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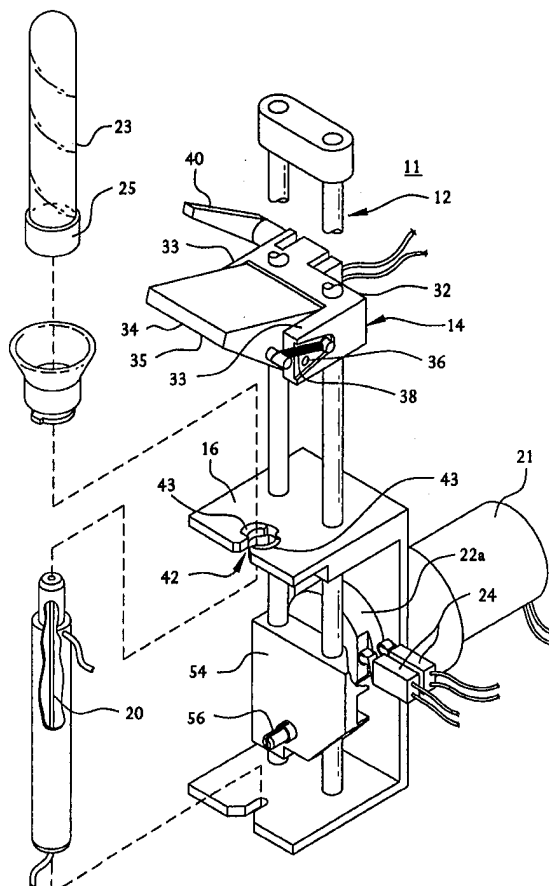
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(54) Title: A BLOOD CELL ANALYZER WITH TUBE HOLDER AND CAP PIERCER

## (57) Abstract

The invention relates to vial cap holder and cap piercer (11) for holding vials of varying sizes sealed with pierceable caps, said holder comprising: a frame (12), a holder (14) adjustably mounted to said frame, a plate (16) mounted on said frame below said holder, the plate having an aperture (43); a cup (18) mounted on top of said plate, the bottom of the cup having an aperture aligned with the aperture in said plate for receiving a pierceable cap (25) sealing said vial, a retractable needle (20) for piercing the pierceable cap of the vial and to communicate with the contents of said vial, a driver (21) for extending and retracting said needle; and a tongue (34) pivotally mounted to the holder, the tongue having a beveled surface for receiving said vial.



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## A BLOOD CELL ANALYZER WITH TUBE HOLDER AND CAP PIERCER

### Field of the Invention

The invention relates to a diagnostic medical device, and in particular to a blood cell analyzer which by manual or automatic operation  
5        withdraws and analyzes a minimal amount of blood that is stored in open or sealed vials with pierceable caps.

### Background of the Invention

Blood sample analysis systems are known in which the operator  
10        must position and hold in place tubes or vials of the samples to be analyzed. The systems include needles which pierce a closure on a sample tube to provide communication between blood in the sample tube and the system. Such prior art systems expose operators to the risk of contamination and infection from blood samples, as well as the risk of being cut by broken glass or other shattered materials. In addition, the prior art systems can only accept a limited  
15        number of sizes of tubes or vials.

It is desired to have a safer, more flexible means for positioning and holding blood sample tubes and vials during the cap piercing operation. Specifically, it is desired to have a holding and piercing apparatus which is  
20        "hands off" during the piercing operation, so as to prevent exposure of the

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operator to contamination from the blood in the vial being penetrated. It is also desired to improve the safety of such an apparatus by incorporating a safety interlock system. It is also desired to make it easier to insert and remove tubes or vials from the holder. It also is desired to have more flexibility to analyze  
5 samples from many sizes of vials or tubes (*e.g.*, from 10.25 x 64 mm to 16 x 100 mm).

### **Summary of the Invention**

The present invention is a blood cell analyzer which by manual or automatic operation withdraws and analyzes a minimal amount of blood that  
10 is stored in open or sealed vials. The analyzer includes a manually operated self cleaning sampling device for open vials and an automated self cleaning sampling device for sealed vials fitted with a pierceable cap. The analyzer further includes a red blood cell counter, white blood cell counter, hemoglobin detector, valving system, and electronic controller. The blood cell analyzer  
15 further includes features for precisely measuring and mixing whole blood or prediluted blood with diluent as needed in order to analyze the blood sample

The present invention includes an apparatus for holding vials of varying sizes sealed with pierceable caps and for piercing the caps of the vials. The apparatus comprises a frame, holder, plate, cup, needle, driver, and an  
20 interlocking safety switch.

The frame has upper and lower ends. The holder is adjustably mounted on the upper end of the frame and is adapted to receive and hold the

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outer surface of a vial opposite the pierceable cap which seals the vial. The plate, which has an aperture in it, is mounted on the frame below the holder.

A cup is mounted on the top of the plate. The bottom of the cup has an aperture aligned with the aperture in the plate. The cup is adapted to  
5 receive the pierceable cap which seals the vial.

The needle is adapted to pierce the pierceable cap of the vial and to communicate with the contents of the vial. The needle is extendable and retractable through the apertures in the plate and the cup.

A driver, such as an electric motor, which extends and retracts  
10 the needle, is interlocked with the holder by a safety switch. The driver cannot extend the needle through the aperture in the cup whenever a vial is not held by the holder.

The apparatus may also include a needle cartridge assembly below the plate. The needle cartridge assembly has a lower end, a body, and  
15 an upper end, the top of which has an aperture aligned with the aperture in the plate. The body of the needle cartridge assembly contains the needle and a biasing means for engaging the needle and biasing the needle away from the pierceable cap of the vial. The biasing means may be a compression spring, such as a coil spring.

20 The apparatus may also include a rinse system for cleaning the needle. The needle cartridge assembly is connected to a rinse passage for selectively communicating a rinse fluid to the needle. The needle may be contained in a chamber within the needle cartridge assembly. The chamber is

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connected to the rinse passage, through which the rinse fluid is injected in one direction into the chamber, and from which the rinse fluid is withdrawn in another direction.

### **Brief Description of the Drawings**

5                   For a better understanding of the present invention, reference is made to the accompanying drawings. The drawings show one embodiment of the invention as presently preferred. However, it should be understood that the invention is not limited to the precise arrangements and instrumentality shown in the drawings.

10                   Figure 1 shows a front view of blood cell analyzer having a vial holder and cap piercer device according to the present invention.

                  Figure 2 is an isometric view of a vial holder and cap piercer according to the present invention.

                  Figure 2A is a schematic diagram of the electric controls of the  
15                   vial holder and cap piercer device of Fig. 2.

                  Figure 3 illustrates various types and sizes of vials sealed with pierceable caps.

                  Figure 4 is an isometric view of a vial holder and cap piercer device illustrating several features of the present invention, including the frame,  
20                   holder, plate, and driver motor.

                  Figures 5A illustrates a bevel shaped tongue portion of a holder and a recess for receiving and holding a vial according to the present invention.

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Figures 5B illustrates a bevel shaped tongue portion of a holder and a recess holding a vial according to the present invention.

Figures 6A illustrate a top view of a plate illustrating keyed openings with bayonet ramps according to the present invention.

5                   Figures 6B illustrate a side view of the plate illustrated in Figure 6A.

Figure 7A illustrates a cup with locking device according to the present invention.

10                   Figure 7B illustrates a bottom view of the cup shown in Figure 7A.

Figure 8A illustrates a needle and hub assembly according to the present invention in a retracted position.

Figure 8B illustrates the front portion of the needle and hub assembly shown in Figure 8A.

15                   Figure 9A illustrates a needle and hub assembly according to the present invention in an extended position.

