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(12) **United States Design Patent**
Evans et al.

(10) **Patent No.:** **US D700,698 S**
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- (54) **SURGICAL INSTRUMENT**
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D346,862	S *	5/1994	Koros et al.	D24/143
D351,653	S *	10/1994	Koros et al.	D24/143
5,431,658	A	7/1995	Moskovich		
D369,215	S *	4/1996	Blake	D24/143
D370,730	S *	6/1996	Blake	D24/143
5,755,732	A	5/1998	Green et al.		
5,797,909	A	8/1998	Michelson		
5,885,299	A	3/1999	Winslow et al.		
6,048,336	A	4/2000	Gabriel		
6,096,038	A	8/2000	Michelson		
6,159,215	A	12/2000	Urbahns et al.		
6,267,763	B1	7/2001	Castro		
6,440,142	B1	8/2002	Ralph et al.		

(Continued)

(**) Term: **14 Years**

FOREIGN PATENT DOCUMENTS

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EP	1323396	7/2003
WO	WO 2005/072662	8/2005

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Primary Examiner — Bridget L Eland

Related U.S. Application Data

(74) *Attorney, Agent, or Firm* — Baker & Hostetler LLP

(60) Continuation of application No. 12/820,846, filed on Jun. 22, 2010, now Pat. No. 8,308,734, which is a division of application No. 12/433,609, filed on Apr. 30, 2009, now Pat. No. 8,043,344, which is a division of application No. 11/354,986, filed on Feb. 16, 2006, now Pat. No. 7,722,622.

(57) **CLAIM**

We claim the ornamental design for a surgical instrument, as shown and described.

(51) **LOC (10) Cl.** **24-02**

(52) **U.S. Cl.**

USPC **D24/133**

(58) **Field of Classification Search**

USPC D24/133, 135, 143, 145, 146, 155–157;
606/99, 246, 279, 86 A, 86 B, 86 R;
600/114; 623/17.11

See application file for complete search history.

DESCRIPTION

FIG. 1 is a top, left, front perspective view of a surgical instrument according to our design;
FIG. 2 is a top plan view thereof;
FIG. 3 is a bottom plan view thereof;
FIG. 4 is a left side elevation view thereof;
FIG. 5 is a right side elevation view thereof;
FIG. 6 is a front elevation view thereof; and,
FIG. 7 is a rear elevation view thereof.

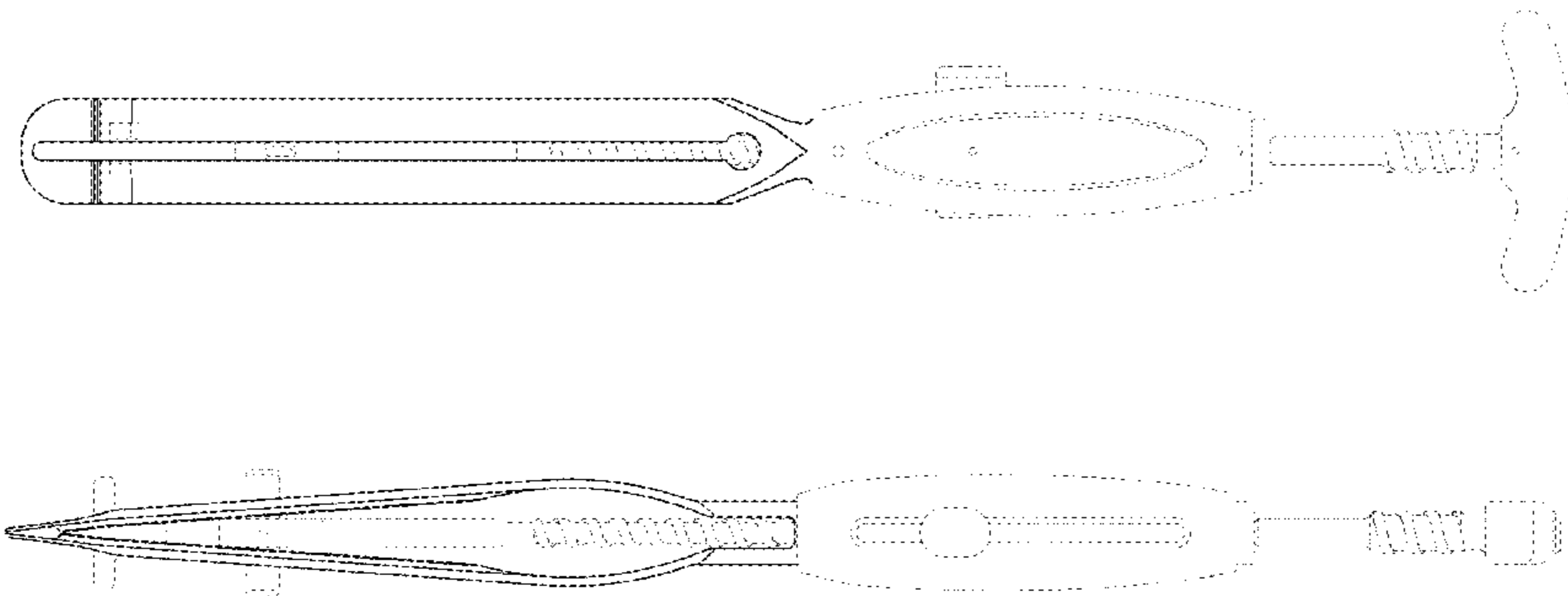
The broken line portion of the figure drawings is included to show unclaimed subject matter only for the purpose of illustrating environment and forms no part of the claimed design. In a preferred embodiment, the nature of this product is a surgical instrument that is configured to insert an implant into a body, such as an intervertebral implant between adjacent vertebrae.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D195,931	S *	8/1963	Chernov	D24/143
3,353,718	A	11/1967	McLay		
3,486,505	A *	12/1969	Morrison	606/90
4,832,692	A	5/1989	Box et al.		
5,306,248	A	4/1994	Barrington		

