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[Continued on next page]

(54) Title: FLEXIBLE MEMBER FOR USE IN A SPINAL COLUMN AND METHOD FOR MAKING

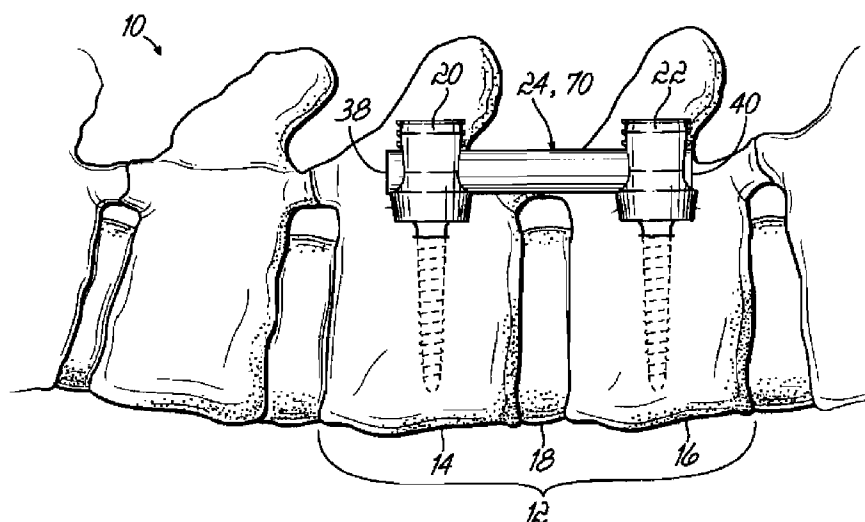


FIG. 1

(57) Abstract: The present invention relates to flexible members for stabilizing a spinal column and methods for making the flexible members. In one embodiment, a flexible member comprises an inner elastomeric member and an outer fabric layer situated securely around the inner elastomeric member. The inner elastomeric member has a first elasticity to provide the flexible member with a desired flexibility. In another embodiment, the flexible member includes an outer covering that defines an outer elastomeric member. The outer elastomeric member may be situated securely around the outer fabric layer with the inner elastomeric member, the outer fabric layer, and the outer elastomeric member having the common lengthwise axis and defining the body including the opposing first and second ends. The outer elastomeric member may have a second elasticity that is less than the first elasticity.

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INTERNATIONAL SEARCH REPORT

International application No

PCT/US2008/079871

A. CLASSIFICATION OF SUBJECT MATTER
INV. A61B17/70

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 practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2005/277922 A1 (TRIEU HAI H [US] ET AL) 15 December 2005 (2005-12-15) figures 1,3-6 paragraphs [0027], [0046] - [0049]	1,6
Y	-----	2,3,7,8
Y	WO 2007/097905 A (HOLT DEV L L C [US]; HOLT RICHARD [US]) 30 August 2007 (2007-08-30) figures 1,8 paragraphs [0008], [0025], [0027]	2,3
Y	WO 2007/087476 A (WARSAW ORTHOPEDIC INC [US]; JUSTIS JEFF R [US]; SHERMAN MICHAEL C [US]) 2 August 2007 (2007-08-02) figures 1-3 page 3, lines 15-19,24-26 ----- -/-	7

☒ 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 document 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.

8 document member of the same patent family

Date of the actual completion of the international search

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INTERNATIONAL SEARCH REPORT

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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.
Y	WO 2004/096066 A (KITCHEN MICHAEL S [US]) 11 November 2004 (2004-11-11) figures 1,4,7,8 page 13, lines 20-25 -----	8

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US2008/079871

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.: 38-44
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
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 allsearchable 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.:

see annex

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.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

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

1. claims: 1-11,22-29

Flexible member for use in stabilizing a spinal column comprising an inner elastomeric member and an outer fabric layer situated securely around the inner elastomeric member, and a method for making the same.

2. claims: 12-16,30-37

Flexible member for use in stabilizing a spinal column comprising an elongated core member including a plurality of annular protrusions and a plurality of ring shaped members, and a method for making the same.

3. claims: 17-21

Flexible member for use in stabilizing a spinal column comprising an elongated polymeric member and an outer nitinol member.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No

PCT/US2008/079871

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
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