Figure 9B illustrates the front portion of the needle and hub assembly shown in Figure 9A.

20                   Figure 10 illustrates eccentric positioning of a needle cartridge assembly according to the present invention.

### **Detailed Description of the Invention**

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Referring to the drawings, where like elements are identified by like numerals, there is shown in Figure 1 a blood cell analyzer 10 having a vial holder and cap piercer device 11 according to a preferred embodiment of the present invention.

5                   Figure 2 shows a preferred embodiment of the variable size vial holder and cap piercer 11. This apparatus comprises a frame 12, an adjustable holder 14, a top plate 16, a cup 18, an extendable and retractable needle 20, and a driver 22 for extending and retracting the needle 20. A multi-lobe cam 22a with associated position switches 24 is used to detect needle position. In  
10                   addition, a safety switch 24a is used for interlocking the driver with the holder 14 so that the driver 22 cannot extend the needle 20 when a vial 23 is not fully engaged in and held by the holder 14.

                  In one aspect of the invention, an important feature is provided where the closed end of the vial 23 opposite the capped end trips the safety  
15                   switch 24a, and that the tongue 34 alone can not enable the needle 20 to extend.

                  The frame 12 in the preferred embodiment includes two ways 26, which are upright members mounted on a base 28. The ways 26 are connected at the top plate 16 by a block 30. The holder 14 is adjustably mounted on the upper end of the frame 12. The cup 18 and the holder 14 is designed to receive  
20                   and hold a vial 23, also referred to as a tube, such as those shown in Figure 3. The tubes shown in Figure 3 range in size from 10.5 x 64 mm to 16 x 100 mm. The tubes are sealed with caps 25 which are typically are made of a pierceable material, such as rubber or plastic. The holder 14 is designed to receive and

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hold the outer surface of a vial or tube 23 opposite the pierceable cap 25 which seals the vial or tube when the cap 25 is seated in the cup 18.

In the preferred embodiment, the holder 14 is an over center spring loaded mechanism of the configuration shown in Figure 4. The holder  
5 14 includes a U-shaped clamp 32 adjustably mounted to the frame 12 and an oblong-shaped tongue 34 mounted between two arms 33 of the clamp 32. The tongue 34 is retained in the clamp 32 by a pin 36 which extends across the width of the clamp 32. The tongue 34 has a beveled surface 35 and pivots about the axis of the pin 36. A spring 38 on one side of the holder 14 biases  
10 the tongue 34 in either the closed or open position as shown in Figure 2 and Figure 4. The capped end of the vial 23 is inserted into the cup 18 as the vial 23 is pivoted into contact with the tongue 34. The vial 23 is held into position as the tongue 34 pivots into its open and closed position as shown in Figures 5A and 5B. The vial 23 is removed from the holder 14 by reversing this process.

15 As shown in Figure 5A, the underside of the tongue 34 has a recess 31, also referred to as an indentation, for receiving and holding the outer surface of a vial 23 opposite the pierceable cap 25 which seals the vial 23. When the surface of a vial contacts the beveled surface 35 of the tongue 34, the tongue 34 rotates or flips into the open position as shown in Figure 5A. Fur-  
20 ther movement of the vial 23 into the holder causes contact to be made with the recessed 31 portion of the tongue 34. As the vial 23 is pivoted further into the holder 11 the tongue 34 in turn moves into the closed position as shown in Figure 5B.

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In the preferred embodiment, an adjustable handle 40 is mounted on one arm of the U-shaped clamp 32 opposite the spring 38. The adjustable handle 40 is used to reposition the holder 14, which can be moved higher or lower on the frame 12 to adjust for different sizes of tubes or vials. In addition, the adjustable handle 40 may be spring loaded. When the holder 14 is moved to the desired position, it is locked in place. In the preferred embodiment, the adjustable handle 40 lifts and adjusts to 18 detent positions in 360°, so that the angle can be positioned for operator convenience.

Referring to Figures 4 and 5, a plate 16 is mounted on the frame 12 and below the holder 14. In the preferred embodiment, the plate 16 has a keyed opening 42 with bayonet ramps 43 which are shown in Figure 6. The keyed opening 42 in plate 16 is for receiving the cup 18 which is shown in detail in Figures 7A and 7B. The opening 42 engages the cup's 18 locking device 44 which is typically located at the bottom of cup 18. The locking device 44 is inserted in the keyed opening 42 and rotated so that the ramped edges 45 of the locking device 44 lock with the bayonet ramps 43 of the keyed opening 42 of plate 16.

Rotation of the cup 18 in the opposite direction unlocks the locking device 44 allowing removal of the cup 18. Different size cups 18 may be mounted on the plate 16 for receiving the pierceable caps 25 on vials 23 like those shown in Figure 3. It has been found that two different cup sizes are adequate to handle the range of tube sizes shown in Figure 3. In one aspect, a cup 18 may be used to accept standard size tubes under a 3 milliliter volume,

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and another cup may be used to accept standard size tubes that are 3 milliliter in volume or greater. The cup 18 has a tapered shape which helps guide a tube or vial into position when placed in the holder 14. In the preferred embodiment, the cup 18 is made of a clear glass-smooth injection molded polycarbonate or acrylic. As shown in Figure 7B, the bottom of the cup 18 has a small aperture aligned with the hole in plate 16 that allows the needle 20 to pierce the cap 25 of a vial.

In the invention includes a needle cartridge assembly 48 as shown in Figure 8A. The needle cartridge assembly 48 includes a needle 20, and a needle cartridge body 53 with a stepped nosepiece 47 and a needle cartridge assembly 48. The needle 20 is attached to a hub assembly 46 that moves within the needle cartridge assembly 48. The needle 20 is extendable and retractable through apertures 41, 42 which are located in the top plate 16 and the cup 18 respectively. Referring to Figure 9A, the needle 20 may be extended to pierce the cap 25 of the vial 23 that is held by the holder 14. The needle 20 is extended so that the needle 20 may communicate with the contents of the vial 23.

As shown in Figures 8A and 9A, the needle hub assembly 46 is mounted within a needle cartridge assembly 48 which is positioned below plate 16. The needle cartridge assembly 48 has a lower end 51, a body 53, and an upper end 47, the top of which has an aperture 49 aligned with the aperture 42 in plate 16. The body 53 of the needle cartridge assembly 48 contains the needle 20 and a biasing means 50 for engaging the needle 20. The biasing

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means 50 applies a bias to the needle 20 retracting it away from the pierceable cap 25 of the vial 23. In addition, needle cartridge assembly 48 can be removable from the holder 14.

As a safety feature, the biasing means 50 will retract the needle  
5 into the needle cartridge assembly 48 whenever the cartridge assembly 48 is removed from the holder 14. In one aspect of the invention, the biasing means 50 may be a coil compression spring.

In one aspect of the invention as shown in Figure 10, the needle  
20 is positioned concentrically with respect to the needle cartridge assembly 48,  
10 but eccentrically with respect to the center longitudinal axis of the vial 23 and its cap 25. As an example, in Figure 9B the nosepiece 47 is shown to be made eccentric with needle cartridge assembly 48. This design allows the needle 20 to extend and retract eccentrically with respect to the center axis of the cap 25. This feature prevents the pierceable caps 25 of the vials 23 to be pierced in the  
15 same location, typically the center of the vial's cap 25 when multiple samples are taken from the same vial. After the cap 23 has been pierced and a sample drawn the needle 20 is retracted.

In order to extract a precise amount of sample a circuit is formed by the sample which is conductive, the needle 20 which is conductive, and a  
20 second electrode (not shown) located at a fixed distance from the needle in and along a confined path formed by the sample as it is drawn from the vial 23. The sample may be drawn through a non-conductive tube made of plastic or rubber. As the sample is drawn from the vial 23 through the needle 20 the

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sample comes in contact with the second electrode to form a closed circuit between the conductive needle and the other second electrode. The closed conductive path is used to indicate that a precise amount of sample has been drawn.

