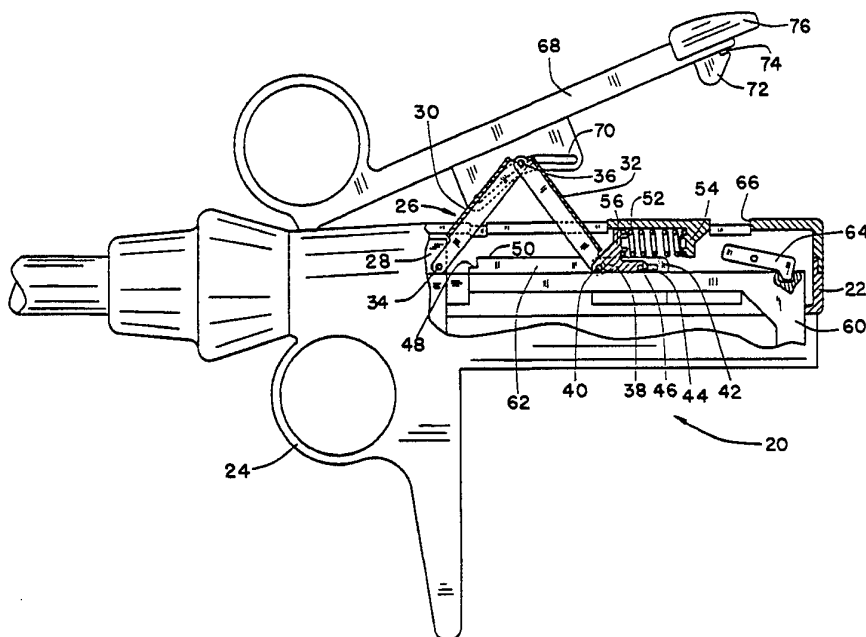




## INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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<p>(21) International Application Number: PCT/US95/04847</p> <p>(22) International Filing Date: 20 April 1995 (20.04.95)</p> <p>(30) Priority Data: 08/237,004                      2 May 1994 (02.05.94)                      US</p> <p>(71) Applicant: MINNESOTA MINING AND MANUFACTURING COMPANY [US/US]; 3M Center, P.O. Box 33427, Saint Paul, MN 55133-3427 (US).</p> <p>(72) Inventors: VIDAL, Claude, A.; P.O. Box 33427, Saint Paul, MN 55133-3427 (US). PLYLEY, Alan, K.; P.O. Box 33427, Saint Paul, MN 55133-3427 (US). LAGERQUIST, Roger; P.O. Box 33427, Saint Paul, MN 55133-3427 (US).</p> <p>(74) Agents: HOHENSHELL, Jeffrey, J. et al.; Office of Intellectual Property Counsel, Minnesota Mining and Manufacturing Company, P.O. Box 33427, Saint Paul, MN 55133-3427 (US).</p>		<p>(81) Designated States: AM, AT, AU, BB, BG, BR, BY, CA, CH, CN, CZ, DE, DK, EE, ES, FI, GB, GE, HU, IS, JP, KE, KG, KP, KR, KZ, LK, LR, LT, LU, LV, MD, MG, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, TJ, TT, UA, UG, UZ, VN, European patent (AT, BE, CH, DE, DK, ES, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, ML, MR, NE, SN, TD, TG), ARIPO patent (KE, MW, SD, SZ, UG).</p> <p><b>Published</b> <i>With international search report. Before the expiration of the time limit for amending the claims and to be republished in the event of the receipt of amendments.</i></p>

(54) Title: LAPAROSCOPIC STAPLER WITH OVERLOAD SENSOR AND INTERLOCK



## (57) Abstract

A surgical stapler (20) with an overload sensor and lockout is disclosed. The surgical stapler (2) is particularly useful in laparoscopic surgical procedures.

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## LAPAROSCOPIC STAPLER WITH OVERLOAD SENSOR AND INTERLOCK

### BACKGROUND

5 This invention relates to laparoscopic staplers, and in particular to an overload sensor and lockout for laparoscopic staplers.

