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Declaration under Rule 4.17:

 as to the applicant's entitlement to claim the priority of the earlier application (Rule 4.17(iii))

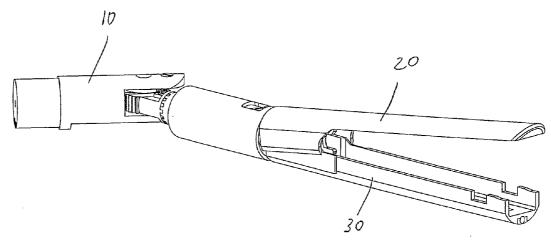
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(54) Title: SURGICAL STAPLING AND CUTTING DEVICE AND METHOD FOR USING THE DEVICE



(57) Abstract: A medical device includes a control handle having an articulation joint actuator, a surgical end effector, and a passive articulating joint connecting the end effector to the control handle. The articulation joint actuator, when unactuated, holds the passive articulation joint and, thereby, the end effector, in a substantially fixed articulation position, and, when actuated, releases the passive articulation joint into a freely articulating state to permit free articulation of the end effector with respect to the control handle dependent upon external forces acting upon the end effector. A method for operating the end effector includes retaining the passive articulation joint in a stable position with an articulation lock and actuating a release of the articulation lock to unlock the passive articulation joint and, thereby, permit articulating motion of the end effector through the passive articulation joint dependent upon the external forces acting upon the end effector.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US06/28752

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B. FIELDS SEARCHED						
Minimum documentation searched (classification system followed by classification symbols) U.S.: 227/175.1, 19, 175.3, 176.1, 178.1, 180.1; 606/139, 219						
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)						
C. DOC	UMENTS CONSIDERED TO BE RELEVANT					
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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.			later document published after the international filing date or prior date and not in conflict with the application but cited to understan principle or theory underlying the invention			
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