5                   In one example, a current can be applied to the needle through pin 56 and carried by the fluid to the electrode down stream. When the current reaches the electrode it can be used to indicate that a sufficient amount of fluid has been drawn and/or that the needle 20 should be withdrawn. As the needle 20 is withdrawn its outer surface is cleaned by a squeegee effect produced by  
10   the material of pierceable cap 23 which is typically made of rubber or plastic.

Referring to Figures 8B and 9B, a rinse system is used to clean the inside of the needle 20. In the preferred embodiment, the needle cartridge assembly 48 is connected to a rinse passage 52 for selectively communicating a rinse fluid to the needle 20. The needle 20 may be contained in a chamber  
15   within the needle cartridge assembly 48. The chamber is connected to the rinse passage 52 through which the rinse fluid is injected in one direction into the chamber, and from which the rinse fluid is withdrawn in another direction. A first pump (not shown) is used to inject the rinse fluid through the rinse passage 52. A second (not shown) pump is used to withdraw the rinse fluid.

20                   Referring to Figure 4, movement of the needle 20 is controlled by a driver 22 which causes the needle 20 to extend and retract. In a preferred embodiment the driver 22 includes an electric motor 21. The motor 21 has a shaft that is connected to a scotch yoke mechanism 54, which translates rotary

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motion to linear motion. Needle 20 rides on a pin 56 connected to the scotch yoke mechanism 54 causing the needle 20 to move up or down during operation. Movement of the needle 20 is controlled by electric circuitry illustrated in Figure 2A. Switches 24 are used to control the piercing and  
5 retracting strokes of the needle 20.

For example, to indicate needle position, one switch is open when the needle 20 is fully retracted, while another switch is open when the needle 20 is fully extended. A safety switch 24a interlocks the driver 22 with holder 14. When the tongue 34 of the holder 14 is in the open position, safety switch  
10 24a is open, and needle 20 cannot be extended through the aperture in cup 18. When a vial or tube is placed in holder 14 and the tongue 34 moves to the closed position, switch 24a closes, allowing driver 22 to extend the needle 20 to pierce the pierceable cap of the vial.

Prior to running samples, the operator should adjust the height  
15 of the holder 14 to fit the size of the vials to be tested. The operator loosens the clamp handle 40, allowing the holder 14 to slide on the ways 26 and moves the holder 14 upward or downward. A vial is then placed in the cup 18 (cap end down). The opposite end of the vial is positioned in the holder 14 until the interlock switch 24a is tripped. The spring applying a bias off the center axis  
20 of the tongue 34 keeps it in either an open or closed position in the holder 14.

After inserting the cap end of a vial or tube in the cup 18, the operator pivots the opposite end of the vial or tube into the holder 14. When the tongue 34 is in the open position, the tube or vial first contacts the beveled

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front of the tongue 34 and kicks it open. With the tongue 34 in the open position the capped end of the vial 23 enters and is engaged by the conical-shaped pocket area of cup 18, and with a pivoting motion is further inserted to close the holder 14. As the closed uncapped end of the vial moves into the  
5 recessed portion of the tongue 34 of the holder 14, it trips the recessed interlock switch 24a, which enables the electric motor drive 22 to function. The vial seats securely and stays in position until the needle 20 is fully retracted. The operator may then remove the vial from the holder 14. If an attempt is made to remove the vial 23 from the holder 14 when the cap 25 is being pierced, the  
10 interlocking switch 24a will disable the motor drive 22 to prevent injury to the operator by unintended movement of the needle 20.

The present invention may be embodied in other variant forms where the variation does not substantially differentiate from the essential novelty and uniqueness revealed in the foregoing disclosure. Reference should therefore  
15 be made to the appendant claims rather than the foregoing specification, as indicating the scope of the invention. It should be understood that many modifications, variations and changes may be made without departing from the spirit and scope of the invention as defined in the claims.

### CLAIMS

**What is claimed is:**

1. An apparatus for holding vials of varying sizes sealed with pierceable caps and for piercing the caps of the vials, comprising:
  - a frame having upper and lower ends;
  - a holder adjustably mounted on the upper end of said frame, the holder for receiving and holding the outer surface of a vial opposite the pierceable cap sealing said vial;
  - a plate mounted on said frame below said holder, the plate having an aperture;
  - a cup mounted on top of said plate, the bottom of the cup having an aperture aligned with the aperture in the plate, said cup for receiving the pierceable cap sealing said vial;
  - a needle extendable and retractable through the apertures in said plate and said cup, the needle for piercing the pierceable cap of the vial and to communicate with the contents of said vial;
  - a driver for extending and retracting said needle; and
  - a safety switch interlocking said driver with said holder such that said driver cannot extend said needle through the aperture in said cap whenever a vial is not held by the holder.
2. An apparatus as in claim 1, further comprising:

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a needle cartridge assembly below said plate, said needle cartridge assembly having a lower end, a body, and an upper end, the top of the upper end having an aperture aligned with the aperture in the plate, wherein the body of said needle cartridge assembly contains said needle; and

a biasing means within the body of said needle cartridge assembly for engaging said needle and biasing the needle away from the pierceable cap of the vial.

3. An apparatus as in claim 2, further comprising a rinse system, wherein said needle cartridge assembly is connected to a rinse passage for selectively communicating a rinse fluid to said needle to clean said needle.

4. An apparatus as in claim 3, wherein said needle is contained in a chamber within said needle cartridge assembly and said chamber is connected to said rinse passage, through which said rinse fluid is injected in one direction into the chamber, from which the rinse fluid is withdrawn in another direction.

5. An apparatus as in claim 1, wherein the holder comprises a U-shaped frame,

a tongue having a body with beveled surface and a recess for receiving and holding the outer surface of a vial, the body being pivotally engaged at the ends of the U shaped frame,

a spring connected to the tongue and the U-shaped frame one side of the holder for biasing the tongue in a closed position when a vial is engaged by the holder.

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6. An apparatus as in claim 4, wherein the U-shaped frame of the holder is adjustably mounted to the frame of the apparatus.

7. An apparatus for holding vials of varying sizes sealed with pierceable caps and for piercing the caps of the vials, comprising:

a holder adjustably mounted to a frame; and

a tongue pivotally mounted to the holder, the tongue having a beveled surface for receiving a vial and a recess for holding the outer surface of a vial;

wherein a vial is inserted into the holder so that the outer surface of the vial contacts the beveled surface of the tongue causing the tongue to pivot into an open position, the tongue remains in the open position until the vial makes contact with the recess of the tongue causing the tongue to pivot again into a closed position and hold the vial.

8. An apparatus as in claim 7, further comprising a spring on one side of the holder to bias the tongue in a closed position.

9. An apparatus as in claim 7, further comprising:

a plate mounted on the frame below the holder, the plate having an aperture; and

a cup mounted on top of the plate, the bottom of the cup having an aperture aligned with the aperture in the plate, the cup for receiving the pierceable cap sealing the vial.

10. An apparatus as in claim 9, further comprising:

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a needle extendable and retractable through the apertures in the plate and the cup, the needle for piercing the pierceable cap of the vial and to communicate with the contents of the vial;

a driver for extending and retracting the needle; and

a safety switch interlocking the driver with the holder such that the driver cannot extend the needle through the aperture in the cap whenever a vial is not held by the holder.