Laparoscopic surgical techniques have greatly reduced the trauma and risks associated with certain surgeries, and have expedited patient recovery and reduced scarring. However, laparoscopic surgical techniques also present  
10 many challenges to the surgeon. The surgeon must perform delicate procedures with a limited view of the surgical site. The surgeon is separated from the surgical field, and cannot always rely on the sense of touch. one area that can be particularly challenging is in the use of laparoscopic staplers. These staplers typically include jaws which gather or approximate the tissues to be stapled, and  
15 a staple forming apparatus which forms a staple in the tissues approximated in the jaws. An example of such a stapler is disclosed in Green et al., U.S. Patent No. 5,040,715. In using laparoscopic staplers, the surgeon does not have an ideal, three dimensional view of the tissues being stapled as compared to some open surgical techniques, and receives only limited tactile feedback of the tissues  
20 being approximated in the jaws by the operation of the instrument. Thus, it is possible for the surgeon to occasionally gather excessive tissue between the jaws of the stapler. If there is excessive tissue between the jaws, there is a risk that the stapler could be damaged, or that if a staple is placed it will not be properly formed or will not adequately hold the tissue. Thus, the surgeon must proceed  
25 slowly and deliberately to anticipate the potential for approximating an excess quantity of tissue between the jaws of the stapler.

### BRIEF DESCRIPTION OF THE INVENTION

The present invention relates to a laparoscopic stapler with an  
30 overload sensor that interrupts the operation of the jaws and/or prevents the placement of a staple if more than a predetermined amount of tissue has been

approximated between the jaws. This overload sensor allows the surgeon to proceed faster with the stapling operation, since the surgeon does not have to rely solely on the limited visual and tactile feedback available.

Generally the laparoscopic stapler of this invention comprises jaws  
5 which close together to approximate the tissues to be stapled and a linkage operable to close the jaws. At least a portion of the linkage is movable, in response to a load between the jaws, out of its normal operating position so that normal operation of the linkage is interrupted. A spring resiliently biases the movable portion of the linkage to its normal operating position, and holds the  
10 movable portion of the linkage in its normal operating position as the linkage closes the jaws on no more than a predetermined appropriate amount of tissue. However the spring allows the movable portion of the linkage to move from its normal operating position as the linkage closes the jaws on more than the predetermined appropriate amount of tissue so that normal operation of the  
15 linkage will be interrupted.

In the preferred embodiment, the laparoscopic stapler also includes an interlock that prevents a staple from being formed when there is more than a predetermined amount of tissue between the jaws. The preferred embodiment of the laparoscopic stapler comprises jaws which close together to approximate the  
20 tissues to be stapled, and a linkage operable to close the jaws. The stapler also includes a staple forming apparatus and a trigger for actuating the staple forming apparatus to form a staple in the tissues approximated in the jaws. At least a portion of the linkage is movable, in response to a load between the jaws, out of its normal operating position so that normal operation of the linkage is  
25 interrupted. A spring resiliently biases the movable portion of the linkage to its normal operating position, and holds the movable portion of the linkage in its normal operating position as the linkage closes the jaws on no more than a predetermined appropriate amount of tissue. However, the spring allows the movable portion of the linkage to move from its normal operating position as the  
30 linkage closes the jaws on more than the predetermined appropriate amount of tissue so that normal operation of the linkage will be interrupted. An interlock,

releasable upon the normal operation of the linkage, engages the trigger and prevents the actuation of the staple forming apparatus until released.

Thus, the laparoscopic stapler of the present invention helps to reduce the chance that the surgeon will close the jaws on an inappropriate amount  
5 of tissue, and in the preferred embodiment reduces the chance that the surgeon will attempt to place a staple in an inappropriate amount of tissue. This reduces the risk of improper staple formation or placement, and reduces the risk of damage to the stapling equipment. These and other features and advantages will be in part apparent, and in part pointed out hereinafter.

10

#### BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a longitudinal cross-sectional view of the proximal end of a laparoscopic stapler constructed according to the principles of this invention, with the linkage in the normal operating position with the jaws open;

15

Figure 2 is a longitudinal cross-sectional view of the proximal end of the laparoscopic stapler, with the linkage in the normal operating position with the jaws closed;

Figure 3 is a longitudinal cross-sectional view of the proximal end of the laparoscopic stapler, with the linkage out of its normal operating position as would occur from an overload between the jaws;

20

Figure 4 is a side elevation view of the distal end of the stapler with the jaws open, corresponding to the handle position of Figure 1; and

Figure 5 is a side elevation view of the distal end of the stapler with the jaws closed, corresponding to the handle position of Figure 2.

25

Corresponding reference numerals indicate corresponding parts throughout the drawings.

#### DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

The proximal end of laparoscopic stapler with overload sensor constructed  
30 according to the principles of this invention is indicated generally as 20 in Fig. 1. The end of the stapler comprises a housing 22, including a finger ring 24 for the

user to grasp the stapler. The stapler has a pair of jaws 2 and 4 (see Figures 4 and 5) which gather or approximate the tissues to be stapled. The jaws 2 and 4 are shown in their open position in Figure 4, corresponding to the handle position shown in Figure 1. The jaws 2 and 4 are shown in their closed position in Figure 5, corresponding to the handle position shown in Figure 2. The stapler also includes a staple forming apparatus which forms a staple in the tissues approximated in the jaws 2 and 4. For example, the stapler may include the staple forming apparatus and/or other features of the staplers disclosed in commonly assigned U.S. Patent Application No. 08/236,379, filed on May 2, 1994.

The stapler also includes a linkage 26 operable to close the jaws 2 and 4. The linkage preferably includes member 28, and links 30 and 32. The distal end of the link 30 is pivotally connected to the member 28 with forward toggle pin 34. The proximal end of the link 30 and the distal end of the link 32 are pivotally connected with a center toggle pin 36. The proximal end of the link 32 is pivotally connected to base 38 with rear toggle pin 40. Operation of the linkage by the movement of the center toggle pin inwardly toward the housing 22 causes the jaws 2 and 4 to close.

According to the principles of this invention, a portion of the linkage 26 is preferably movable in response to a load between the jaws 2 and 4. In this preferred embodiment, the base 38, which pivotally supports the proximal end of the link 32, is slidable inside the housing 22. A support 42, having a longitudinally extending slot 44 therein, is provided inside the housing 22. The base 38 has a pin 46 that is received in the slot 44 in the support 42 to limit the proximal and distal movement of the base 38. When the linkage 26 is in its normal operating position, the links 30 and 32 can move inwardly until the center toggle pin 36 connecting the links engages the normal stop 48. This occurs when the base 38 is in its distal-most position as shown in Figures 1 and 2. However, when the linkage 26 is not in its normal operating position, the links 30 and 32 can only move inwardly until the pin engages the stop 50. This occurs when the base 28 slides proximally, which allows the proximal end of the link 32 to slide

proximally. The stop 50 interferes with the operation of the linkage 26. Moreover, the proximal movement of the proximal end of the link 32 reduces the net amount of distal movement of the distal end of the link 30, thereby reducing the amount the jaws 2 and 4 are closed.

5                    Thus, when the linkage 26 remains in its normal operating position, the linkage operates as shown in Fig. 2, and closes the jaws 2 and 4, as shown in Figure 5. However, when the linkage 26 moves from its normal operating position, the stop 50 interferes with the operation of the linkage, interrupting the linkage as shown in Fig. 3, and preventing the jaws 2 and 4 from  
10 completely closing.

                    The stapler also comprises a spring 52 that extends between an anchor 54 on the housing 22, and an anchor 56 on the base 38. The spring 52 resiliently biases the linkage 26 to its normal operating position, by resiliently biasing the base 38 distally. The spring 52 is sized to hold the linkage 26 in its  
15 normal operating position as the linkage 26 closes the jaws 2 and 4 on no more than a predetermined appropriate amount of tissue. However, the spring 52 is also sized to allow a portion of the linkage 26 to move from its normal operating position as the linkage 26 closes the jaws 2 and 4 on more than the predetermined appropriate amount of tissue so that normal operation of the  
20 linkage 26 is interrupted.

                    The stapler preferably includes a trigger 60 for actuating the staple forming apparatus to form a staple in the tissues approximated in the jaws 2 and 4. The trigger is connected by a trigger shaft 62 to the staple forming apparatus. The trigger 60 is operated distally relative to the housing 22 to actuate the staple  
25 forming device.

                    An interlock 64, releasable upon the normal operation of the linkage 26, engages the trigger 60 and prevents the actuation of the staple forming apparatus until the interlock 64 is released. The interlock 64 is preferably pivotally mounted in the housing for movement between a locked  
30 position in which the interlock 64 engages the trigger 60, and an unlocked

position in which the interlock 64 is spaced from the trigger 60. A portion of the interlock 64 is exposed through a window 66 in the housing 22.

