



US00D812754S

(12) **United States Design Patent** (10) **Patent No.:** **US D812,754 S**
Blain et al. (45) **Date of Patent:** **** Mar. 13, 2018**

(54) **FLEXIBLE ELONGATE MEMBER WITH A PORTION CONFIGURED TO RECEIVE A BONE ANCHOR**

24/1404; Y10T 24/1406; B65D 63/00;
B65D 36/10

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

- (71) Applicant: **Spinal Elements, Inc.**, Carlsbad, CA (US)
- (72) Inventors: **Jason Blain**, Encinitas, CA (US); **Greg Martin**, Encinitas, CA (US)
- (73) Assignee: **Spinal Elements, Inc.**, Carlsbad, CA (US)
- (**) Term: **15 Years**
- (21) Appl. No.: **29/590,386**
- (22) Filed: **Jan. 10, 2017**

86,016 A	1/1869	Howell	
1,630,239 A	5/1927	Binkley et al.	
1,822,280 A	9/1931	Ervay	
1,822,330 A	9/1931	Anslie	
2,486,303 A	10/1949	Longfellow	
2,706,023 A	4/1955	Merritt	
3,111,945 A	11/1963	Von Solbrig	
3,149,808 A	9/1964	Weckesser	
3,570,497 A	3/1971	Lemole	
3,867,728 A	2/1975	Stubstad et al.	
3,875,595 A	4/1975	Froning	
3,879,767 A	4/1975	Stubstad	
4,001,896 A	1/1977	Arkangel	
4,037,603 A	7/1977	Wendorff	
4,085,466 A	4/1978	Goodfellow et al.	
4,119,091 A	10/1978	Partridge	
4,156,296 A	5/1979	Johnson et al.	
4,231,121 A	11/1980	Lewis	
D261,935 S	11/1981	Halloran	
4,312,337 A	1/1982	Donohue	
4,323,217 A	4/1982	Dochterman	
4,349,921 A	9/1982	Kuntz	
4,502,161 A	3/1985	Wall	
D279,502 S *	7/1985	Halloran	D24/155
D279,503 S *	7/1985	Halloran	D24/155
4,535,764 A	8/1985	Ebert	
4,573,458 A *	3/1986	Lower	A61B 17/8085 606/280
4,573,459 A	3/1986	Litton	
4,634,445 A	1/1987	Helal	
4,662,371 A	5/1987	Whipple et al.	
4,706,659 A	11/1987	Matthews et al.	
4,714,469 A	12/1987	Kenna	
4,722,331 A	2/1988	Fox	
4,730,615 A	3/1988	Sutherland et al.	
4,759,766 A	7/1988	Buettner-Janz et al.	
4,759,769 A	7/1988	Hedman et al.	
4,772,287 A	9/1988	Ray et al.	
4,773,402 A	9/1988	Asher et al.	
4,834,757 A	5/1989	Brantigan	
4,863,477 A	9/1989	Monson	
4,904,260 A	2/1990	Ray et al.	
4,907,577 A	3/1990	Wu	
4,911,718 A	3/1990	Lee et al.	
4,919,667 A	4/1990	Richmond	

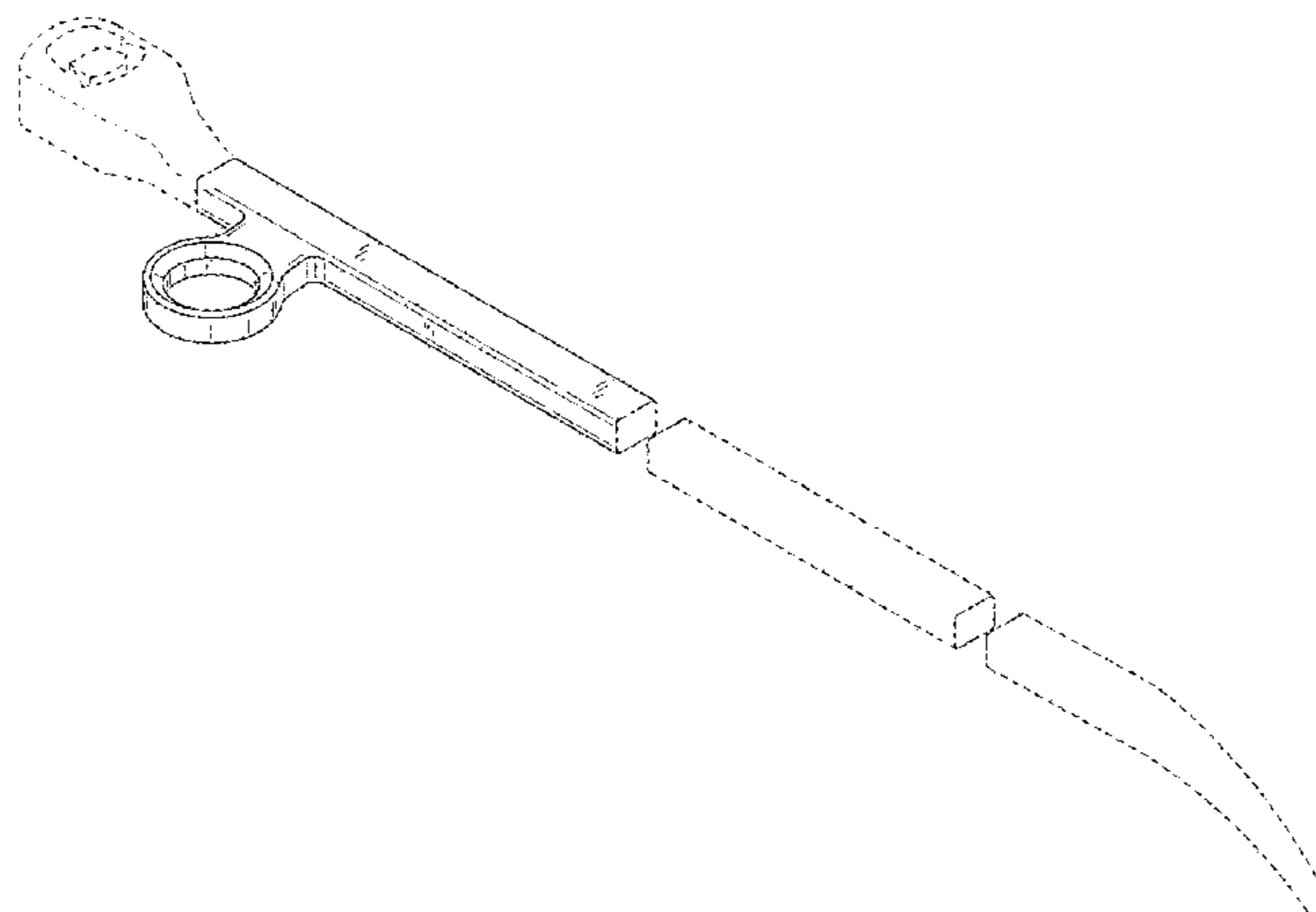
Related U.S. Application Data

(60) Continuation of application No. 29/564,519, filed on May 13, 2016, now Pat. No. Des. 780,315, which is a continuation of application No. 29/537,074, filed on Aug. 21, 2015, now Pat. No. Des. 765,853, which is a division of application No. 29/448,946, filed on Mar. 14, 2013, now abandoned.