11. An apparatus as in claim 9, further comprising:

a needle extendable and retractable through the apertures in the plate and the cup, the needle for piercing the pierceable cap of the vial and to communicate with the contents of the vial;

a driver for extending and retracting the needle; and

a safety switch interlocking the driver with the holder such that the driver cannot extend the needle through the aperture in the cap whenever a vial is not held by the holder.

12. An apparatus as in claim 7, further comprising:

a needle cartridge assembly mounted to the frame having a needle for piercing the cap in the vial, the needle cartridge assembly having a lower end, a body, and an upper end, the top of the upper end having an aperture aligned along a longitudinal axis of the cap, wherein the body of the needle cartridge assembly contains the needle; and

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a biasing means within the body of the needle cartridge assembly for engaging the needle and biasing the needle in a retracted position away from the pierceable cap of the vial.

13. An apparatus as in claim 12, wherein the needle cartridge assembly is removable.

14. An apparatus as in claim 13, wherein the needle cartridge assembly is maintained in a retracted position by the biasing means whenever the cartridge is removed from the device.

15. An apparatus as in claim 12, further comprising a rinse system, wherein the needle cartridge assembly is connected to a rinse passage for selectively communicating a rinse fluid to the needle to clean the needle.

16. An apparatus as in claim 15, wherein the needle is contained in a chamber within the needle cartridge assembly and the chamber is connected to the rinse passage, through which the rinse fluid is injected in one direction into the chamber, from which the rinse fluid is withdrawn in another direction.

17. An apparatus as in claim 7, wherein the holder is mounted to the frame by a U-shaped frame with ends, and the tongue has a body with the beveled surface and the recess for receiving and holding the outer surface of a vial, the body being pivotally engaged at the ends of the U shaped frame, and a spring is connected to the tongue and the U-shaped frame on one side of the holder for biasing the tongue in a closed position when a vial is engaged by the holder.

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18. An apparatus as in claim 17, wherein the U-shaped frame of the holder is adjustably mounted to the frame of the apparatus.

19. An apparatus as in claim 17, further comprising a circuit for extracting a precise amount of sample from the vial, the circuit includes the sample which is conductive, the needle which is conductive forming one electrode of the circuit, and a second electrode located a fixed distance from the needle in a path formed by the sample, as the sample is drawn from the vial through the needle the fluid comes in contact with the second electrode to form a closed conductive path between the needle and the second electrode, wherein the closed conductive path indicates a precise amount of sample has been drawn.

20. An apparatus as in claim 19, wherein a current is applied to the needle through a pin and carried by the fluid to the second electrode, the current is detected to indicate that a sufficient amount of fluid has been drawn.

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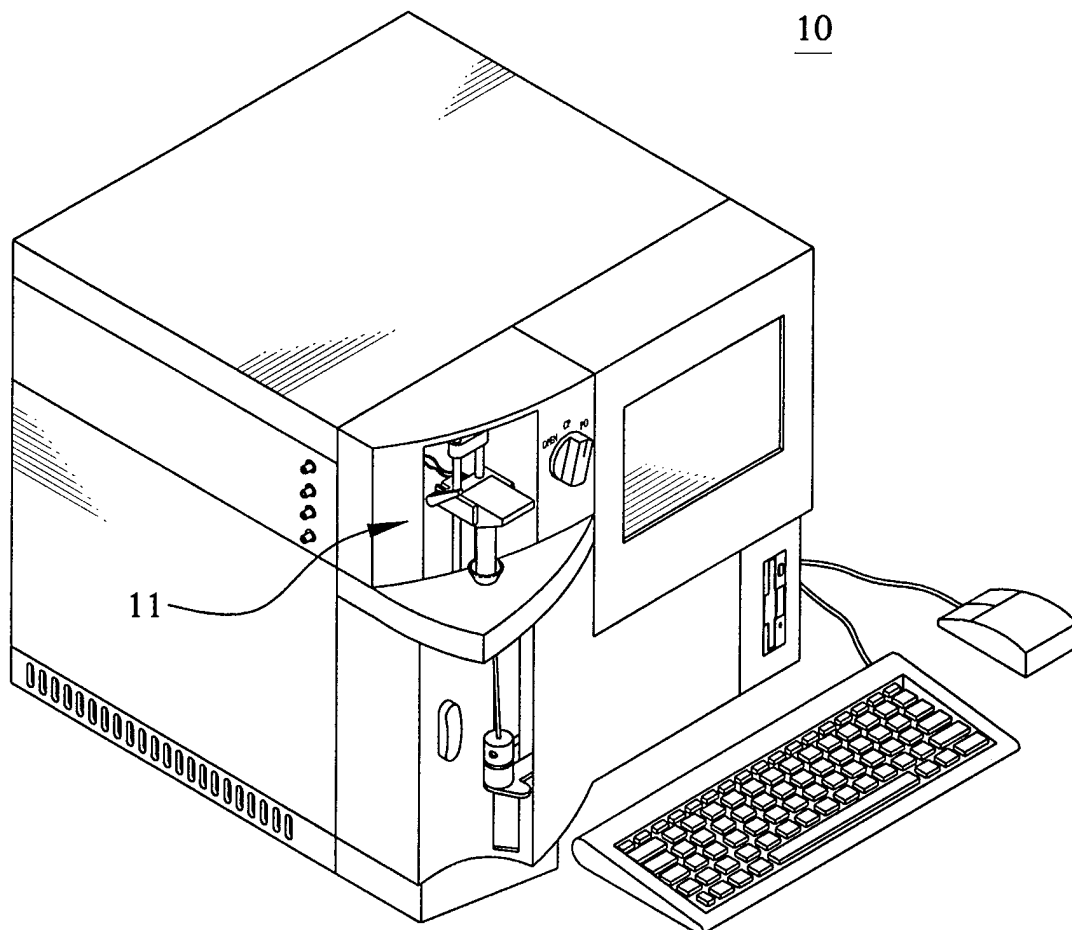