In this preferred embodiment, the stapler also includes a handle or grip 68, pivotally mounted to the housing 22. The grip includes an arcuate slot 70 which receive the center toggle pin 36, so that the pivoting of the grip 68 toward the housing 22 operates the linkage 26 to cause the jaws 2 and 4 to close. The grip 68 also has a tang 72, that is adapted to fit through the window 66 in the housing 22, and releasably hold the grip against the housing 22 to hold the jaws 2 and 4 closed. The tang 72 has a notch 74 to engage the marginal edge of the window 66. The tang 72 projects sufficiently through the window 60 in the housing 22 to pivot the interlock 64. When the linkage 26 operates normally, the grip 68 can pivot to a position against the housing 22 so that the tang 72 pivots the interlock 64 to release it from the trigger 60. However, when the linkage 26 does not operate normally, as occurs when there is too much tissue between the jaws 2 and 4, the linkage 26 prevents the grip 68 from pivoting against the housing 22, and thus prevents the tang 72 from extending sufficiently through the window 66 to pivot the interlock 64, thereby leaving the trigger 60 locked. The grip 68 can be released from its locked position against the housing 22 by sliding knob 76, which causes the notch 74 or tang 72 to disengage from the window 66.

20

#### OPERATION

The operation of the stapler is readily understood. The operator manipulates the stapler into position, and closes the jaws 2 and 4 by squeezing the grip 68 to operate the linkage 26. If there is no more than a predetermined amount of tissue between the jaws 2 and 4, the linkage 26 will operate normally, with the links 30 and 32 pivoting until the center toggle pin 36 abuts the stop 48. The tang 72 on the grip 68 extends through the window 66 to engage the margins of the window 66, thereby locking the jaws 2 and 4. The tang 72 also pivots the interlock 64 to its unlocked position so that the operator can move the trigger 60 forward to actuate the staple forming apparatus. See Fig. 2.

30



If there is more than the predetermined amount of tissue between the jaws 2 and 4, then the force caused by the attempt to close the jaws 2 and 4 causes the base 38 to slide proximally against the force of the spring 52, bringing the linkage 26 out of its normal operating position. The links 30 and 32 pivot  
5 until the center toggle pin 36 abuts the stop 52. In this position, the jaws 2 and 4 are not fully closed, reducing the overloading of the stapler. Furthermore, the grip 68 cannot pivot sufficiently close to the housing for the tang 72 to penetrate sufficiently through the window 66 to release the interlock 64. Thus, the trigger  
10 60 is locked from actuating the staple former, reducing the risk of a malformed or improperly placed staple.

Thus, the laparoscopic stapler of the present invention helps to reduce overloading of the stapler and reduces the risk of malformed or improperly placed staples.

What is claimed is:

1. An improved endoscopic stapler apparatus having jaws which close together to approximate the tissues to be stapled and a linkage operable to close the jaws, the improvement comprising a portion of the linkage being  
5 movable, in response to a load between the jaws, out of its normal operating position so that normal operation of the linkage is interrupted, and a spring resiliently biasing the movable portion of the linkage to its normal operating position and holding the movable portion of the linkage in its normal operating position as the linkage closes the jaws on no more than a predetermined  
10 appropriate amount of tissue, but allowing the movable portion of the linkage to move from its normal operating position as the linkage closes the jaws on more than the predetermined appropriate amount of tissue so that normal operation of the linkage is interrupted.
  
- 15 2. An improved endoscopic stapler apparatus having jaws which close together to approximate the tissues to be stapled, a linkage operable to close the jaws, a staple forming apparatus, and a trigger for actuating the staple forming apparatus to form a staple in the tissues approximated in the jaws; the improvement comprising a portion of the linkage being movable, in response to a  
20 load between the jaws, out of its normal operation position so that normal operation of the linkage is interrupted; a spring resiliently biasing the movable portion of the linkage to its normal operating position and holding the movable portion of the linkage in its normal operating position as the linkage closes the jaws on no more than a predetermined appropriate amount of tissue, but allowing  
25 the movable portion of the linkage to move from its normal operating position as the linkage closes the jaws on more than the predetermined appropriate amount of tissue so that normal operation of the linkage is interrupted; and an interlock, releasable upon the normal operation of the linkage, that engages the trigger and prevents the actuation of the staple forming apparatus until the interlock is  
30 released.

3. An endoscopic stapler apparatus, the apparatus comprising:  
jaws which close together to approximate the tissues to be stapled;  
a linkage operable to close the jaws, the linkage having at least one  
movable pivot point, movable into a normal load position in which the linkage  
5 can operate completely to close the jaws, and out of the normal load position in  
which the linkage cannot operate completely to close the jaws;  
a handle for operating the linkage to close the jaws; and  
a spring resiliently biasing the movable pivot point to its normal position,  
the spring holding the pivot point in its normal position as the linkage closes the  
10 jaws on a predetermined appropriate amount of tissue, but allowing the pivot  
point to move from its normal position as the linkage closes the jaws on more  
than a predetermined appropriate amount of tissue.