(51) **LOC (11) Cl.** **24-02**

(52) **U.S. Cl.**
USPC **D24/155**

(58) **Field of Classification Search**
USPC D24/155, 156
CPC A61B 17/7022; A61B 17/7029; A61B 17/7031; A61B 17/70; A61B 17/7007; A61B 17/7011; A61B 17/7062; A61B 17/7053; A61B 17/82; H02G 3/30; H02G 3/32; Y10T 16/00; Y10T 24/14; Y10T



US D812,754 S

4,923,471 A *	5/1990	Morgan	..... A61B 17/8085	5,700,265 A	12/1997	Romano	
			606/285	5,702,450 A	12/1997	Bisserie	
4,936,848 A	6/1990	Bagby		5,707,373 A	1/1998	Sevrain et al.	
4,941,466 A	7/1990	Romano		5,713,542 A	2/1998	Benoit	
4,959,065 A *	9/1990	Arnett	..... A61B 17/8085	5,716,415 A	2/1998	Steffee	
			606/285	5,725,582 A	3/1998	Bevan et al.	
4,969,909 A	11/1990	Barouk		5,741,260 A	4/1998	Songer et al.	
5,000,165 A	3/1991	Watanabe		5,741,261 A	4/1998	Moskovitz et al.	
5,002,546 A	3/1991	Romano		D395,138 S *	6/1998	Ohata	..... D24/155
5,011,484 A	4/1991	Bréard		5,766,251 A	6/1998	Koshino	
5,015,255 A	5/1991	Kuslich		5,766,253 A	6/1998	Brosnahan	
5,047,055 A	9/1991	Bao et al.		5,772,663 A	6/1998	Whiteside et al.	
5,062,845 A	11/1991	Kuslich		5,797,916 A	8/1998	McDowell	
5,071,437 A	12/1991	Steffee		5,824,093 A	10/1998	Ray et al.	
5,092,866 A	3/1992	Breard et al.		5,824,094 A	10/1998	Serhan et al.	
5,112,013 A	5/1992	Tolbert et al.		5,836,948 A	11/1998	Zucherman et al.	
5,112,346 A	5/1992	Hiltebrandt et al.		5,851,208 A	12/1998	Trott	
5,127,912 A	7/1992	Ray et al.		5,860,977 A	1/1999	Zucherman et al.	
5,135,188 A	8/1992	Anderson et al.		5,865,846 A	2/1999	Bryan et al.	
5,147,404 A	9/1992	Downey		5,868,745 A	2/1999	Alleyne	
5,171,280 A	12/1992	Baumgartner		5,876,404 A	3/1999	Zucherman et al.	
5,192,326 A	3/1993	Bao et al.		5,879,396 A	3/1999	Walston et al.	
5,209,755 A	5/1993	Abraham et al.		5,888,203 A	3/1999	Goldberg	
5,258,031 A	11/1993	Salib et al.		5,893,889 A	4/1999	Harrington	
5,282,861 A	2/1994	Kaplan		5,895,428 A	4/1999	Berry	
5,286,249 A	2/1994	Thibodaux		RE36,221 E	6/1999	Breard et al.	
5,300,073 A	4/1994	Ray et al.		5,918,604 A	7/1999	Whelan	
5,306,275 A	4/1994	Bryan		5,951,555 A	9/1999	Rehak et al.	
5,306,308 A	4/1994	Gross et al.		5,964,765 A *	10/1999	Fenton, Jr.	..... A61B 17/0487
5,306,309 A	4/1994	Wagner et al.					606/103
5,330,479 A	7/1994	Whitmore		5,993,452 A	11/1999	Vandewalle	
5,360,431 A	11/1994	Puno et al.		5,997,542 A	12/1999	Burke	
5,368,596 A	11/1994	Burkhart		6,001,130 A	12/1999	Bryan et al.	
5,370,697 A	12/1994	Baumgartner		6,014,588 A	1/2000	Fitz	
5,372,598 A *	12/1994	Luhr	..... A61B 17/8085	6,019,763 A	2/2000	Nakamura et al.	
			606/285	6,019,792 A	2/2000	Cauthen	
5,400,784 A	3/1995	Durand et al.		6,039,763 A	3/2000	Shelokov	
5,401,269 A	3/1995	Buttner-Janz et al.		6,048,342 A	4/2000	Zucherman et al.	
5,413,576 A	5/1995	Rivard		6,050,998 A	4/2000	Fletcher	
5,415,661 A	5/1995	Holmes		6,063,121 A	5/2000	Xavier et al.	
5,425,773 A	6/1995	Boyd et al.		6,066,325 A	5/2000	Wallace et al.	
5,437,672 A	8/1995	Alleyne		6,068,630 A	5/2000	Zucherman et al.	
5,445,639 A	8/1995	Kuslich et al.		RE36,758 E	6/2000	Fitz	
5,458,642 A	10/1995	Beer et al.		6,080,157 A	6/2000	Cathro et al.	
5,458,643 A	10/1995	Oka et al.		6,099,531 A	8/2000	Bonutti	
5,462,542 A	10/1995	Alesi, Jr.		6,102,347 A	8/2000	Benoit	
5,487,756 A	1/1996	Kallesoe et al.		6,106,558 A	8/2000	Picha	
5,491,882 A	2/1996	Walston et al.		6,113,637 A	9/2000	Gill et al.	
5,496,318 A	3/1996	Howland et al.		6,132,464 A	10/2000	Martin	
5,507,823 A	4/1996	Walston et al.		6,132,465 A	10/2000	Ray et al.	
5,509,918 A	4/1996	Romano		6,146,422 A	11/2000	Lawson	
5,514,180 A	5/1996	Heggeness et al.		6,156,067 A	12/2000	Bryan et al.	
5,527,312 A	6/1996	Ray		6,179,839 B1	1/2001	Weiss et al.	
5,527,314 A	6/1996	Brumfield et al.		D439,340 S	3/2001	Michelson	
5,534,028 A	7/1996	Bao et al.		6,200,322 B1	3/2001	Branch et al.	
5,534,030 A	7/1996	Navarro et al.		6,293,949 B1	9/2001	Justis et al.	
5,540,706 A	7/1996	Aust et al.		D450,122 S	11/2001	Michelson	
5,545,229 A	8/1996	Parsons et al.		6,325,803 B1 *	12/2001	Schumacher	..... A61B 17/8047
5,549,619 A	8/1996	Peters et al.					606/104
5,556,431 A	9/1996	Buttner-Janz		D454,953 S	3/2002	Michelson	
5,562,738 A	10/1996	Boyd et al.		6,368,325 B1	4/2002	McKinley et al.	
5,571,105 A	11/1996	Gundolf		6,368,350 B1	4/2002	Erickson et al.	
5,571,131 A	11/1996	Ek et al.		6,371,958 B1	4/2002	Overaker	
5,571,189 A	11/1996	Kuslich		6,375,573 B2	4/2002	Romano	
5,571,191 A	11/1996	Fitz		6,379,386 B1	4/2002	Resch et al.	
5,577,995 A	11/1996	Walker et al.		D460,188 S	7/2002	Michelson	
5,586,989 A	12/1996	Bray, Jr.		D460,189 S	7/2002	Michelson	
5,591,165 A	1/1997	Jackson		6,419,678 B1	7/2002	Asfora	
5,603,713 A	2/1997	Aust et al.		6,419,703 B1	7/2002	Fallin et al.	
5,638,700 A	6/1997	Shechter		6,436,099 B1 *	8/2002	Drewry	..... A61B 17/7022
5,645,597 A	7/1997	Krapiva					606/300
5,645,599 A	7/1997	Samani		6,436,101 B1	8/2002	Hamada et al.	
5,649,947 A	7/1997	Auerbach et al.		6,436,146 B1	8/2002	Hassler et al.	
5,653,762 A	8/1997	Pisharodi		D463,560 S	9/2002	Michelson	
5,674,295 A	10/1997	Ray et al.		6,470,207 B1	10/2002	Simon et al.	
5,674,296 A	10/1997	Bryan et al.		6,565,605 B2	5/2003	Goble et al.	
5,676,701 A	10/1997	Yuan et al.		6,572,617 B1	6/2003	Senegas	
5,683,464 A	11/1997	Wagner et al.		6,579,318 B2	6/2003	Varga et al.	
5,683,466 A	11/1997	Vitale		6,579,319 B2	6/2003	Goble et al.	