1 Claim, 2 Drawing Sheets



(56)

References Cited

U.S. PATENT DOCUMENTS

6,478,800 B1	11/2002	Fraser et al.	2002/0013553 A1	1/2002	Pajunk et al.
6,540,753 B2	4/2003	Cohen	2002/0072752 A1	6/2002	Zucherman et al.
6,663,638 B2	12/2003	Ralph et al.	2003/0109884 A1	6/2003	Tague et al.
D488,229 S *	4/2004	Rinner et al.	2005/0027300 A1	2/2005	Hawkins et al.
6,755,841 B2	6/2004	Fraser et al.	2005/0165408 A1	7/2005	Puno et al.
6,916,308 B2	7/2005	Dixon et al.	2006/0195097 A1 *	8/2006	Evans et al. 606/61
D589,615 S *	3/2009	Doenges et al.	2006/0293692 A1	12/2006	Whipple et al.
D591,860 S *	5/2009	Aparici et al.	2007/0185375 A1	8/2007	Stad et al.
7,722,622 B2	5/2010	Evans et al.	2009/0005784 A1 *	1/2009	Blain et al. 606/90
D622,843 S *	8/2010	Horton	2009/0030422 A1 *	1/2009	Parsons et al. 606/99
D626,649 S *	11/2010	Baynham	2009/0048604 A1 *	2/2009	Milz et al. 606/99
D646,386 S *	10/2011	Miller et al.	2009/0209967 A1 *	8/2009	Evans et al. 606/99
D646,783 S *	10/2011	Bast et al.	2010/0069914 A1 *	3/2010	Puno et al. 606/99
D647,201 S *	10/2011	Gauthier et al.	2010/0114183 A1 *	5/2010	Wassinger et al. 606/86 A
8,043,344 B2	10/2011	Evans et al.	2010/0262154 A1 *	10/2010	Evans et al. 606/99
8,308,734 B2	11/2012	Evans et al.	2010/0262199 A1 *	10/2010	Wallenstein et al. 606/86 A
			2011/0166611 A1 *	7/2011	Stinson 606/86 A
			2011/0172722 A1 *	7/2011	Verhulst et al. 606/86 A
			2012/0253412 A1 *	10/2012	Lee 606/86 A

