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

(19) World Intellectual Property Organization

International Bureau



(10) International Publication Number WO 2017/058597 A3

(43) International Publication Date 6 April 2017 (06.04.2017)

(51) International Patent Classification: A61B 17/072 (2006.01) A61B 17/00 (2006.01)

(21) International Application Number:

PCT/US2016/052793

(22) International Filing Date:

21 September 2016 (21.09.2016)

(25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data:

14/871,057 30 September 2015 (30.09.2015)

US

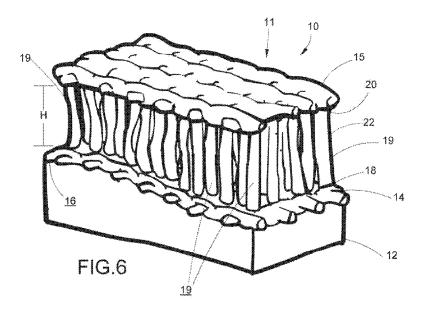
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- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AO, AT, AU, AZ, BA, BB, BG, BH, BN, BR, BW, BY, BZ, CA, CH, CL, CN, CO, CR, CU, CZ, DE, DK, DM, DO, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, GT, HN, HR, HU, ID, IL, IN, IR, IS, JP, KE, KG, KN, KP, KR, KW, KZ, LA, LC, LK, LR, LS, LU, LY, MA, MD, ME, MG, MK, MN, MW, MX, MY, MZ, NA, NG, NI, NO, NZ, OM, PA, PE, PG, PH, PL, PT, QA, RO, RS, RU, RW, SA, SC, SD, SE, SG, SK, SL, SM, ST, SV, SY, TH, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, ZA, ZM, ZW.
- (84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LR, LS, MW, MZ, NA, RW, SD, SL, ST, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, RU, TJ, TM), European (AL, AT, BE, BG, CH, CY, CZ, DE,

[Continued on next page]

(54) Title: COMPRESSIBLE ADJUNCT WITH INTERMEDIATE SUPPORTING STRUCTURES



(57) Abstract: A compressible adjunct for use with a surgical instrument including a staple cartridge includes a first biocompatible layer, a second biocompatible layer spaced apart from the first biocompatible layer, and a plurality of supporting pillars extending between the first biocompatible layer and the second biocompatible layer.





DK, EE, ES, FI, FR, GB, GR, HR, HU, IE, IS, IT, LT, LU, LV, MC, MK, MT, NL, NO, PL, PT, RO, RS, SE, SI, SK, SM, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, KM, ML, MR, NE, SN, TD, TG).

Declarations under Rule 4.17:

- 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))
- 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:

11 May 2017

International application No PCT/US2016/052793

a. classification of subject matter INV. A61B17/072

ADD. A61B17/00

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. DOCUMI	ENTS CONSIDERED TO BE RELEVANT	
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Х,Р	EP 2 954 857 A1 (ETHICON ENDO SURGERY INC [US]) 16 December 2015 (2015-12-16) paragraphs [0233] - [0253]; figures 48-52	1-5, 7-16,19, 20
Х,Р	EP 2 954 853 A1 (ETHICON ENDO SURGERY INC [US]) 16 December 2015 (2015-12-16) paragraph [0147]; figures 68A,68B	1,10, 13-15
Х	EP 2 644 124 A1 (ETHICON ENDO SURGERY INC [US]) 2 October 2013 (2013-10-02)	1-6, 8-16,19,
Υ	paragraphs [0683], [0801], [0802], [0861], [0867] - [0869], [0886], [0895] - [0911], [0921] - [0924], [0989] - paragraph [1003]; figures 93-95,339,340,368,369,390-399,475-502	20 17,18

X Further documents are listed in the continuation of Box C.	X 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" "-" "T" "T	"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
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"P" document published prior to the international filing date but later than the priority date claimed	"&" document member of the same patent family
Date of the actual completion of the international search	Date of mailing of the international search report
4 April 2017	11/04/2017
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 Maier, Christian