US D812,754 S

6,589,244 B1	7/2003	Sevrain et al.	9,149,283 B2	10/2015	Assell et al.
6,600,956 B2	7/2003	Maschino et al.	9,161,763 B2	10/2015	Assell et al.
6,607,530 B1	8/2003	Carl et al.	9,179,943 B2	11/2015	Blain
6,610,091 B1	8/2003	Reiley	9,220,547 B2	12/2015	Blain et al.
D479,331 S *	9/2003	Pike D24/155	D748,262 S	1/2016	Blain
6,626,944 B1	9/2003	Taylor	9,233,006 B2	1/2016	Assell et al.
6,641,614 B1	11/2003	Wagner et al.	D748,793 S	2/2016	Blain
6,656,195 B2	12/2003	Peters et al.	9,265,546 B2	2/2016	Blain
6,669,697 B1	12/2003	Pisharodi	9,271,765 B2	3/2016	Blain
6,669,729 B2	12/2003	Chin	9,301,786 B2	4/2016	Blain
6,706,068 B2	3/2004	Ferree	9,314,277 B2	4/2016	Assell et al.
6,743,232 B2	6/2004	Overaker et al.	9,345,488 B2	5/2016	Assell et al.
6,761,720 B1	7/2004	Senegas	9,421,044 B2	8/2016	Blain et al.
6,764,491 B2	7/2004	Frey et al.	D765,853 S	9/2016	Blain et al.
6,770,095 B2	8/2004	Grinberg et al.	D765,854 S	9/2016	Blain et al.
6,783,527 B2	8/2004	Drewry et al.	9,456,855 B2	10/2016	Blain et al.
6,790,210 B1	9/2004	Cragg et al.	9,517,077 B2	12/2016	Blain et al.
6,802,863 B2	10/2004	Lawson et al.	2001/0018614 A1	8/2001	Bianchi
6,811,567 B2	11/2004	Reiley	2002/0018799 A1	2/2002	Spector et al.
6,902,566 B2	6/2005	Zucherman et al.	2002/0019637 A1	2/2002	Frey et al.
6,908,484 B2	6/2005	Zubok et al.	2002/0029039 A1	3/2002	Zucherman et al.
6,966,930 B2	11/2005	Arnin et al.	2002/0040227 A1	4/2002	Harari
6,974,478 B2	12/2005	Reiley et al.	2002/0065557 A1	5/2002	Goble et al.
6,974,479 B2	12/2005	Trieu	2002/0072800 A1	6/2002	Goble et al.
D517,404 S	3/2006	Schluter	2002/0077700 A1	6/2002	Varga et al.
7,008,429 B2	3/2006	Golobek	2002/0086047 A1	7/2002	Mueller et al.
7,013,675 B2	3/2006	Marquez-Pickering	2002/0120335 A1	8/2002	Angelucci et al.
7,051,451 B2	5/2006	Augustino et al.	2002/0123806 A1	9/2002	Reiley
7,074,238 B2	7/2006	Stinson et al.	2002/0151895 A1	10/2002	Soboleski et al.
7,101,375 B2	9/2006	Zucherman et al.	2002/0173800 A1	11/2002	Dreyfuss et al.
7,223,269 B2	5/2007	Chappuis	2002/0173813 A1	11/2002	Peterson et al.
D565,180 S	3/2008	Liao	2002/0198527 A1	12/2002	Muckter
7,371,238 B2	5/2008	Sololeski et al.	2003/0004572 A1	1/2003	Goble
7,458,981 B2	12/2008	Fielding et al.	2003/0028250 A1	2/2003	Reiley et al.
7,517,358 B2	4/2009	Petersen	2003/0040797 A1	2/2003	Fallin et al.
7,537,611 B2	5/2009	Lee	2003/0120343 A1	6/2003	Whelan
7,559,940 B2	7/2009	McGuire et al.	2003/0176919 A1	9/2003	Schmieding
7,563,286 B2	7/2009	Gerber et al.	2003/0176922 A1	9/2003	Lawson et al.
7,585,300 B2	9/2009	Cha	2003/0187454 A1	10/2003	Gill et al.
7,608,104 B2	10/2009	Yuan et al.	2003/0191532 A1	10/2003	Goble et al.
7,695,472 B2 *	4/2010	Young A61B 17/1728 606/280	2003/0204259 A1	10/2003	Goble et al.
			2003/0216669 A1	11/2003	Lang et al.
7,799,077 B2	9/2010	Lang et al.	2003/0233146 A1	12/2003	Grinberg et al.
7,806,895 B2	10/2010	Weier et al.	2004/0006391 A1	1/2004	Reiley
7,846,183 B2	12/2010	Blain	2004/0010318 A1	1/2004	Ferree
7,862,590 B2	1/2011	Lim et al.	2004/0024462 A1	2/2004	Ferree et al.
7,935,136 B2	5/2011	Alamin et al.	2004/0049271 A1	3/2004	Biedermann et al.
D643,121 S *	8/2011	Milford D24/155	2004/0049272 A1	3/2004	Reiley
7,993,370 B2	8/2011	Jahng	2004/0049273 A1	3/2004	Reiley
7,998,172 B2	8/2011	Blain	2004/0049274 A1	3/2004	Reiley
8,052,728 B2	11/2011	Hestad	2004/0049275 A1	3/2004	Reiley
8,109,971 B2	2/2012	Hale	2004/0049276 A1	3/2004	Reiley
8,133,225 B2	3/2012	Pieske	2004/0049277 A1	3/2004	Reiley
8,163,016 B2	4/2012	Linares	2004/0049278 A1	3/2004	Reiley
8,192,468 B2	6/2012	Biedermann et al.	2004/0049281 A1	3/2004	Reiley
8,216,275 B2	7/2012	Fielding et al.	2004/0059429 A1	3/2004	Amin et al.
8,246,655 B2	8/2012	Jackson et al.	2004/0087954 A1	5/2004	Allen et al.
8,292,954 B2	10/2012	Robinson et al.	2004/0116927 A1	6/2004	Graf
8,306,307 B2	11/2012	Koike et al.	2004/0127989 A1	7/2004	Dooris et al.
8,394,125 B2	3/2013	Assell	2004/0143264 A1	7/2004	McAfee
8,460,346 B2	6/2013	Ralph et al.	2004/0176844 A1	9/2004	Zubok et al.
8,486,078 B2	7/2013	Carl et al.	2004/0199166 A1	10/2004	Schmieding et al.
8,496,691 B2	7/2013	Blain	2004/0215341 A1	10/2004	Sybert et al.
8,579,903 B2	11/2013	Carl	2004/0230201 A1	11/2004	Yuan et al.
8,652,137 B2	2/2014	Blain et al.	2004/0230304 A1	11/2004	Yuan et al.
8,740,942 B2	6/2014	Blain	2005/0010291 A1	1/2005	Stinson et al.
8,740,949 B2	6/2014	Blain	2005/0015146 A1	1/2005	Louis et al.
8,784,423 B2	7/2014	Kowarsch et al.	2005/0043797 A1	2/2005	Lee
8,858,597 B2	10/2014	Blain	2005/0043799 A1	2/2005	Reiley
8,882,804 B2	11/2014	Blain	2005/0049705 A1	3/2005	Hale et al.
8,961,613 B2	2/2015	Assell et al.	2005/0055096 A1	3/2005	Serhan et al.
D724,733 S	3/2015	Blain et al.	2005/0059972 A1	3/2005	Biscup
8,974,456 B2	3/2015	Allen et al.	2005/0131409 A1	6/2005	Chervitz et al.
8,979,529 B2	3/2015	Marcus	2005/0131538 A1	6/2005	Chervitz et al.
8,992,533 B2	3/2015	Blain et al.	2005/0143818 A1	6/2005	Yuan et al.
8,998,953 B2	4/2015	Blain	2005/0159746 A1	7/2005	Grab et al.
9,017,389 B2	4/2015	Assell et al.	2005/0197700 A1	9/2005	Boehem et al.
9,060,787 B2	6/2015	Blain et al.	2005/0216017 A1	9/2005	Fielding et al.
D739,935 S	9/2015	Blain et al.	2005/0240201 A1	10/2005	Yeung

