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Published:

— *with international search report (Art. 21(3))*

— *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:
5 November 2009

(54) Title: INTERSPINOUS PROCESS SPACER INSTRUMENT SYSTEM WITH DEPLOYMENT INDICATOR

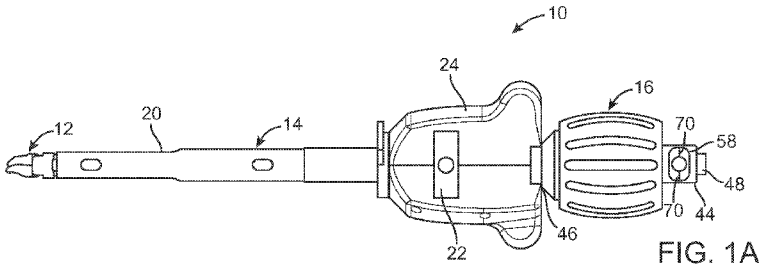

FIG. 1A

(57) Abstract: A percutaneous and minimally invasive instrument system for implanting an interspinous process spacer into a patient is disclosed. The insertion instrument system includes an inserter and a driver. The inserter is configured to releasably clamp to an interspinous process spacer for its delivery, implantation and deployment. The driver is configured for removable insertion into a proximal end of a passageway of the inserter. The driver has a distal spacer engaging portion configured to engage that part of the spacer requiring activation for the deployment of the spacer from at least one undeployed configuration to at least one deployed configuration and vice versa. As the spacer goes from the undeployed to the deployed configuration and vice versa, the system advantageously provides a degree of deployment information to the user via at least one deployment indicator.

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INTERNATIONAL SEARCH REPORT

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A. CLASSIFICATION OF SUBJECT MATTER

A61B 17/70(2006.01)i, A61F 2/44(2006.01)i, A61B 17/88(2006.01)i

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 8 A61B, A61F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
Korean Utility models and applications for Utility models since 1975
Japanese Utility models and applications for Utility models since 1975

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
e-KOMPASS(KIPO internal)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X === A	US 2007/276370 A1(MOTI ALTARAC et al.) 29 NOVEMBER 2007 See abstract, figs. 13, 13C, 14E, 31B, 31C, 31G, 31I, 32, 32A, 32B, paragraphs [2], [202]-[204], [289], [290], [292], claims 208, 209, 212, 227-231, 234-236, 239, 248, 249, 252, 254	1-4, 6-10, 16-20 ========== 11-15
A	US 2005/182416 A1(ROY LIM et al.) 18 AUGUST 2005 See abstract, figs. 2-4, 7, 9, paragraphs [4], [19], [20], [36], claim 1	1-4, 6-20
A	US 6,733,534 B2(MICHAEL C. SHERMAN) 11 MAY 2004 See abstract, figs. 1, 3-6, column 1 lines 40-45, column 3 lines 52-53, column 4 lines 50-53, column 6 lines 10-12, claims 1, 2	1-4, 6-20
A	US 2007/225706 A1(JANNA G. CLARK et al.) 27 SEPTEMBER 2007 See abstract, figs. 1A-4, paragraphs [8], [43], claims 1, 3, 8, 17, 18	1-4, 6-20

☐ 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
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"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	Date of mailing of the international search report
16 SEPTEMBER 2009 (16.09.2009)	**17 SEPTEMBER 2009 (17.09.2009)**

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Government Complex-Daejeon, 139 Seonsa-ro, Seo-gu, Daejeon 302-701, Republic of Korea
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KIM, Hee Seung
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INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2009/036561

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.: 5
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:

Claim 5 is found missing

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:

1. ☐ As all required addtional 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 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

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International application No.

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