FIG. 1

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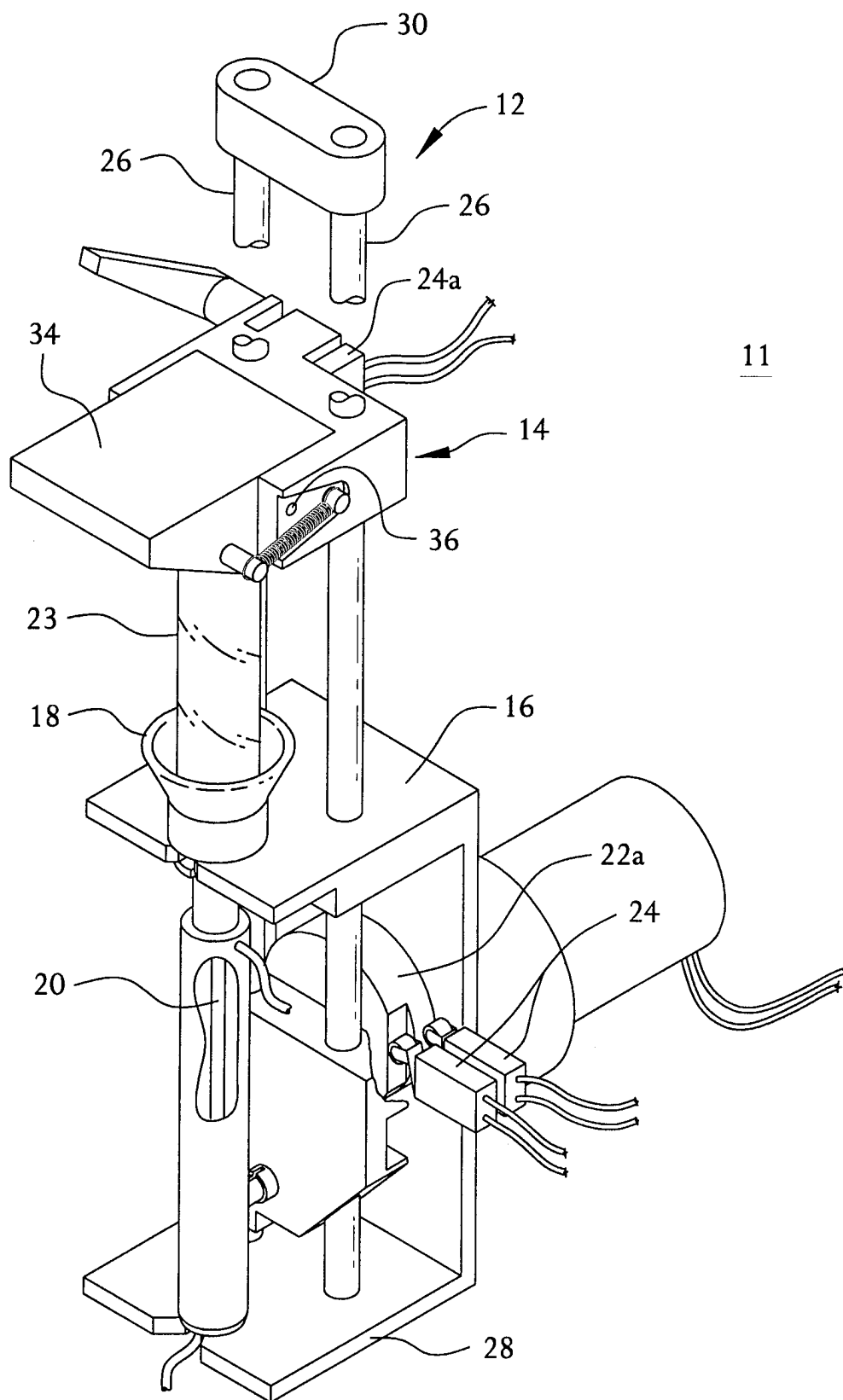


FIG. 2

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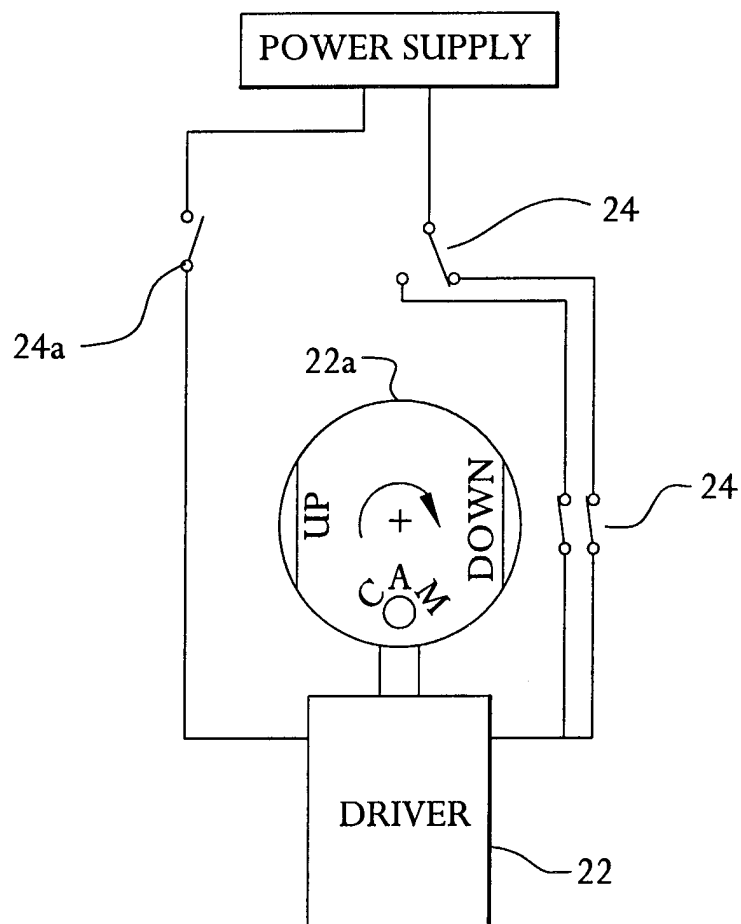


FIG. 2A

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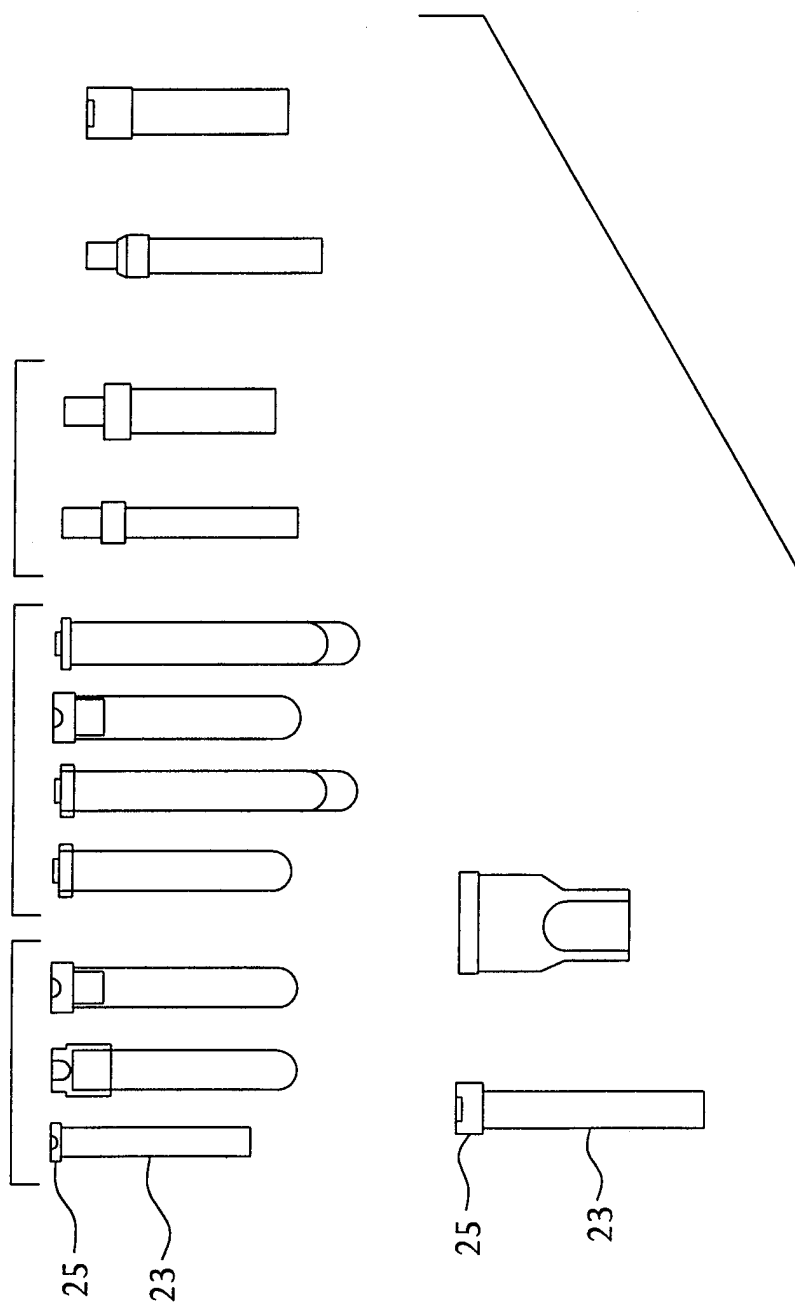