US D812,754 S

Page 4

2005/0251256	A1	11/2005	Reiley	2014/0378976	A1	12/2014	Garcia
2005/0256494	A1	11/2005	Datta	2015/0081023	A1	3/2015	Blain
2006/0004367	A1	1/2006	Alamin et al.	2015/0094766	A1	4/2015	Blain et al.
2006/0036323	A1	2/2006	Carl et al.	2015/0119988	A1	4/2015	Assell et al.
2006/0041311	A1	2/2006	McLeer	2015/0164652	A1	6/2015	Assell et al.
2006/0084985	A1	4/2006	Kim	2015/0190149	A1	7/2015	Assell et al.
2006/0085006	A1	4/2006	Ek et al.	2015/0196330	A1	7/2015	Blain
2006/0085072	A1	4/2006	Funk et al.	2015/0209096	A1	7/2015	Gephart
2006/0111782	A1	5/2006	Petersen	2015/0257773	A1	9/2015	Blain
2006/0116684	A1	6/2006	Whelan	2015/0327872	A1	11/2015	Assell et al.
2006/0149375	A1	7/2006	Yuan et al.	2016/0051294	A1	2/2016	Blain
2006/0200137	A1	9/2006	Soboleski et al.	2016/0113692	A1	4/2016	Knoepfle
2006/0241601	A1	10/2006	Trautwein et al.	2016/0128739	A1	5/2016	Blain et al.
2006/0241758	A1	10/2006	Peterman et al.	2016/0128838	A1	5/2016	Assell et al.
2006/0293691	A1	12/2006	Mitra et al.	2016/0213481	A1	7/2016	Blain
2007/0055236	A1	3/2007	Hudgins et al.	2016/0324549	A1	11/2016	Blain
2007/0055252	A1	3/2007	Blain et al.	2017/0000527	A1	1/2017	Blain et al.
2007/0078464	A1	4/2007	Jones et al.				
2007/0118218	A1	5/2007	Hooper				
2007/0149976	A1	6/2007	Hale et al.				
2007/0179619	A1	8/2007	Grab				
2007/0250166	A1	10/2007	McKay				
2007/0270812	A1	11/2007	Peckham				
2008/0009866	A1	1/2008	Alamin et al.				
2008/0058929	A1	3/2008	Whelan				
2008/0177264	A1	7/2008	Alamin et al.				
2008/0183211	A1	7/2008	Lamborne et al.				
2008/0228225	A1	9/2008	Trautwein et al.				
2008/0287996	A1	11/2008	Soholeski et al.				
2009/0005818	A1	1/2009	Chin et al.				
2009/0005873	A1	1/2009	Slivka et al.				
2009/0018662	A1	1/2009	Pasquet et al.				
2009/0024166	A1	1/2009	Carl et al.				
2009/0076617	A1	3/2009	Ralph et al.				
2009/0125066	A1	5/2009	Kraus et al.				
2009/0138048	A1	5/2009	Baccelli et al.				
2009/0171360	A1	7/2009	Whelan				
2009/0198282	A1	8/2009	Fielding et al.				
2009/0264928	A1	10/2009	Blain				
2009/0264929	A1	10/2009	Alamin et al.				
2009/0270918	A1	10/2009	Attia et al.				
2009/0270929	A1	10/2009	Suddaby				
2009/0326589	A1	12/2009	Lemoine et al.				
2010/0010548	A1	1/2010	Hermida Ochoa				
2010/0076503	A1	3/2010	Beyar et al.				
2010/0131008	A1	5/2010	Overes et al.				
2010/0179553	A1	7/2010	Ralph et al.				
2010/0185241	A1	7/2010	Malandain et al.				
2010/0191286	A1	7/2010	Butler				
2010/0204700	A1	8/2010	Falahee				
2010/0204732	A1	8/2010	Aschmann et al.				
2010/0234894	A1	9/2010	Alamin et al.				
2010/0274289	A1	10/2010	Carls et al.				
2010/0298829	A1	11/2010	Schaller et al.				
2010/0318133	A1	12/2010	Tornier				
2011/0022089	A1	1/2011	Assell et al.				
2011/0098816	A1	4/2011	Jacob et al.				
2011/0160772	A1	6/2011	Arcenio et al.				
2011/0172712	A1	7/2011	Chee et al.				
2011/0295318	A1	12/2011	Alamin et al.				
2012/0035658	A1	2/2012	Goble et al.				
2012/0046749	A1	2/2012	Tatsumi				
2012/0101502	A1	4/2012	Kartalian et al.				
2012/0150231	A1	6/2012	Alamin et al.				
2012/0221060	A1	8/2012	Blain				
2012/0245586	A1	9/2012	Lehenkari et al.				
2012/0271354	A1	10/2012	Baccelli et al.				
2012/0277801	A1	11/2012	Marik et al.				
2013/0023878	A1	1/2013	Belliard et al.				
2013/0041410	A1	2/2013	Hestad et al.				
2013/0079778	A1	3/2013	Azuero et al.				
2013/0123923	A1	5/2013	Pavlov et al.				
2013/0325065	A1	12/2013	Malandain et al.				
2014/0012318	A1	1/2014	Goel				
2014/0066758	A1	3/2014	Marik et al.				
2014/0257397	A1	9/2014	Akbarnia et al.				
2014/0277142	A1	9/2014	Blain				
2014/0277149	A1	9/2014	Rooney et al.				
2014/0336653	A1	11/2014	Bromer				