* cited by examiner

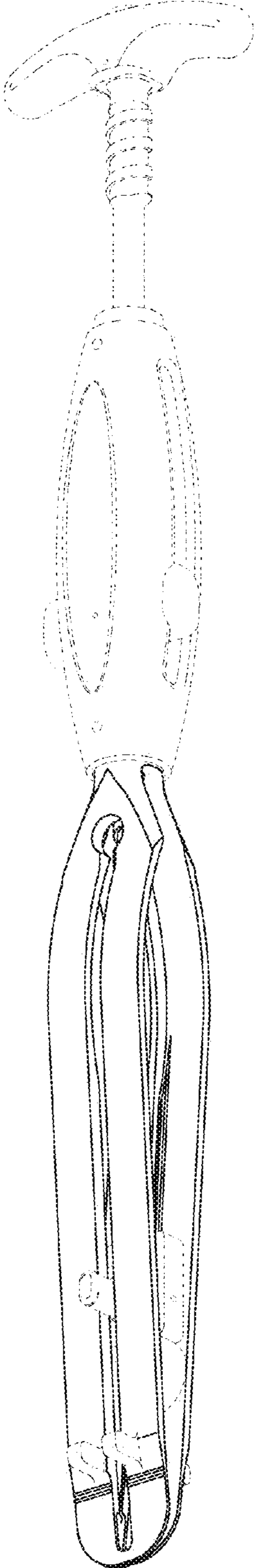


Fig.1

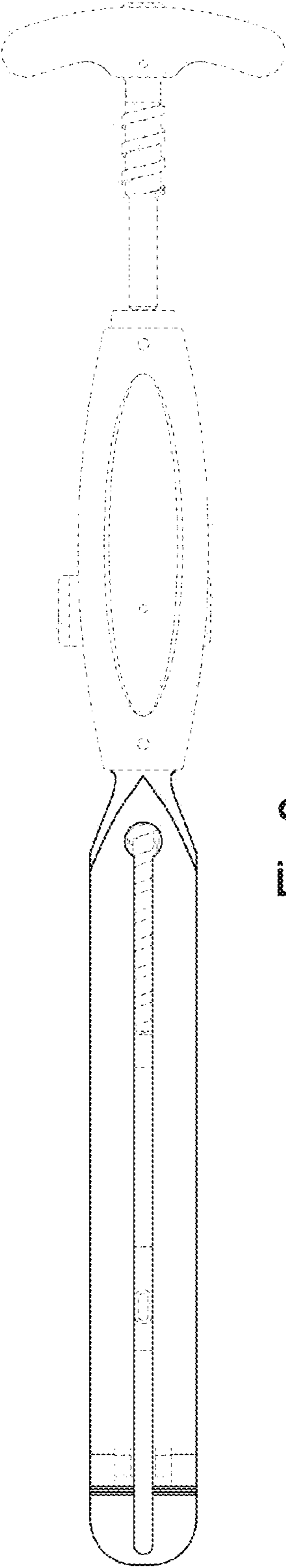


Fig.2