FIG. 3

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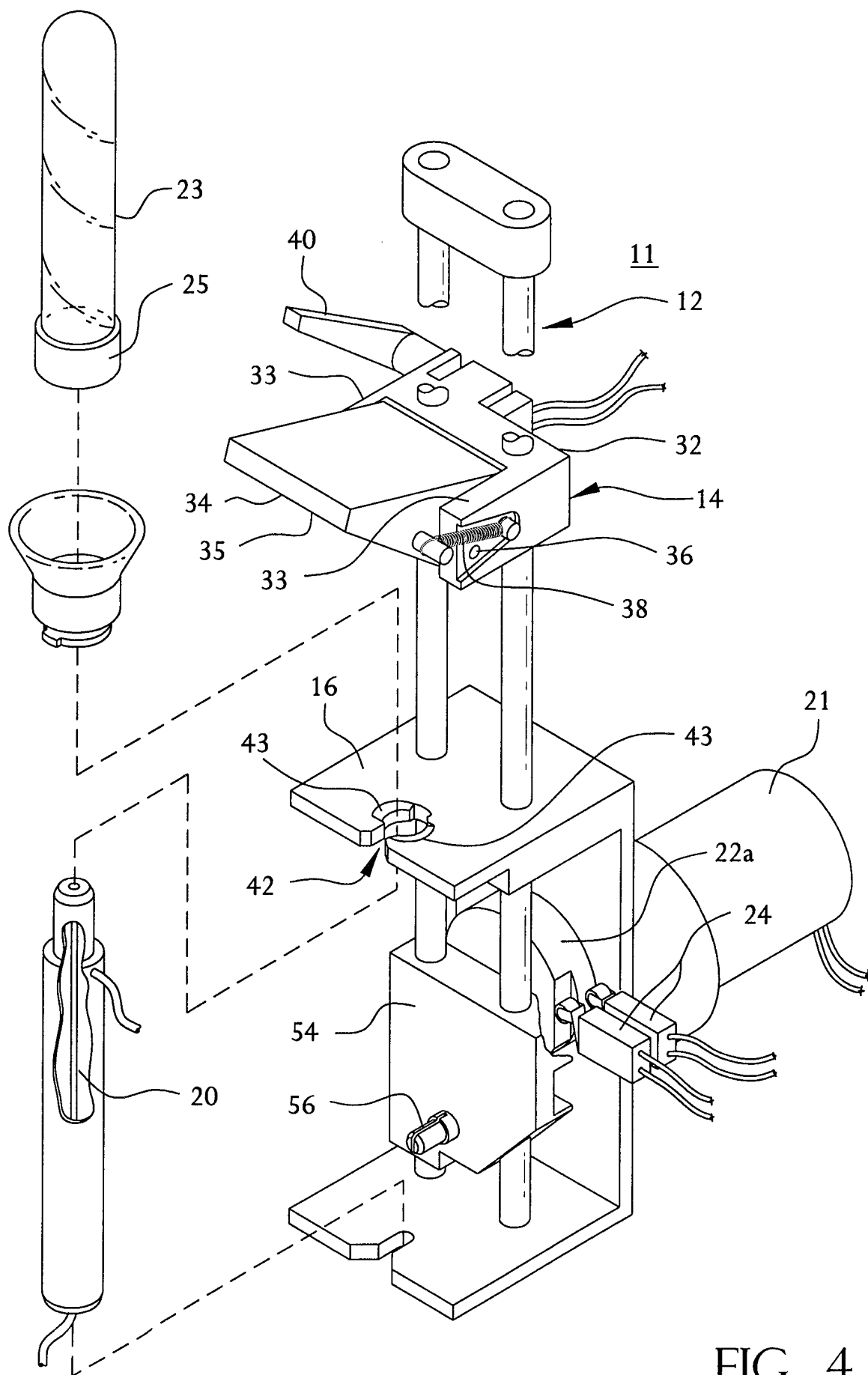