FOREIGN PATENT DOCUMENTS

CA	2 437 575	4/2009
DE	93 04 368	5/1993
DE	201 12 123	9/2001
DE	101 35 771	2/2003
EP	0 238 219	9/1987
EP	0 322 334	6/1989
EP	0 392 124	10/1990
EP	0 610 837	8/1994
EP	0 928 603	7/1999
EP	1 201 202	5/2002
EP	1 201 256	5/2002
EP	2 813 190	12/2014
EP	2 919 717	9/2015
FR	2 704 745	11/1994
FR	2 722 980	2/1996
GB	2 366 736	3/2002
JP	62-270147	11/1987
JP	10-179622	7/1998
JP	2000-210297	8/2000
JP	2004-508888	3/2004
JP	2004-181236	7/2004
JP	2007-503884	3/2007
JP	2007-517627	7/2007
JP	2007-190389	8/2007
JP	2008-510526	4/2008
JP	2009-533167	9/2009
JP	2013-534451	9/2013
MX	6012309	1/2007
WO	WO 93/014721	8/1993
WO	WO 94/004088	3/1994
WO	WO 97/047246	12/1997
WO	WO 98/048717	11/1998
WO	WO 99/023963	5/1999
WO	WO 00/038582	7/2000
WO	WO 00/053126	9/2000
WO	WO 01/030248	5/2001
WO	WO 02/045765	6/2002
WO	WO 02/065954	8/2002
WO	WO 02/096300	12/2002
WO	WO 03/101350	12/2003
WO	WO 2004/071358	8/2004
WO	WO 2005/020850	3/2005
WO	WO 2005/072661	8/2005
WO	WO 2006/023980	3/2006
WO	WO 2006/096803	9/2006
WO	WO 2008/103843	8/2008
WO	WO 2009/021876	2/2009
WO	WO 2010/060072	5/2010
WO	WO 2010/122472	10/2010
WO	WO 2011/011621	1/2011
WO	WO 2012/007941	1/2012
WO	WO 2012/116266	8/2012
WO	WO 2012/116267	8/2012
WO	WO 2013/022880	2/2013
WO	WO 2013/138655	9/2013
WO	WO 2014/078541	5/2014
WO	WO 2016/044432	3/2016

OTHER PUBLICATIONS

3rd Party Lab Notebook, "Facet Cartilage Repair," dated May 20, 2003 in 2 pages.

ArthroTek, "CurvTek® Bone Tunneling System," Surgical Technique, 2000, pp. 6.

Ash, H.E., "Proximal Interphalangeal Joint Dimensions for the Design of a Surface Replacement Prosthesis", School of Engineering, University of Durham, Proceedings of the Institution of Mechanical Engineers Part H Journal of Engineering in Medicine Feb. 1996, vol. 210, No. 2, pp. 95-108.

E-mail from 3rd Party citing U.S. Appl. No. 60/721,909; U.S. Appl. No. 60/750,005 and U.S. Appl. No. 60/749,000, initial e-mail dated May 11, 2009, reply e-mail dated May 18, 2009.

King et al., "Mechanism of Spinal Injury Due to Caudocephalad Acceleration," Symposium on the Lumbar Spine, Orthopedic Clinic of North America, Jan. 1975, vol. 6, pp. 19-31.

PARTEQ Innovations, "Facet Joint Implants & Resurfacing Devices," Technology Opportunity Bulletin, Tech ID 1999-012, Queen's University, Ontario Canada, pp. 2.

Official Communication in Australian Application No. 2005213459, dated Dec. 11, 2009.

Official Communication in Australian Application No. 2005213459, dated Dec. 15, 2010.

Official Communication in Australian Application No. 2011226832, dated Sep. 4, 2012.

Official Communication in Australian Application No. 2011226832, dated Oct. 31, 2012.

Official Communication in Australian Application No. AU2013237744, dated Sep. 2, 2014.

Notice of Acceptance in Australian Application No. AU2013237744, dated Apr. 23, 2015.

Official Communication in Australian Application No. AU2015205875, dated Apr. 2, 2016.

Official Communication in Canadian Application No. 2,555,355, dated Sep. 2, 2011.

Official Communication in Canadian Application No. 2,803,783, dated Sep. 29, 2014.

Official Communication in Canadian Application No. 2,803,783, dated Aug. 5, 2015.

Official Communication in European Application No. 05712981.9, dated Jul. 24, 2007.

Official Communication in European Application No. 05712981.9, dated Mar. 10, 2008.

Official Communication in European Application No. 05712981.9, dated Apr. 6, 2009.

Official Communication in European Application No. 05712981.9, dated Jun. 15, 2010.

Official Communication in European Application No. 10178979.0, dated Mar. 14, 2011.

Official Communication in European Application No. 10178979.0, dated Nov. 13, 2012.

Official Communication in European Application No. 10178979.0, dated Aug. 5, 2013.

Official Communication in European Application No. 14175088.5, dated Sep. 8, 2014.

Official Communication in European Application No. 14175088.5, dated Nov. 18, 2015.

Official Communication in Japanese Application No. 2006-552309, dated May 25, 2010.

Official Communication in Japanese Application No. 2006-552309, dated Feb. 15, 2011.

Official Communication in Japanese Application No. 2010-221380, dated Feb. 15, 2011.

Official Communication in Japanese Application No. 2012-272106, dated Dec. 3, 2013.

Official Communication in Japanese Application No. 2012-272106, dated May 26, 2014.

Official Communication in Japanese Application No. 2012-272106, dated Feb. 23, 2015.

Official Communication in Japanese Application No. 2012-272106, dated Nov. 2, 2015.

International Search Report and Written Opinion in International Application No. PCT/US2005/003753, dated Dec. 5, 2006.

International Preliminary Report and Written Opinion in International App No. PCT/US2005/003753, dated Jan. 9, 2007.

Official Communication in European Application No. 08730413.5, dated Feb. 16, 2012.

Official Communication in European Application No. 14177951.2, dated Nov. 13, 2014.

International Search Report and Written Opinion in International Application No. PCT/US2008/054607, dated Jul. 10, 2008.

International Preliminary Report on Patentability in International Application No. PCT/US2008/054607, dated Sep. 3, 2009.

Official Communication in Australian Application No. 2011292297, dated Jul. 10, 2013.

Official Communication in European Application No. 11818586.7, dated Nov. 6, 2014.

Official Communication in Japanese Application No. 2013-524882, dated Mar. 2, 2015.

