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Declarations under Rule 4.17:

- as to the identity of the inventor (Rule 4.17(i))
- as to applicant's entitlement to apply for and be granted a patent (Rule 4.17(ii))
- as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))

Published:

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

[Continued on next page]

(54) Title: SURGICAL INSTRUMENT WITH CLIPS HAVING TRANSECTING BLADES

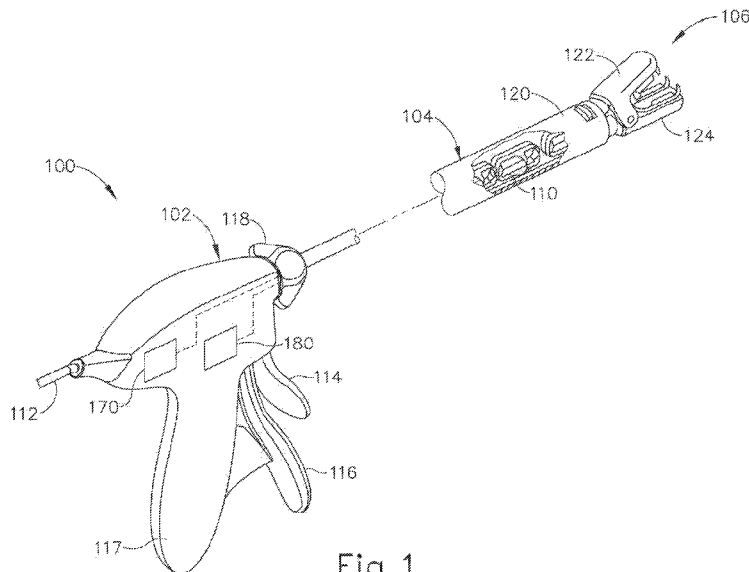


Fig. 1

(57) Abstract: A transecting fastener (110, 210, 310) is operable to cut and secure tissue (150). The transecting fastener comprises a plurality of legs (132, 232, 332) configured to grip tissue. The transecting fastener further comprises a crown portion (134) and at least one blade (136, 236, 336). The crown portion joins the plurality of legs and is malleable. The at least one blade is positioned on each of the plurality of legs. The at least one blade is operable to cut tissue. A fastener deploying instrument (100) may be used to deploy the transecting fastener. The fastener deploying instrument may deploy the fasteners in parallel pairs, in an end to end manner.





— *before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments (Rule 48.2(h))*

(88) Date of publication of the international search report:
7 May 2015

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2014/050665

A. CLASSIFICATION OF SUBJECT MATTER
 INV. A61B17/122 A61B17/064 A61B17/068 A61B17/32
 ADD. A61B17/128

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
 EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 2012/129317 A2 (UNIV TULANE [US]; KETHMAN WILLIAM [US]; SCHWARTZ DANN [US]; FRANSEEN S) 27 September 2012 (2012-09-27)	1-7
Y	paragraphs [0039] - [0046], [0058] figures 1-7B	8-15
Y	----- US 5 906 625 A (BITO SHIRO [US] ET AL) 25 May 1999 (1999-05-25) column 17, line 31 - column 18, line 10 figures 32A, 32B, 88A-94	8,10,13, 15
Y	----- WO 94/24949 A1 (MEDICAL SCIENT INC [US]; ETHICON INC [US]) 10 November 1994 (1994-11-10) figures 8-11C page 14, paragraph 4 - page 16, paragraph 3	9-12,14, 15
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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 application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search 11 March 2015	Date of mailing of the international search report 19/03/2015
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Name and mailing address of the ISA/ European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax: (+31-70) 340-3016	Authorized officer Mathis, Martin
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INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2014/050665

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:

3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

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

see additional sheet

1. As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.

2. As all searchable claims could be searched without effort justifying an additional fees, this Authority did not invite payment of additional fees.

3. As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

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

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2014/050665

C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2003/036755 A1 (GINN RICHARD S [US]) 20 February 2003 (2003-02-20) the whole document -----	1-15
X	EP 0 121 475 A2 (UNITED STATES SURGICAL CORP [US]) 10 October 1984 (1984-10-10) figures 1, 3, 11, 12, 29, 30 page 6, line 4 - line 18 page 9, line 6 - line 14 page 12, line 32 - page 13, line 5 page 18, line 13 - page 20, line 27 -----	20
A	EP 0 565 822 A2 (UNITED STATES SURGICAL CORP [US] UNITED STATES SURGICAL CORP [DE]) 20 October 1993 (1993-10-20) figures 1-4, 5-7, 9-14 -----	16-19
X	EP 1 943 965 A2 (ETHICON ENDO SURGERY INC [US]) 16 July 2008 (2008-07-16) figures 1, 2, 4, 6, 7, 24, 25 -----	20
A		16-19

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2014/050665

Patent document cited in search report	Publication date	Patent family member(s)	Publication date	
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			US 2008169327 A1	17-07-2008

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

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

1. claims: 1-15

An apparatus comprising a transecting fastener, wherein the transecting fastener comprises specific features, so that the transecting fastener is able to grip and cut tissue in a single operation.

2. claims: 16-20

An apparatus with specific features, so that a plurality of transecting fasteners can be delivered to tissue.