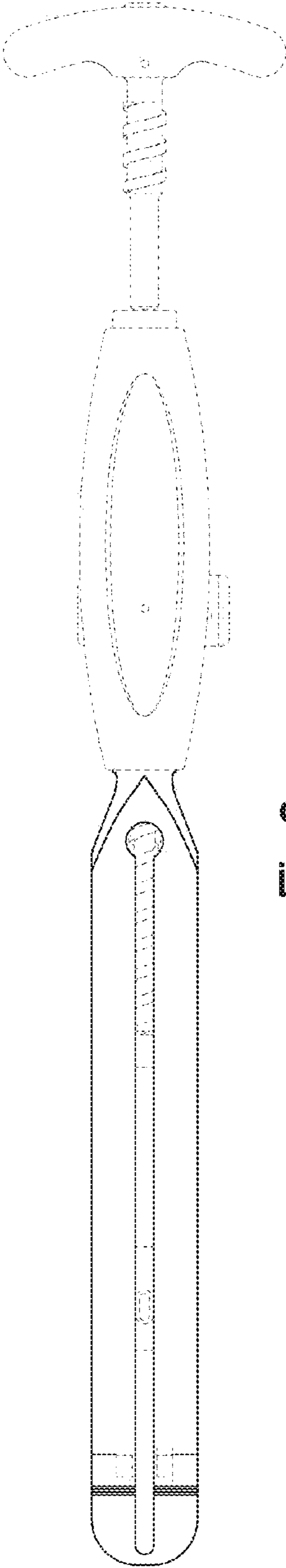


Fig.3

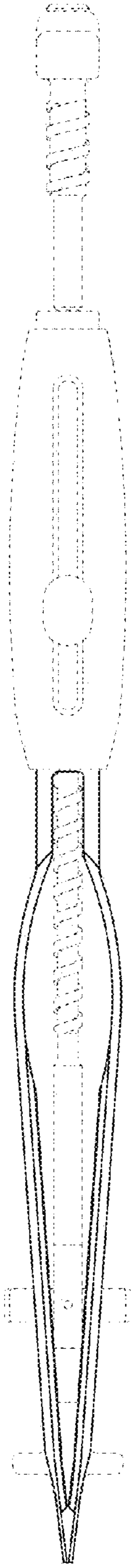


Fig.4

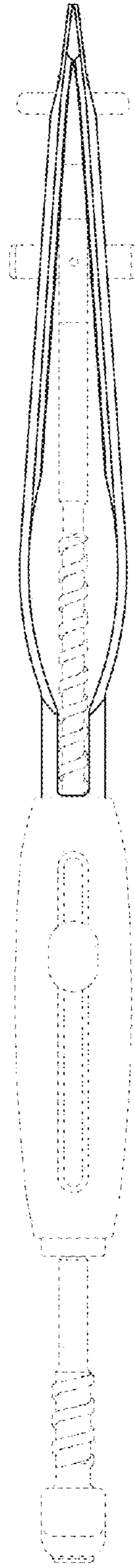