Official Communication in Japanese Application No. 2013-524882, dated Nov. 16, 2015.

International Search Report and Written Opinion in International Application No. PCT/US2011/047432, dated Dec. 12, 2011.

International Preliminary Report on Patentability in International Application No. PCT/US2011/047432, dated Feb. 28, 2013.

Official Communication in Australian Application No. AU2012222229, dated Aug. 21, 2015.

Official Communication in Australian Application No. AU2012222229, dated May 11, 2016.

Official Communication in Australian Application No. AU2012222230, dated Aug. 21, 2015.

Official Communication in Japanese Application No. JP 2013-555591, dated Jan. 4, 2016.

Official Communication in Japanese Application No. JP 2013-555592, dated Dec. 7, 2015.

International Search Report in International Application No. PCT/US2012/026470, dated May 30, 2012.

International Preliminary Report on Patentability and Written Opinion in International Application No. PCT/US2012/026470, dated Sep. 6, 2013.

International Search Report and Written Opinion in International Application No. PCT/US2012/026472, dated Jun. 20, 2012.

International Preliminary Report on Patentability and Written Opinion in International Application No. PCT/US2012/026472, dated Mar. 12, 2014.

International Search Report and Written Opinion in International Application No. PCT/US2014/019302, dated May 18, 2015.

International Search Report and Written Opinion in International Application No. PCT/US2014/019325, dated Jun. 17, 2014.

International Preliminary Report on Patentability and Written Opinion in International Application No. PCT/US2014/019325, dated Sep. 24, 2015.

International Search Report and Written Opinion in International Application No. PCT/US2014/056598, dated Dec. 29, 2014.

International Preliminary Report on Patentability and Written Opinion in International Application No. PCT/US2014/056598, dated Apr. 7, 2016.

International Search Report and Written Opinion in International Application No. PCT/US2015/050441, dated Dec. 28, 2015.

International Search Report and Written Opinion in International Application No. PCT/US2016/013062, dated Mar. 16, 2016.

International Search Report in International Application No. PCT/CA2002/000193 filed Feb. 15, 2002, dated Jun. 18, 2002.

International Search Report and Written Opinion in International Application No. PCT/US2004/028094, dated May 16, 2005.

International Preliminary Report on Patentability in International Application No. PCT/US2004/028094, dated Feb. 25, 2013.

International Search Report in International Application No. PCT/US2005/000987 filed Jan. 13, 2005, dated May 24, 2005.

International Preliminary Report on Patentability in International Application No. PCT/US2005/000987 filed Jan. 13, 2005, dated Jan. 17, 2006.

ArthroTek, "CurvTek® Bone Tunneling System," User's Manual, 2000, pp. 20.

Beaman, MD et al., "Substance P Innervation of Lumbar Spine Facet Joints", *Spine*, 1993, vol. 18, No. 8, pp. 1044-1049.

Butterman, et al., "An Experimental Method for Measuring Force on the Spinal Facet Joint: Description and Application of the Method", *Journal of Biomechanical Engineering*, Nov. 1991, vol. 113, pp. 375-386.

Cruess et al., "The Response of Articular Cartilage to Weight-Bearing Against Metal", *The Journal of Bone and Joint Surgery*, Aug. 1984, vol. 66-B, No. 4, pp. 592-597.

Dalldorf et al., "Rate of Degeneration of Human Acetabular Cartilage after Hemiarthroplasty", *The Journal of Bone and Joint Surgery*, Jun. 1995, vol. 77, No. 6, pp. 877-882.

Frost, Harold M., "From Wolff's Law to the Utah Paradigm: Insights About Bone Physiology and Its Clinical Applications", *The Anatomical Record*, 2001, vol. 262, pp. 398-419.

Kurtz, PhD et al., "Isoelastic Polyaryletheretherketone Implants for Total Joint Replacement", *Peek Biomaterials Handbook*, Ch. 14, 2012, pp. 221-226.

Meisel et al., "Minimally Invasive Facet Restoration Implant for Chronic Lumbar Zygapophysial Pain: 1-Year Outcomes", *Annals of Surgical Innovation and Research (ASIR)*, 2014, vol. 8, No. 7, pp. 6.

Panjabi, PhD et al., "Articular Facets of the Human Spine: Quantitative Three-Dimensional Anatomy", *Spine*, 1993, vol. 18, No. 10, pp. 1298-1310.

Ravikumar et al., "Internal Fixation Versus Hemiarthroplasty Versus Total Hip Arthroplasty for Displaced Subcapital Fractures of Femur—13 year Results of a Prospective Randomised Study", *International Journal of the Care of the Injured (Injury)*, 2000, vol. 31, pp. 793-797.

Schendel et al., "Experimental Measurement of Ligament Force, Facet Force, and Segment Motion in the Human Lumbar Spine", *Journal of Biomechanics*, 1993, vol. 26, No. 4/5, pp. 427-438.

Tanno et al., "Which Portion in a Facet is Specifically Affected by Articular Cartilage Degeneration with Aging in the Human Lumbar Zygapophysial Joint?", *Okajimas Folia Anatomica Japonica*, May 2003, vol. 80, No. 1, pp. 29-34.

Official Communication in Australian Application No. AU2015205875, dated Jun. 15, 2016.

Official Communication in Canadian Application No. 2,803,783, dated Jul. 7, 2016.

Official Communication in Australian Application No. 2014277721, dated Sep. 8, 2016.

Official Communication in Japanese Application No. 2015-242990, dated Dec. 12, 2016.

Official Communication in European Application No. EP12749447.4, dated Jan. 4, 2017.

Official Communication in European Application No. 12749251.0, dated Jan. 4, 2017.

Official Communication in Japanese Application No. JP 2013-555592, dated Aug. 8, 2016.

Official Communication in European Application No. 14774714.1, dated Oct. 21, 2016.

Official Communication in European Application No. 14776445.0, dated Nov. 7, 2016.

Official Communication in European Application No. 14850082.0, dated Aug. 31, 2016.

* cited by examiner

Primary Examiner — Charles Hanson
(74) *Attorney, Agent, or Firm* — Knobbe, Martens, Olson & Bear, LLP

(57) **CLAIM**

The ornamental design for a flexible elongate member with a portion configured to receive a bone anchor, as shown and described.

DESCRIPTION

FIG. 1 is a front perspective view of a flexible elongate member with a portion configured to receive a bone anchor according to an embodiment;

FIG. 2 is a top view of the flexible elongate member with a portion configured to receive a bone anchor illustrated in FIG. 1;

FIG. 3 is a bottom view of the flexible elongate member with a portion configured to receive a bone anchor illustrated in FIG. 1;

FIG. 4 is a first side view of the flexible elongate member with a portion configured to receive a bone anchor illustrated in FIG. 1;

FIG. 5 is a second side view of the flexible elongate member with a portion configured to receive a bone anchor illustrated in FIG. 1;

FIG. 6 is a rear view of the flexible elongate member with a portion configured to receive a bone anchor illustrated in FIG. 1;

FIG. 7 is a front view of the flexible elongate member with a portion configured to receive a bone anchor illustrated in FIG. 1; and,

FIG. 8 is a cross-sectional side view of the flexible elongate member with a portion configured to receive a bone anchor taken along line 8-8 in FIG. 2.

