 08-11-1994
			JP 6311986 A 08-11-1994
US 6007561	A	28-12-1999	US 5893874 A 13-04-1999
			AU 733633 B2 17-05-2001
			AU 6144298 A 26-08-1998
			BR 9807202 A 04-12-2001
			CA 2280486 A1 13-08-1998
			EP 1011463 A1 28-06-2000
			JP 2001510381 T 31-07-2001
			WO 9834543 A1 13-08-1998
US 5700276	A	23-12-1997	DE 19521257 A1 12-12-1996
DE 20309774	U1	02-10-2003	NONE
EP 0537574	A	21-04-1993	CA 2079038 A1 19-04-1993
			EP 0537574 A2 21-04-1993
			US 5486189 A 23-01-1996