Fig.5

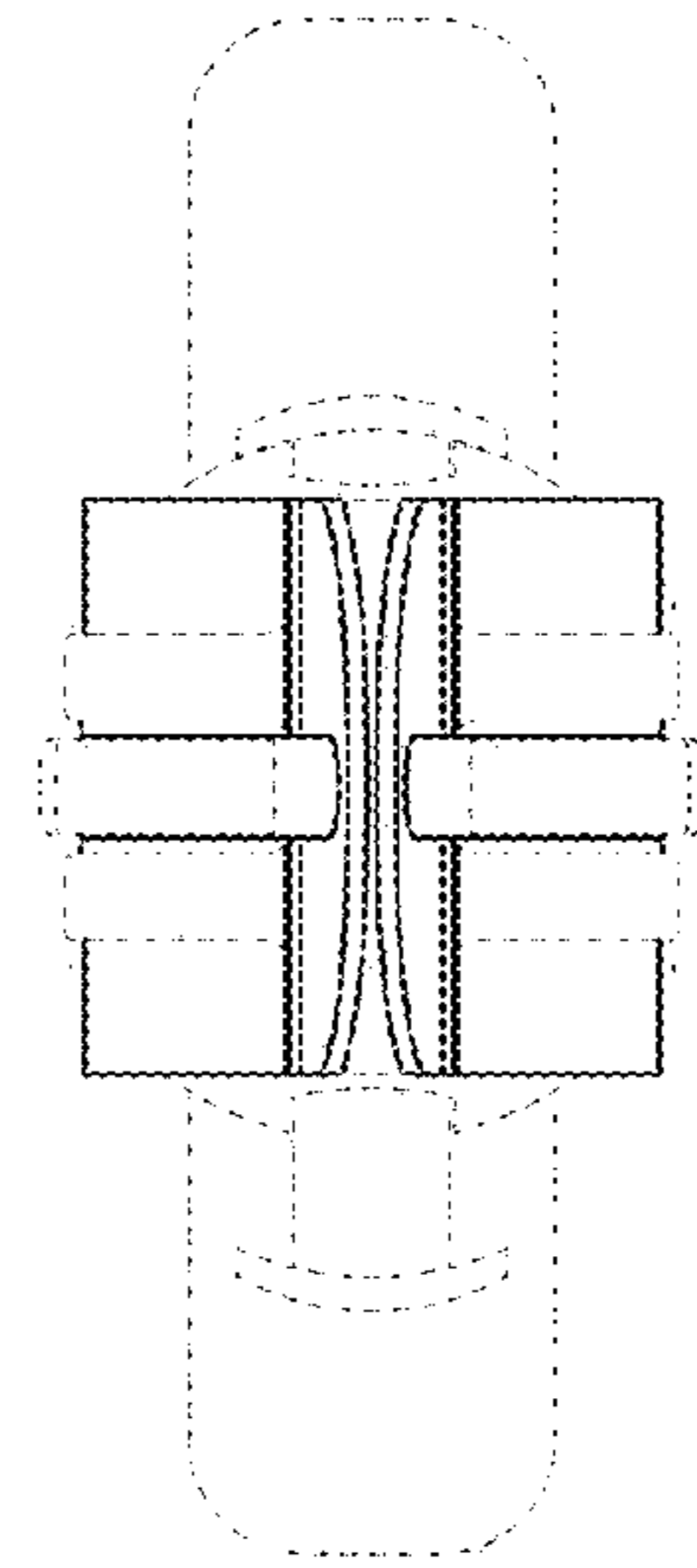


Fig.6

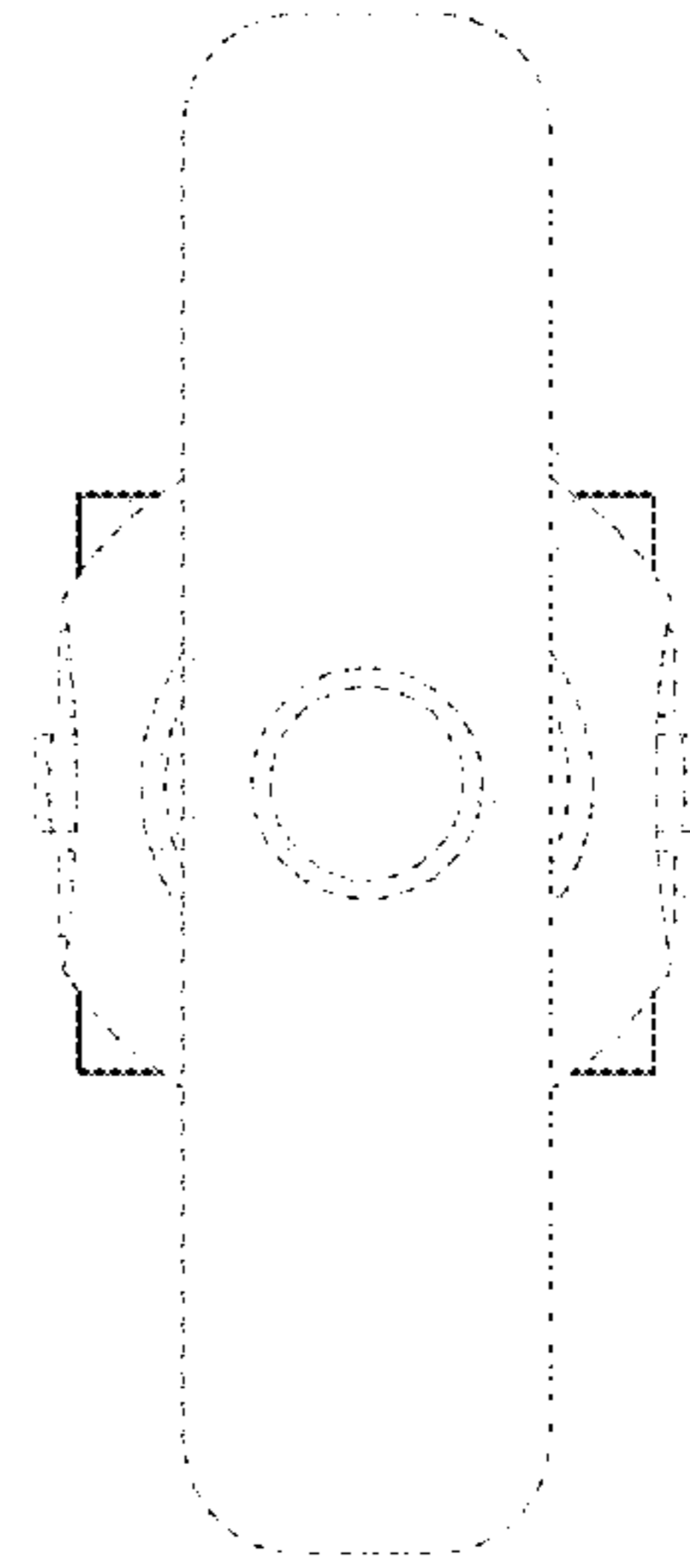


Fig.7