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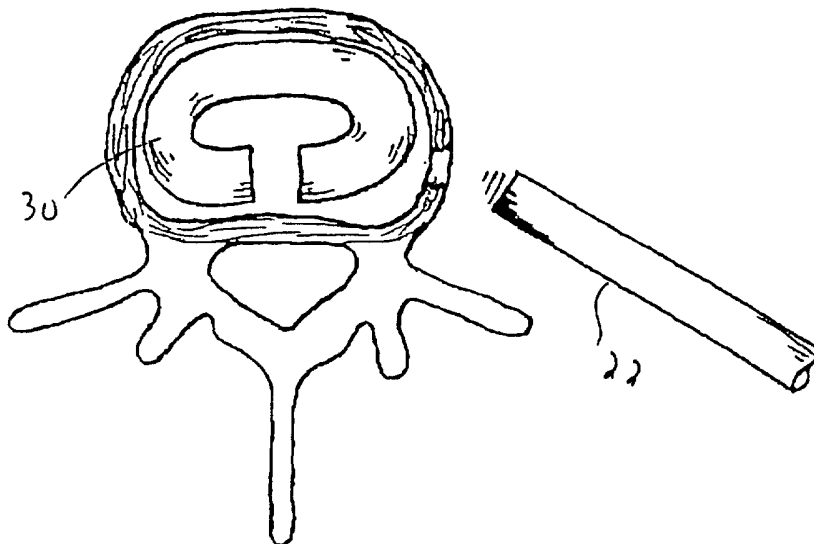
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- (71) Applicant: REX MEDICAL, L.P. [US/US]; 585 County Line Road, Radnor, PA 19087 (US).
For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.
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(54) Title: SPINAL IMPLANT AND METHOD OF USE



(57) Abstract: A spinal implant having a smaller transverse cross-sectional dimension in the radially compressed configuration than in a first expanded configuration and a more linear configuration in the second delivery configuration than in the first curved configuration. The implant assumes the radially compressed configuration and second delivery configuration during delivery to the disc space and assumes the first curved configuration and first expanded configuration upon placement within the disc space. The implant further moves towards the radially compressed configuration once implanted in response to a load placed on the implant by the vertebral bodies.

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INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 02/30263

A. CLASSIFICATION OF SUBJECT MATTER
 IPC 7 A61F2/44 A61F2/46

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 7 A61F

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 5 716 416 A (LIN CHIH-I) 10 February 1998 (1998-02-10) figures column 2, line 26 -column 3, line 66	1-4,6,8, 10
Y	---	7,9, 11-14
Y	WO 01 06962 A (PFLEIDERER MARTIN ;SANDERS MARC (GB); BIRKBECK ALEC PAUL (GB); DEP) 1 February 2001 (2001-02-01) claims 1,2,4,6-9,14,15; figures 1-7,12	7,9, 11-14
A	---	1-4,8,10
X	US 3 867 728 A (KAHN PAUL ET AL) 25 February 1975 (1975-02-25) figures 20-24 column 12, line 37 -column 13, line 36 ---	1-3,7,12
	-/--	

Further documents are listed in the continuation of box C.

Patent family members are listed in 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

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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

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"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

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"&" document member of the same patent family

Date of the actual completion of the international search

5 December 2002

Date of mailing of the international search report

03.07.2003

Name and mailing address of the ISA

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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.
X	US 6 264 695 B1 (STOY VLADIMIR A) 24 July 2001 (2001-07-24) figures 3-6,17B column 11, line 33 -column 12, line 50 ---	1-3
X	US 5 919 235 A (BAUMGARTNER WALTER ET AL) 6 July 1999 (1999-07-06) claims 1-3; figures 1-3 column 4, line 16 - line 26 column 5, line 6 - line 35 ---	1,2,7
P,X	WO 02 17824 A (SDGI HOLDINGS INC ;TRIEU HAI H (US)) 7 March 2002 (2002-03-07) figures 13,15A-17,22N,32 -----	1-7, 12-14

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 02/30263

Box I Observations where certain claims were found unsearchable (Continuation of item 1 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.: 19-22
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 II Observations where unity of invention is lacking (Continuation of item 2 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 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.:
1-14

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
- 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: 1-14

A spinal implant having a first expanded and a first curved configuration, a second radially compressed and a second delivery configuration, the implant having a smaller transverse cross-sectional dimension in the radially compressed configuration than in the first expanded configuration and a more linear configuration in the second delivery configuration than in the first curved configuration.

(Problem: Reducing the size of an implant during insertion in the body to facilitate the surgery)

2. Claims: 15-18

A spinal implant having an outer housing composed of shape memory material, the outer housing having a memorized non-linear configuration and being radially, elastically compressible by a load transferred from the vertebral bodies (Problem: Providing an implant with the ability to return to its original shape after being compressed by loads transferred through the adjacent vertebral bodies)

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 02/30263

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