FIG. 4

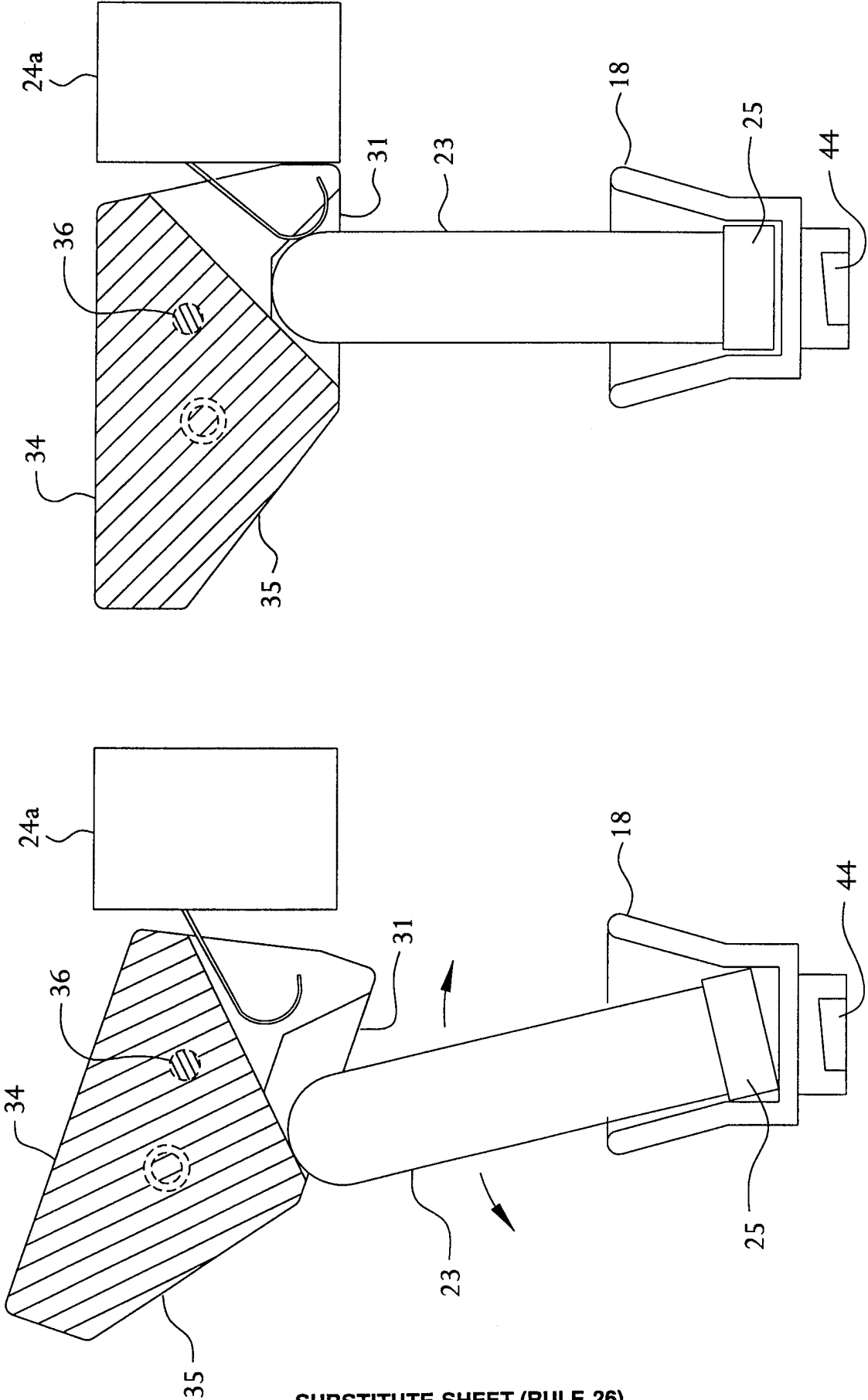


FIG. 5B

FIG. 5A

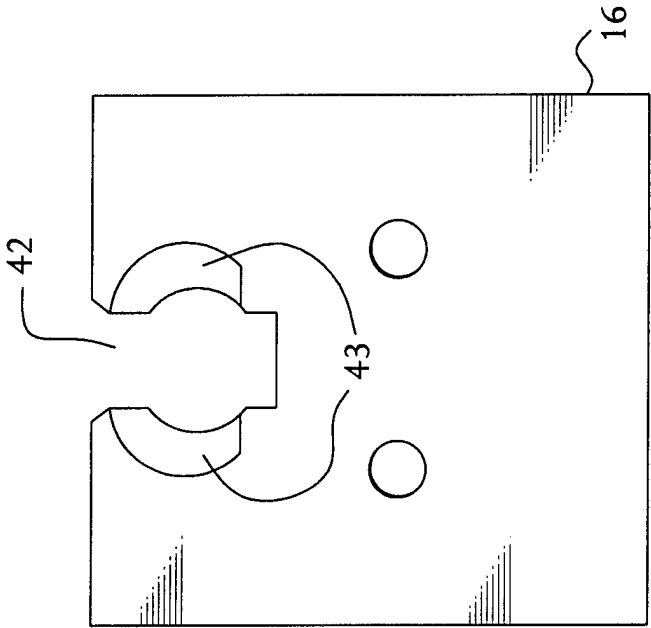


FIG. 6B

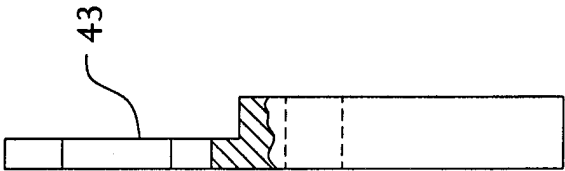


FIG. 6A

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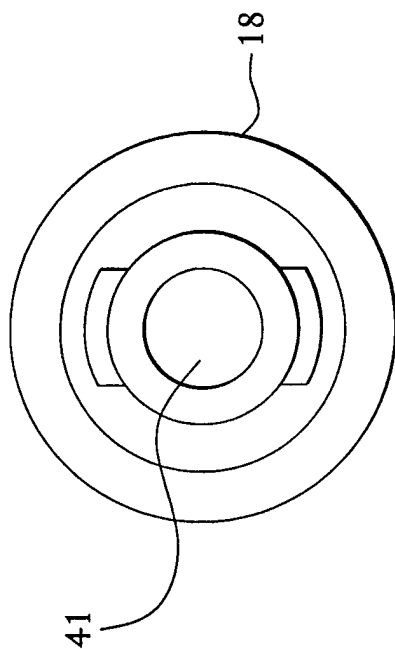