4. An endoscopic stapler apparatus, the apparatus comprising:  
15 jaws which close together to approximate the tissues to be stapled;  
a linkage operable to close the jaws, the linkage having at least one  
movable pivot point having a normal load position in which the linkage operates  
uninterrupted to close the jaws, and being movable out of the normal load  
position in which the operation of the linkage is interrupted;  
20 a grip for operating the linkage to close the jaws; and  
a spring resiliently biasing the movable pivot point to its normal load  
position, the spring holding the movable pivot point in its normal load position as  
the linkage closes the jaws on no more than a predetermined appropriate amount  
of tissue, but allowing the pivot point to move from its normal load position as  
25 the linkage closes the jaws on more than the predetermined appropriate amount  
of tissue so that operation of the linkage is interrupted.

5. The endoscopic stapler apparatus according to claim 4 further  
comprising a staple forming apparatus, a trigger for actuating the staple forming  
30 apparatus to form a staple in the tissue approximated in the jaw, and an interlock  
for engaging the trigger and preventing the trigger from actuating the staple

forming apparatus; and wherein the grip disengages the interlock from the trigger if the linkage operates completely, but does not disengage the interlock from the trigger if the operation of the linkage is interrupted, thereby preventing the trigger from operating when there is more than the predetermined appropriate amount of tissue between the jaws.

6. The endoscopic stapler according to claim 5 wherein the grip is pivotally mounted, and the pivoting of the grip operates the linkage.

10 7. An endoscopic stapler apparatus, the apparatus comprising:  
jaws which close together to approximate the tissues to be stapled;  
a staple forming apparatus;  
a trigger for actuating the staple forming apparatus to form a staple in the tissues approximated in the jaws;  
15 a linkage operable to close the jaws, the linkage having at least one movable pivot point having a normal load position in which the linkage operates uninterrupted to close the jaws, and being movable out of the normal load position in which the operation of the linkage is interrupted;  
a grip for operating the linkage to close the jaws; and  
20 a spring resiliently biasing the movable pivot point to its normal load position, the spring holding the movable pivot point in its normal load position as the linkage closes the jaws on no more than a predetermined appropriate amount of tissue, but allowing the pivot point to move from its normal load position as the linkage closes the jaws on more than the predetermined appropriate amount  
25 of tissue so that operation of the linkage is interrupted;  
an interlock for engaging the trigger and preventing the trigger from actuating the staple forming apparatus, the interlock being disengaged from the trigger upon the uninterrupted operation of the linkage to allow the staple forming apparatus to be actuated, but preventing the actuation of the staple  
30 forming apparatus of the operation of the linkage is interrupted.

8. The endoscopic stapler apparatus according to claim 7 further comprising a grip operating the linkage to close the jaws, the movement of the grip being interrupted if the operation of the linkage is interrupted, the grip disengaging the interlock from the trigger when the operation of the linkage is not interrupted, but leaving the interlock engaged to the trigger when the  
5 operation of the linkage is interrupted.

9. The endoscopic stapler apparatus according to claim 8 wherein the interlock is pivotable between a locked position in which the interlock engages the trigger, and an unlocked position in which the interlock does not engage the  
10 trigger, and where the grip pivots the interlock from its locked position to its unlocked position when the operation of the linkage is uninterrupted.

10. An endoscopic stapler apparatus, the apparatus comprising:  
15 jaws which close together to approximate the tissues to be stapled;  
a staple forming apparatus;  
a trigger for actuating the staple forming apparatus to form a staple in the tissues approximated in the jaws;  
a linkage operable to close the jaws, the linkage having at least one  
20 movable pivot point having a normal load position in which the linkage operates uninterrupted to close the jaws, and being movable out of the normal load position in which the operation of the linkage is interrupted;  
a grip mounted the stapler apparatus for pivotal movement to operate the linkage to close the jaws, the pivoting movement of the grip being interrupted by  
25 an interruption in the operation of the linkage;  
a spring resiliently biasing the movable pivot point to its normal load position, the spring holding the movable pivot point in its normal load position as the linkage closes the jaws on no more than a predetermined appropriate amount of tissue, but allowing the pivot point to move from its normal load position as  
30 the linkage closes the jaws on more than the predetermined appropriate amount of tissue so that operation of the linkage is interrupted;

an interlock for engaging the trigger and preventing the trigger from actuating the staple forming apparatus, the interlock being pivotable between a locked position in which the interlock engages the trigger, and an unlocked position in which the interlock does not engage the trigger, the grip pivoting the  
5 interlock to its unlocked position when the operation of the linkage is uninterrupted.

