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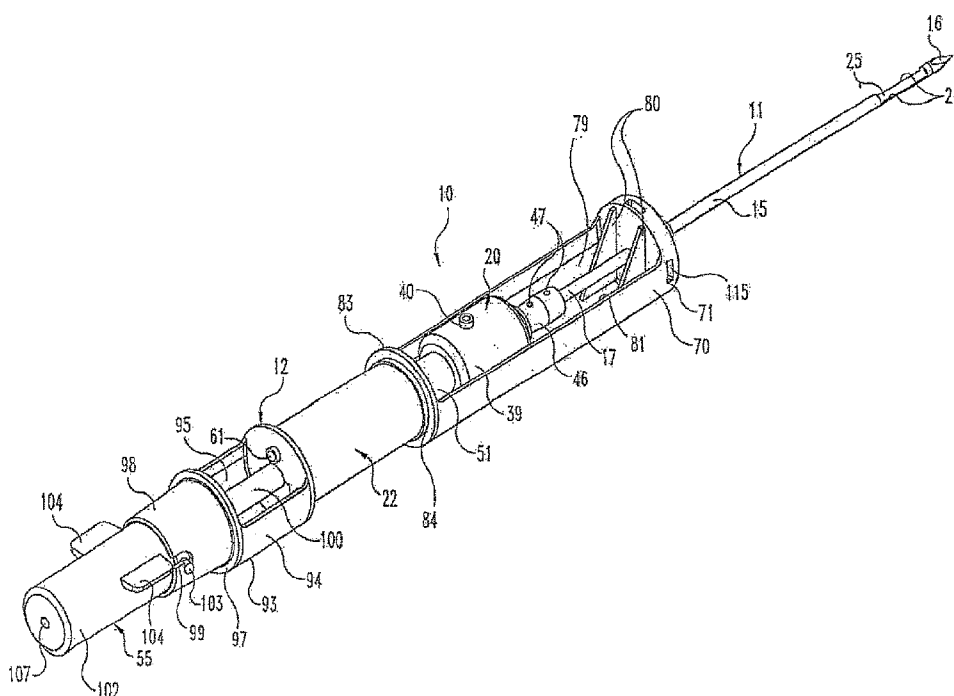
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Declaration under Rule 4.17:

— of inventorship (Rule 4.17(iv))

[Continued on next page]

(54) Title: FLUID CONTROL ELEMENT FOR BIOPSY APPARATUS



(57) Abstract: A fluid control element having a flexible member that is adapted for selective deformation when an element is inserted therein. The flexible member includes at least one incision or opening that defines at least one cusp that selectively opens when the element is inserted therein. The incision or opening is biased into a normally and substantially closed position such that fluids are substantially prevented from flowing through the fluid control element.

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Published:

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INTERNATIONAL SEARCH REPORT

International application No

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A. CLASSIFICATION OF SUBJECT MATTER

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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 A61M

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)

EP0-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01/97702 A (SANARUS MEDICAL INC [US]) 27 December 2001 (2001-12-27)	1,2,5,6, 8,12,13, 18,24
Y	page 4 - page 5; figures 1,2,4	17-19, 24,37
X	EP 0 541 970 A (APPLE MEDICAL CORP [US]) 19 May 1993 (1993-05-19)	1-6,8-13
Y	column 5, line 14 - column 6, line 35; figures 2,3	17-20,24
X	DE 91 12 550 U1 (RICHARD WOLF GMBH, 7134 KNITTLINGEN, DE) 28 November 1991 (1991-11-28)	1-3,5, 12,13
Y	page 5, line 22 - page 6, line 10; figures 1,2	17-19, 24,37
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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 document but published on or after the international filing date
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- *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

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Date of mailing of the international search report

06/11/2007

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INTERNATIONAL SEARCH REPORT

International application No

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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 4 177 814 A (KNEPSHIELD WILLIAM R [US] ET AL) 11 December 1979 (1979-12-11)	1,2,4,6, 8-13
Y	figures 1-7	17,18, 20,24
X	----- US 5 505 210 A (CLEMENT THOMAS P [US]) 9 April 1996 (1996-04-09) column 12, line 21 - line 37; figures 14,16 -----	1,2,5, 13,17, 18,24

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2007/061910

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.:
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.:

see annex

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: 1,2,3,4,5,6,8,9, 10, 11,12,13,17,18,19, 20, 24, 37

A fluid control element for a biopsy device comprising a flexible member having at least one incision having a special construction of the incision and the resulting cusps.

2. claim: 7

A fluid control element for a biopsy device wherein the element has an elongated profile which tapers from a distal end to a proximal end.

3. claims: 14-16

A fluid control element for a biopsy device including an outer ring portion and a central portion that includes at least one opening that is normally open when said member is in an uncompressed position, said opening being substantially closed off when said member is in a compressed position.

4. claims: 21-23

A device according to claim 17 wherein the at least one fluid control member is positioned within the inner cannula

5. claims: 25-29, 30-33

A biopsy device according to claim 17 further including a collection trap, the fluid control element being positioned inbetween the collection trap and the rest of the biopsy device.

6. claims: 34-36

A biopsy device according to claim 17 wherein the body portion includes a selectively movable aspiration tube with the at least one fluid control element positioned over the proximal end of said aspiration tube.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2007/061910

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