The broken lines are included for the purpose of illustrating environment and form no part of the claimed design. The dot-dash-dot lines form the bounds of the claimed design and are not part of the claimed design. The diagonal lines in the cross-section do not form part of the claimed design.

1 Claim, 6 Drawing Sheets

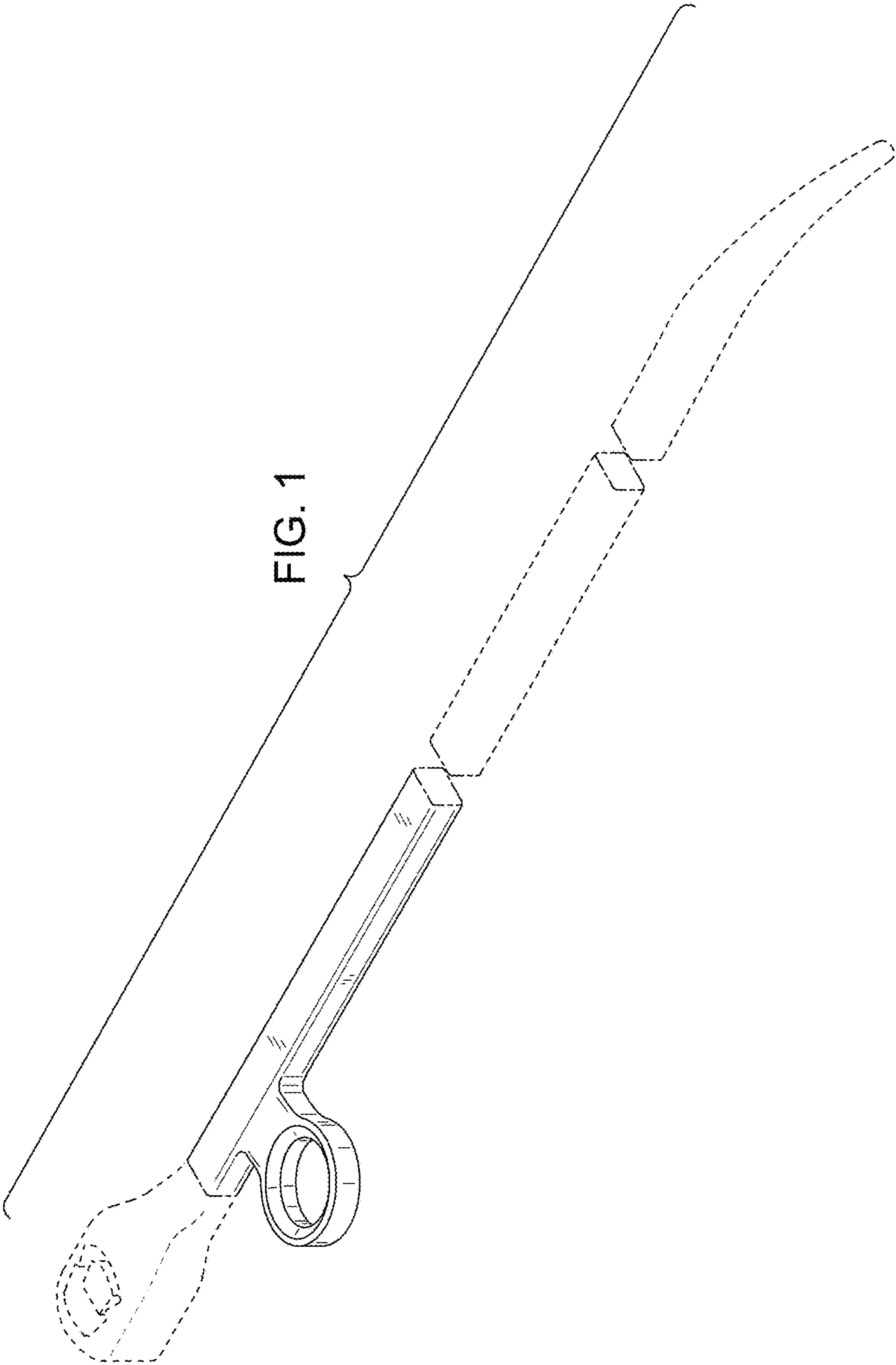


FIG. 2

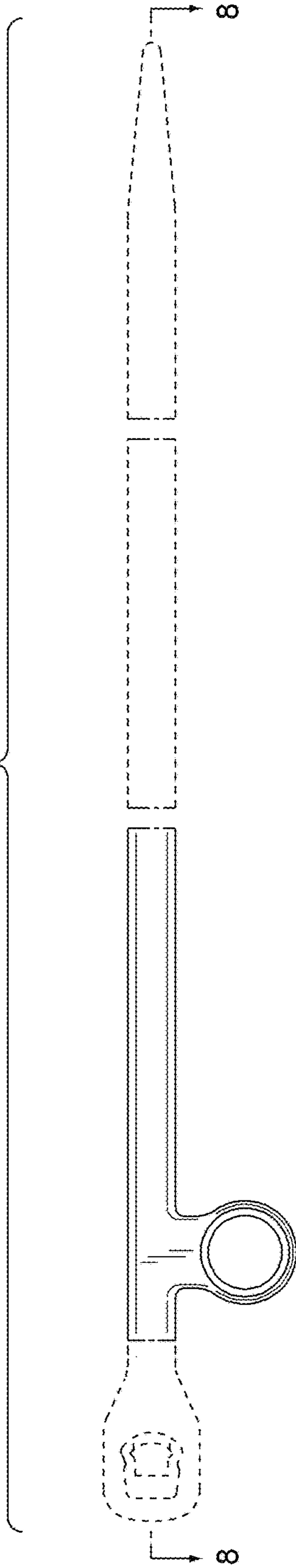


FIG. 3

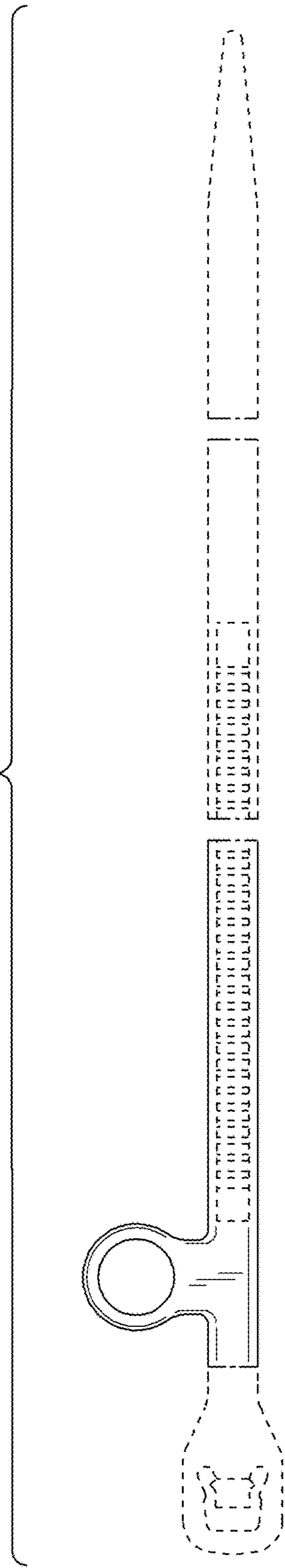


FIG. 4

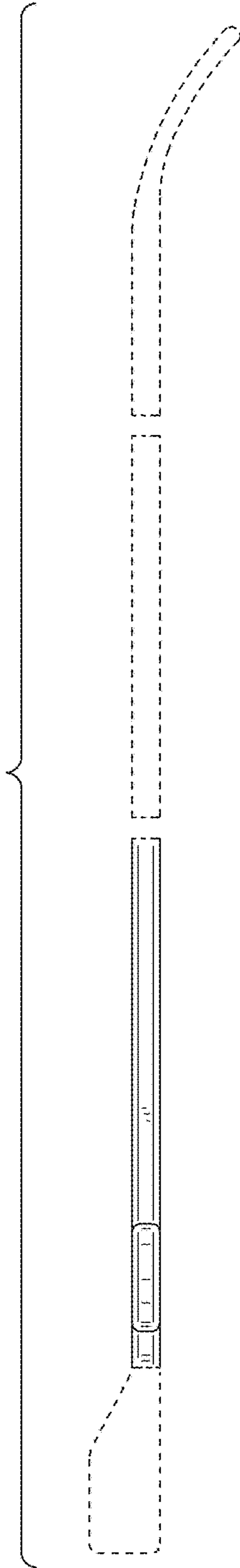


FIG. 5

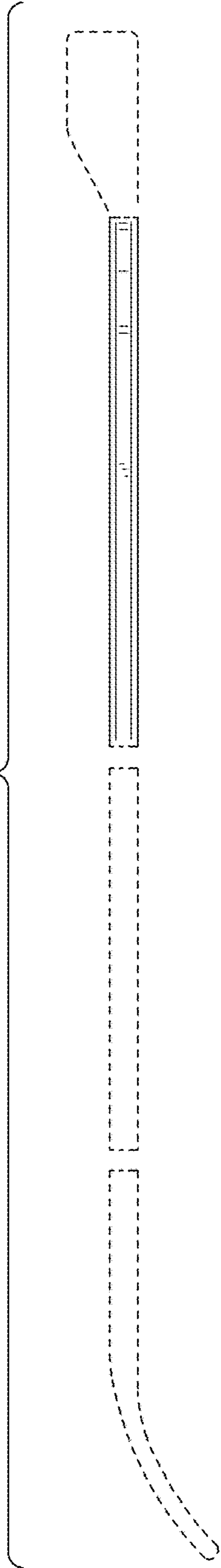


FIG. 6

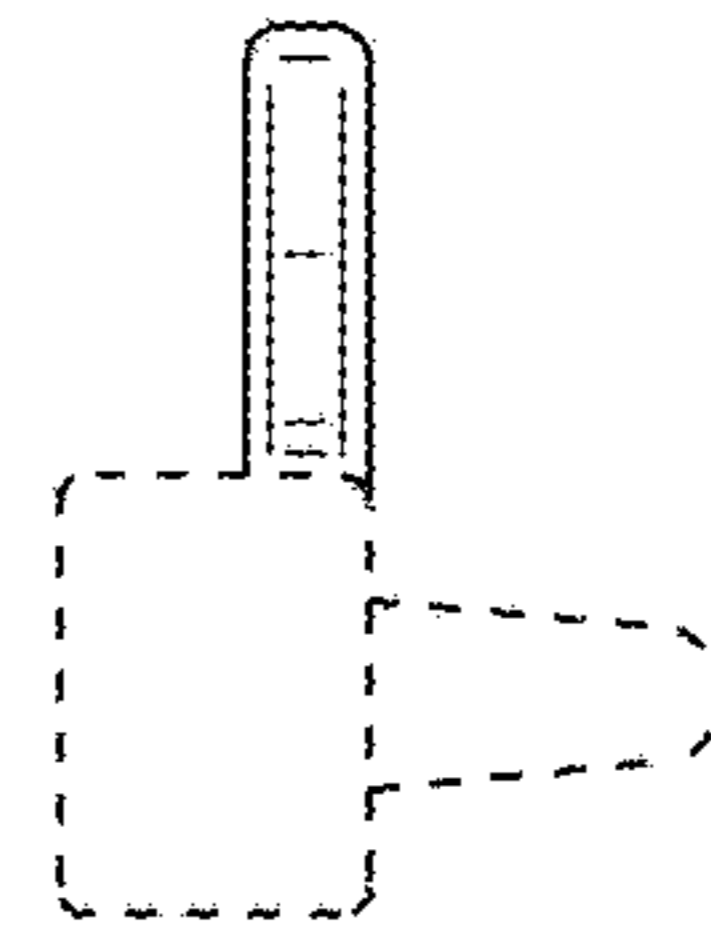


FIG. 7

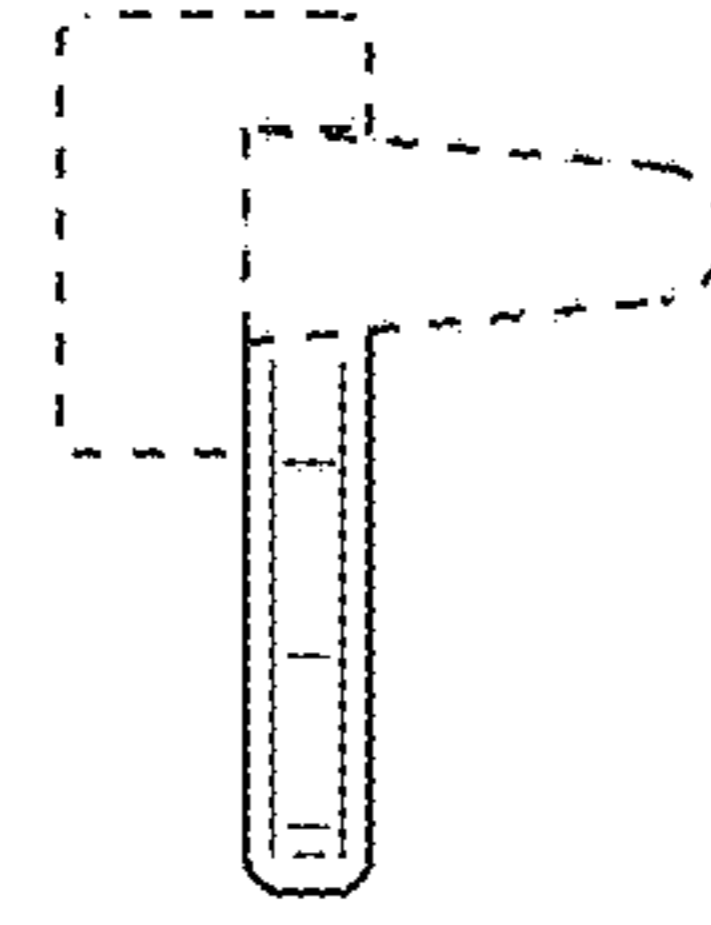


FIG. 8