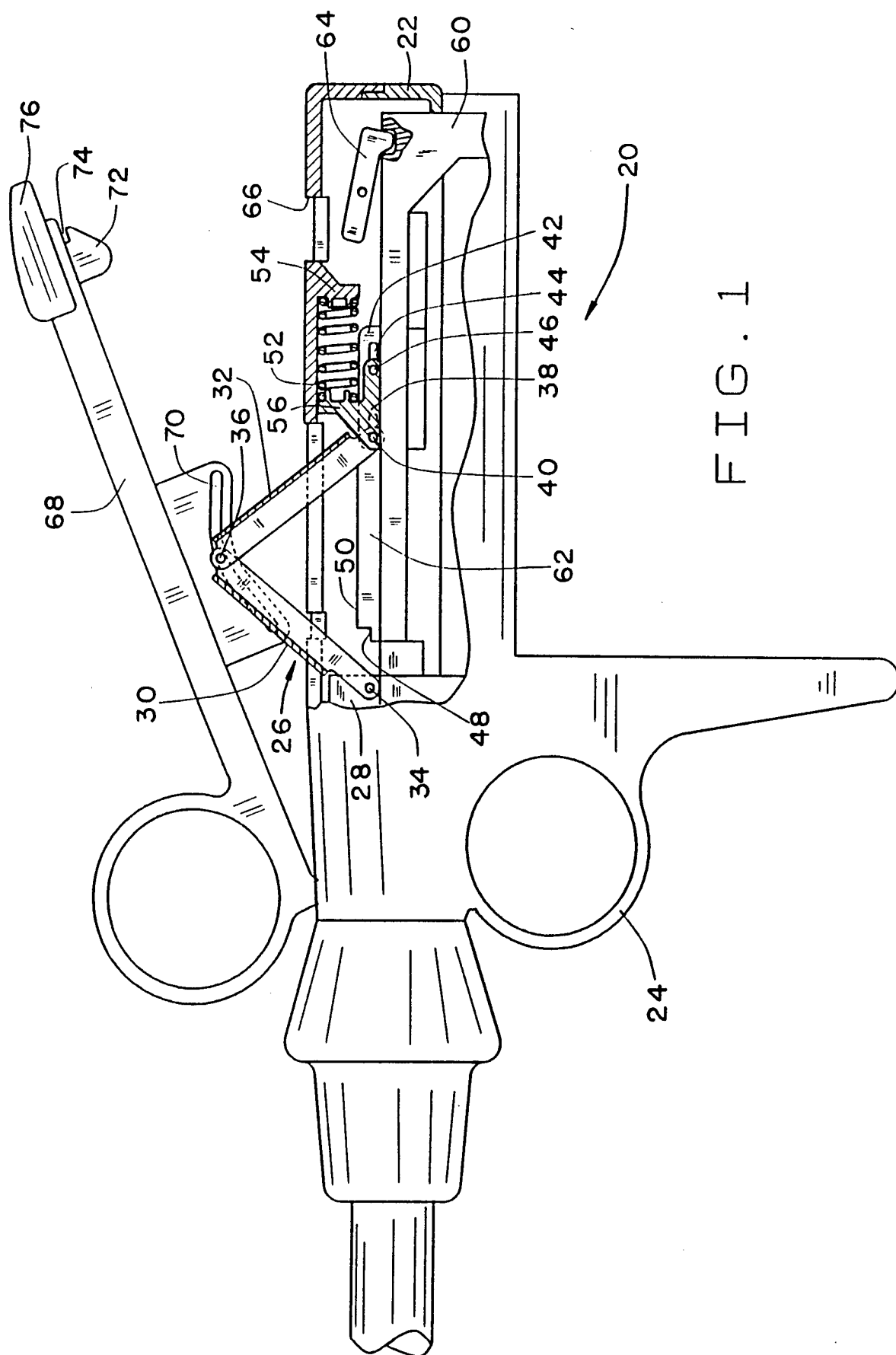


FIG. 1

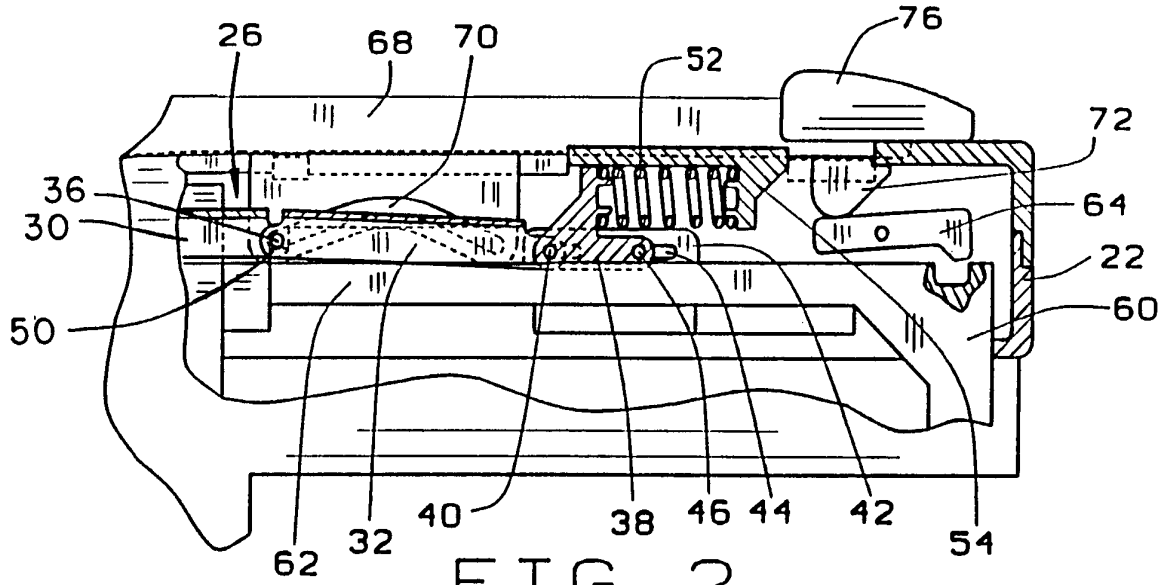


FIG. 2

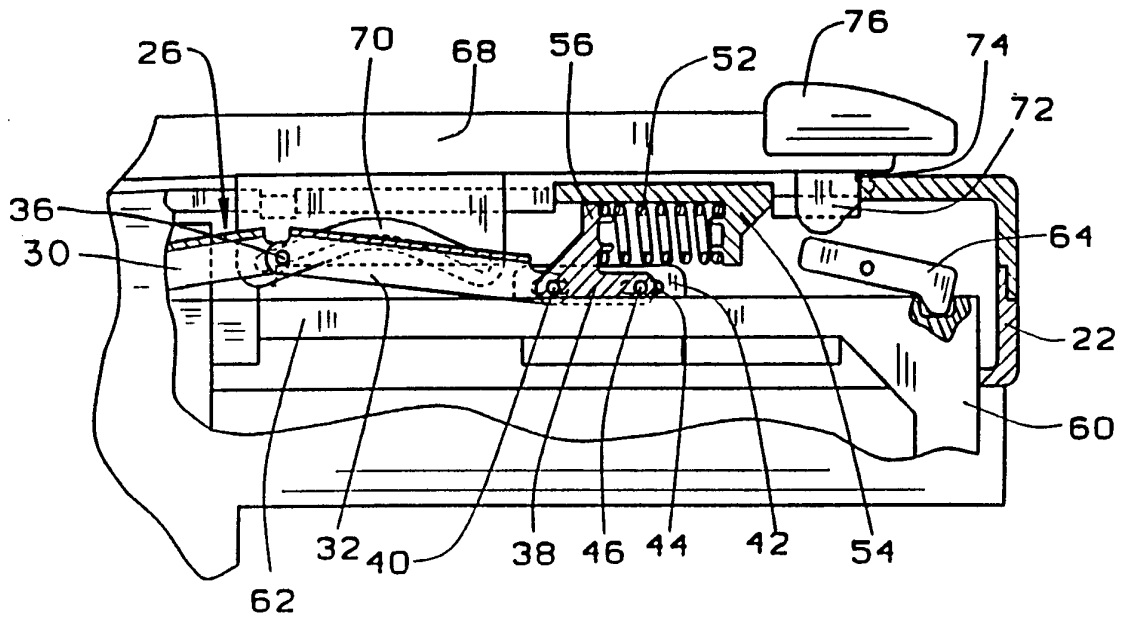
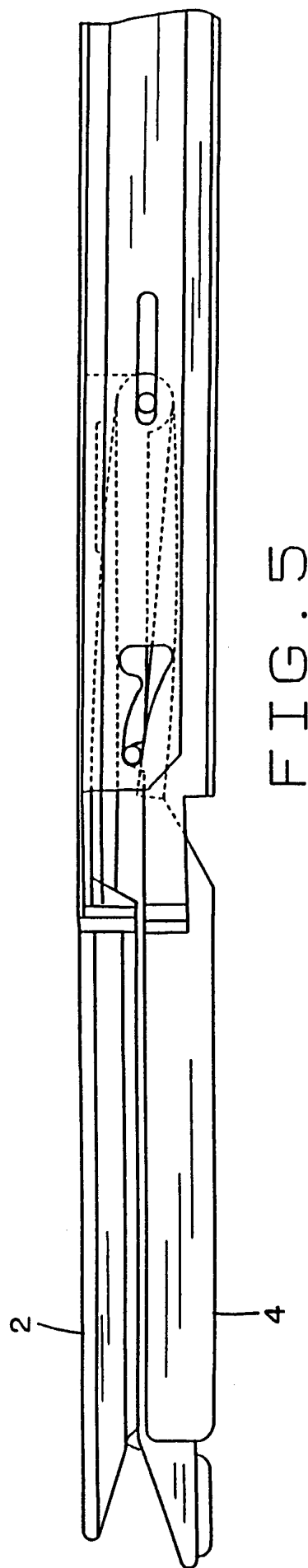
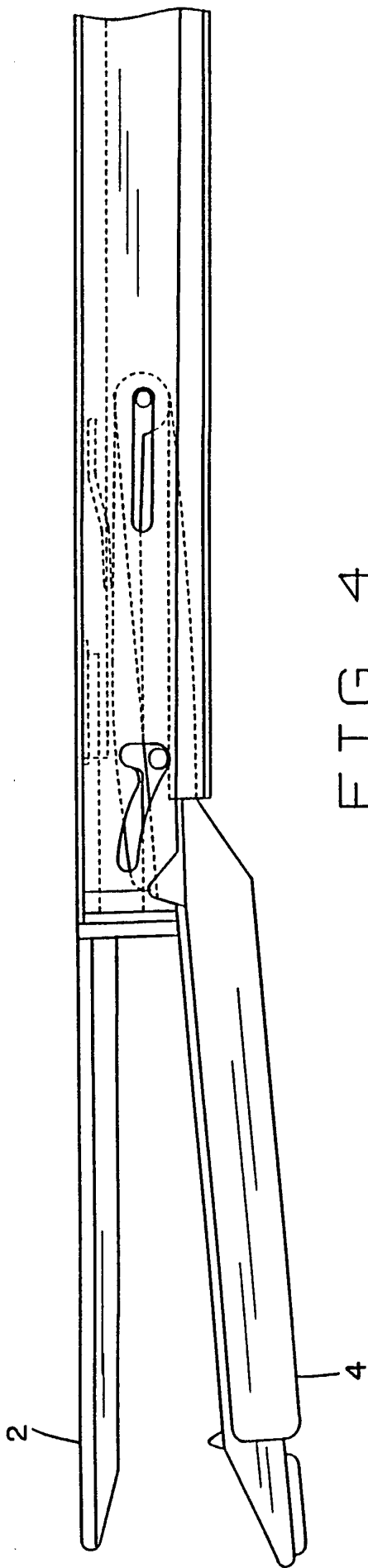


FIG. 3





# INTERNATIONAL SEARCH REPORT

International Application No  
PCT/US 95/04847

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 6 A61B17/072

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 6 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)

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US,A,4 415 112 (GREEN) 15 November 1983 see abstract ---	1-4,7,10
A	EP,A,0 579 038 (USSC) 19 January 1994 see abstract ---	2,7,10
A	DE,A,37 09 067 (HENSLER) 29 September 1988 see abstract; figures 1,2 ---	1-4,7,10
A	US,A,5 009 661 (MICHELSON) 23 April 1991 see abstract; figure 2 ---	1-4,7,10
A	EP,A,0 538 984 (LINVATEC) 28 April 1993 see abstract; figure 2 ---	1-4,7,10
A	EP,A,0 552 423 (USSC) 28 July 1993 ---	
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Date of the actual completion of the international search

6 September 1995

Date of mailing of the international search report

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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, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Barton, S

# 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.
A	EP, A, 0 539 762 (AMERICAN CYANAMID) 5 May 1993 -----	

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No <b>PCT/US 95/04847</b>
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