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C(Continue	tion). DOCUMENTS CONSIDERED TO BE RELEVANT	PC1/032010/032/93
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 2 008 595 A2 (TYCO HEALTHCARE [US]) 31 December 2008 (2008-12-31)	1,2, 5-16,19,
Υ	paragraphs [0019], [0031] - [0037]; figures 3,4	20 11,17,18
Υ	US 5 397 324 A (CARROLL BRENDAN J [US] ET AL) 14 March 1995 (1995-03-14) column 4, lines 55-68; figures 5,6	17,18
Υ	US 2013/256376 A1 (BARTON TREVOR J [US] ET AL) 3 October 2013 (2013-10-03) paragraph [0498]; figures 71,72	17
Υ	EP 2 759 269 A1 (COVIDIEN LP [US]) 30 July 2014 (2014-07-30) paragraph [0019]; figure 2C	17
Υ	US 2013/068820 A1 (MILLER MATTHEW C [US] ET AL) 21 March 2013 (2013-03-21) paragraph [0029]; figures 7-9	11
Α	EP 2 497 431 A1 (TYCO HEALTHCARE [US]) 12 September 2012 (2012-09-12) paragraphs [0040] - [0045]; figures 6,7	11,12

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INTERNATIONAL SEARCH REPORT

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:
Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:
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. X 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.:
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. X 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: 1-10, 13-16, 19, 20

A compressible adjunct for use with a surgical instrument, the compressible adjunct comprising a plurality of supporting pillars extending between a first biocompatible layer and a second biocompatible layer, wherein the plurality of supporting pillars comprises a fist supporting pillar and a second supporting pillar crossing the first supporting pillar for improved structural integrity of the compressible adjunct.

2. claims: 11, 12

A compressible adjunct for use with a surgical instrument, the compressible adjunct comprising a plurality of supporting pillars extending between a first biocompatible layer and a second biocompatible layer, wherein the second biocompatible layer comprises an outer surface configured to grip tissue, so that application of the compressible adjunct on tissue is facilitated.

3. claims: 17, 18

A compressible adjunct for use with a surgical instrument, the compressible adjunct comprising a plurality of supporting pillars extending between a first biocompatible layer and a second biocompatible layer, further comprising a knife slot configured to receive a knife for cutting tissue captured by the surgical instrument, so that tissue can be cut by the knife with a reduced cutting force.

Information on patent family members

International application No
PCT/US2016/052793

			PC1/032010/032/93	
Patent document cited in search report		Publication date	Patent family Publicatio member(s) date	n
EP 2954857	A1	16-12-2015	EP 2954857 A1 16-12- US 2015351758 A1 10-12- WO 2015191277 A2 17-12-	2015
EP 2954853	A1	16-12-2015	EP 2954853 A1 16-12- US 2015351760 A1 10-12- WO 2015191187 A1 17-12-	2015
EP 2644124	A1	02-10-2013	EP 2644124 A1 02-10- EP 2656793 A1 30-10- US 2012241491 A1 27-09- US 2013256372 A1 03-10- US 2013256374 A1 03-10- US 2015136830 A1 21-05- WO 2013148762 A2 03-10- WO 2013148817 A1 03-10- WO 2014004205 A1 03-01- WO 2014004208 A1 03-01-	2013 2012 2013 2013 2015 2013 2013 2013 2013 2014
EP 2008595	A2	31-12-2008	AU 2008202463 A1 15-01- CA 2632294 A1 27-12- CN 101332110 A 31-12- EP 2008595 A2 31-12- EP 2564791 A1 06-03- ES 2584878 T3 29-09- JP 5424582 B2 26-02- JP 2009006137 A 15-01- JP 2013128783 A 04-07- US 2009001122 A1 01-01- US 2012031950 A1 09-02- US 2013310873 A1 21-11- US 2014158742 A1 12-06-	2008 2008 2008 2013 2016 2014 2009 2013 2009 2012 2013
US 5397324	Α	14-03-1995	NONE	
US 201325637	6 A1	03-10-2013	NONE	
EP 2759269	A1	30-07-2014	AU 2014200150 A1 14-08- CA 2840386 A1 25-07- CN 103961149 A 06-08- EP 2759269 A1 30-07- US 2014209658 A1 31-07-	2014 2014 2014
US 201306882	0 A1	21-03-2013	CN 103930053 A 16-07- EP 2755577 A1 23-07- JP 2015502762 A 29-01- RU 2014114839 A 20-10- US 2013068820 A1 21-03- WO 2013039822 A1 21-03-	2014 2015 2015 2013
EP 2497431	A1	12-09-2012	AU 2012200850 A1 27-09- CA 2767589 A1 10-09- EP 2497431 A1 12-09- ES 2567046 T3 19-04- JP 5999925 B2 28-09- JP 2012187400 A 04-10- JP 2016041386 A 31-03-	2012 2012 2016 2016 2012

Information on patent family members

International application No
PCT/US2016/052793

		PC1/U52U16/U52/93		010/032/93	
Patent document cited in search report	Publication date		Patent family member(s)		Publication date
	.	US US US	201222836 201327741 201500127	0 A1 1 A1 6 A1	13-09-2012 24-10-2013 01-01-2015