FIG. 7B

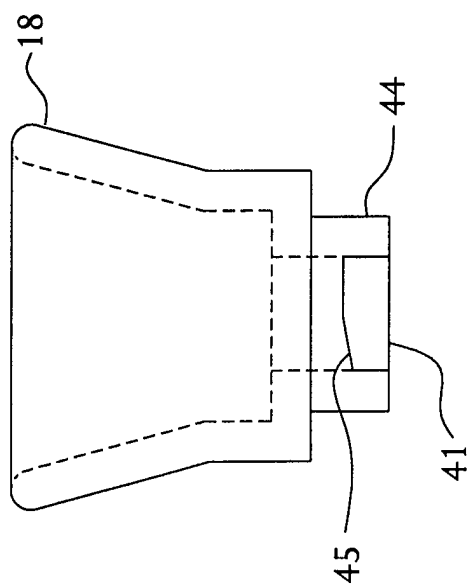


FIG. 7A

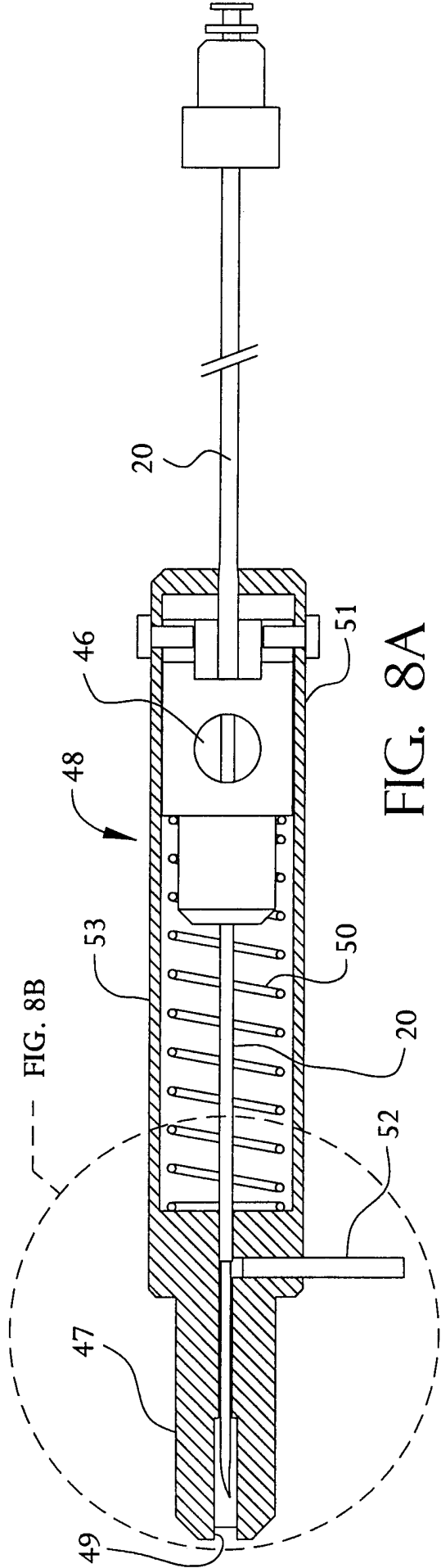


FIG. 8A

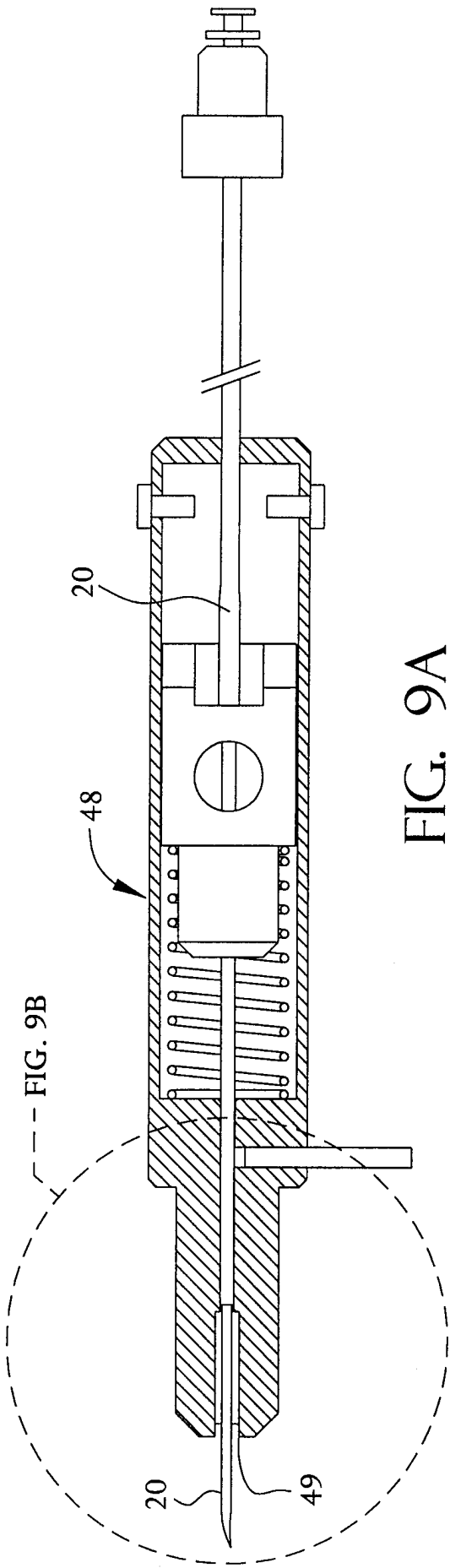


FIG. 9A

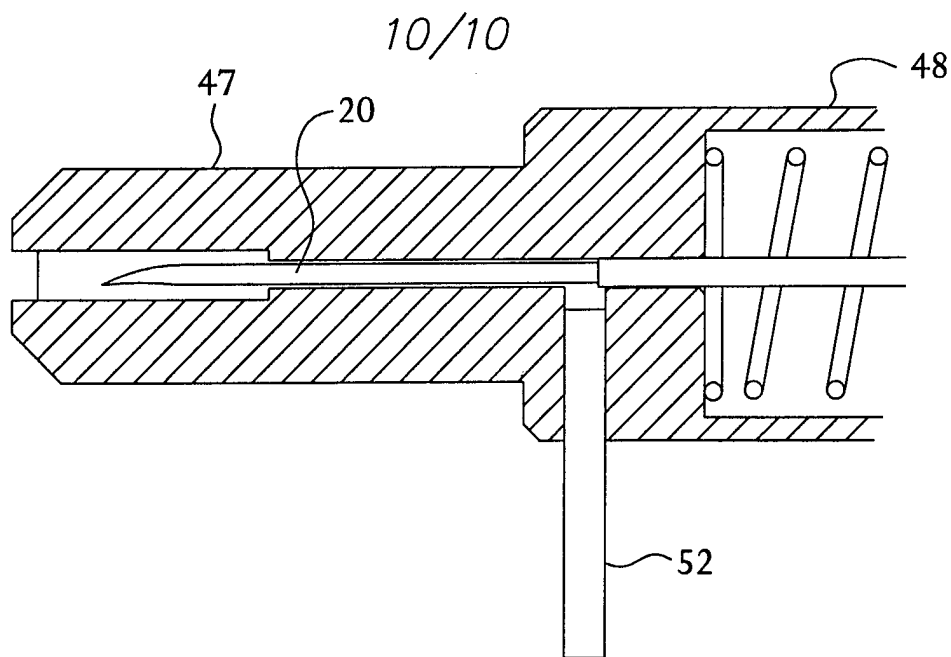


FIG. 8B

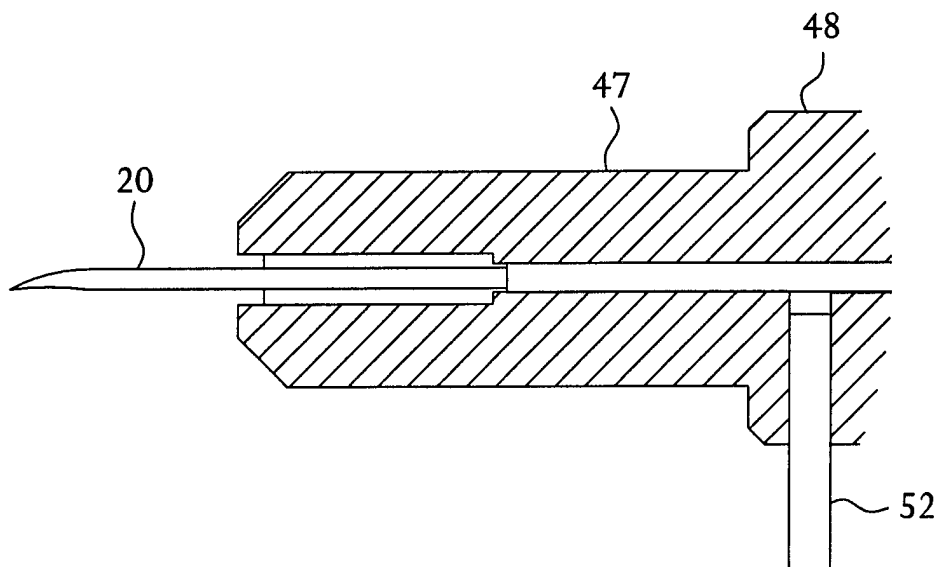


FIG. 9B

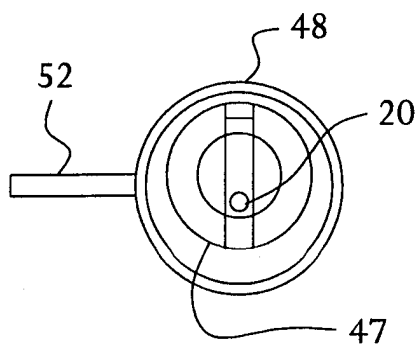


FIG. 10

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US97/20645

**A. CLASSIFICATION OF SUBJECT MATTER**

IPC(6) : Please See Extra Sheet.

US CL : Please See Extra Sheet.

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)

U.S. : 422/63, 99, 100, 104, 105, 116; 73/864.21, 864.22, 864.23, 864.24, 864.25

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)

APS

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5,413,000 A (STARK ET AL) 09 May 1995 (09-05-95).	1
A	US 5,517,867 A (ELY ET AL) 21 May 1996 (21-05-96).	1
A	US 5,483,843 A (MILLER ET AL) 16 January 1996 (16-01-96).	1,7
A	US 5,240,679 A (STETTLER) 21 August 1993 (21-08-93).	7
A	US 4,928,539 A (CHAMPSEIX ET AL) 29 May 1990 (29-05-90).	7
A	US 4,478,095 A (BRADLEY ET AL) 23 October 1984 (23-10-84).	1
A	US 4,951, 512 A (MAZZA ET AL) 28 August 1990 (28-08-90).	1

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	*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
*A* document defining the general state of the art which is not considered to be of particular relevance	*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
*B* earlier document published on or after the international filing date	*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
*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)	*Z* document member of the same patent family
*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	

Date of the actual completion of the international search

25 FEBRUARY 1998

Date of mailing of the international search report

19 MAR 1998

Name and mailing address of the ISA/US  
Commissioner of Patents and Trademarks  
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# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US97/20645

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This international 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 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:

Please See Extra 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.:
  
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

International application No.  
PCT/US97/20645

## A. CLASSIFICATION OF SUBJECT MATTER:

IPC (6):

G01N 21/00, 31/00, 33/00; B01L 3/00, 3/02, 9/00; G05B 1/00, 17/00; B26D 11/00

## A. CLASSIFICATION OF SUBJECT MATTER:

US CL :

422/63, 99, 100, 104, 105, 116; 73/864.21, 864.22, 864.23, 864.24, 864.25

## BOX II. OBSERVATIONS WHERE UNITY OF INVENTION WAS LACKING

This ISA found multiple inventions as follows:

Group I, claim(s) 1-6, drawn to an apparatus for holding vials.

Group II, claim(s) 7-20, drawn to an apparatus for holding vials comprising a pivotable tongue.

The inventions listed as Groups I and II do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The claims of these two groups are directed to different inventions which are not linked to form a single general concept. The claims in the different groups do not have in common the same or corresponding special technical feature. The special technical feature of Group I is the plate having an aperture and a cup mounted on top of said plate. The special technical feature of Group II is the pivotable tongue. Since the special technical feature of the Group I invention is not present in the Group II claims and the special technical feature of the Group II invention is not present in the Group I claims, unity of invention is lacking.