

US00RE40388E

(19) **United States**  
(12) **Reissued Patent**  
**Gines**

(10) **Patent Number:** **US RE40,388 E**  
(45) **Date of Reissued Patent:** **\*Jun. 17, 2008**

(54) **ELECTROSURGICAL GENERATOR WITH  
ADAPTIVE POWER CONTROL**

(75) Inventor: **David Lee Gines**, Ft. Collins, CO (US)

(73) Assignee: **Covidien AG**, Neuhausen am Rheinfall  
(SE)

(\*) Notice: This patent is subject to a terminal disclaimer.

(21) Appl. No.: **10/434,019**

(22) Filed: **May 8, 2003**

**Related U.S. Patent Documents**

Reissue of:

(64) Patent No.: **6,228,080**  
Issued: **May 8, 2001**  
Appl. No.: **09/209,323**  
Filed: **Dec. 11, 1998**

U.S. Applications:

(63) Continuation of application No. 08/838,548, filed on Apr. 9, 1997, now Pat. No. 6,033,399.

(51) **Int. Cl.**  
**A61B 18/18** (2006.01)

(52) **U.S. Cl.** ..... **606/34; 606/42**

(58) **Field of Classification Search** ..... **606/32-34,**  
**606/37-42**

See application file for complete search history.

(56) **References Cited**

**U.S. PATENT DOCUMENTS**

1,787,709 A 1/1931 Wappler  
1,813,902 A 7/1931 Bovie  
1,841,968 A 1/1932 Lowry  
1,863,118 A 6/1932 Liebel  
1,945,867 A 2/1934 Rawls

(Continued)

**FOREIGN PATENT DOCUMENTS**

DE	179607	3/1905
DE	1099658	2/1961
DE	1139927	11/1962
DE	1149832	6/1963
DE	1439302	1/1969

(Continued)

**OTHER PUBLICATIONS**

Alexander et al., "Magnetic Resonance Image-Directed Stereotactic Neurosurgery: Use of Image Fusion with Computerized Tomography to Enhance Spatial Accuracy" *Journal Neurosurgery*, 83; (1995) pp. 271-276.

Anderson et al., "A Numerical Study of Rapid Heating for High Temperature Radio Frequency Hyperthermia" *International Journal of Bio-Medical Computing*, 35 (1994) pp. 297-307.

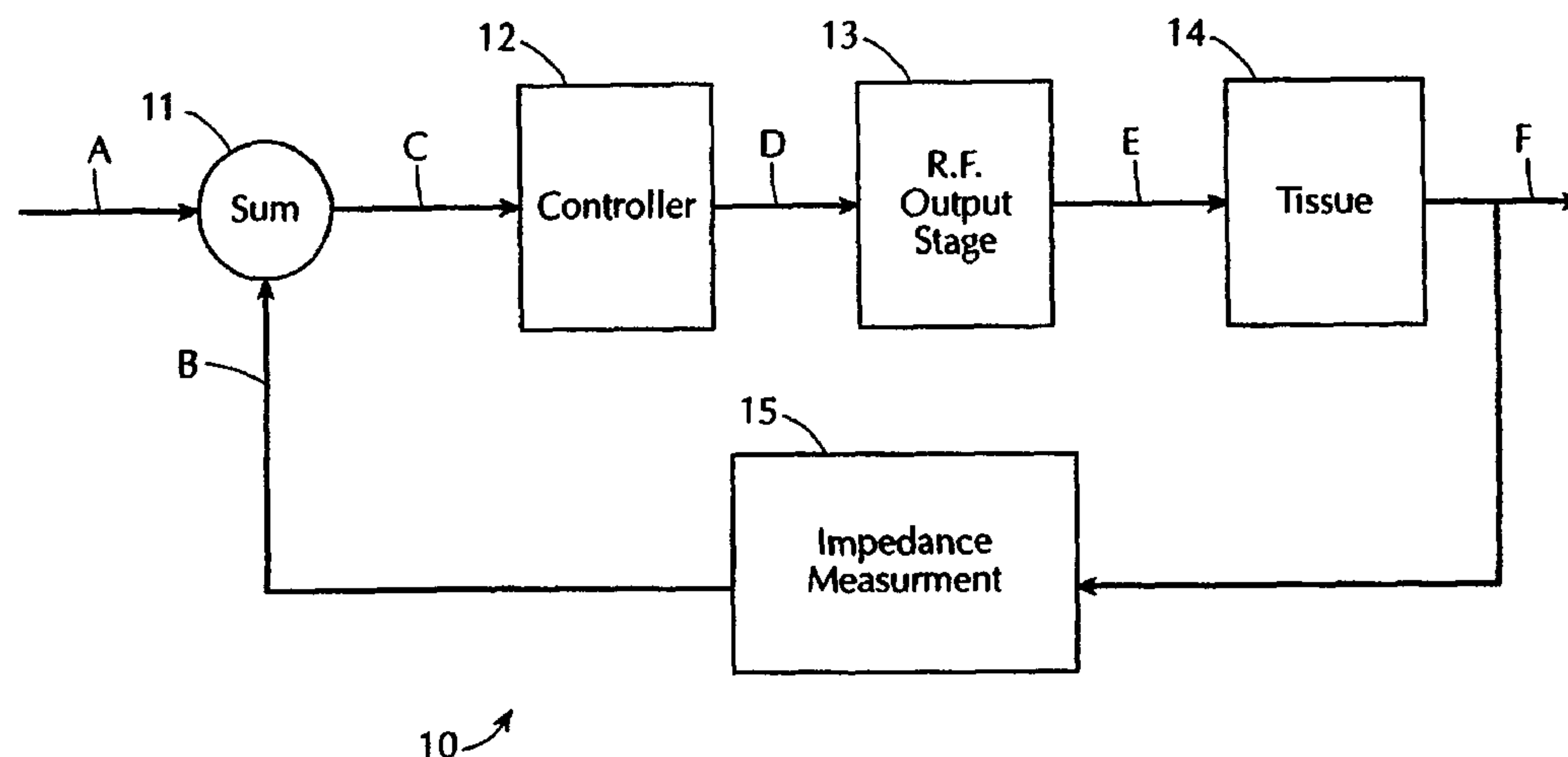
(Continued)

*Primary Examiner*—Michael Peffley

(57) **ABSTRACT**

An electrosurgical generator has an output power control system that causes the impedance of tissue to rise and fall in a cyclic pattern until the tissue is desiccated. The advantage of the power control system is that thermal spread and charring are reduced. In addition, the power control system offers improved performance for electrosurgical vessel sealing and tissue welding. The output power is applied cyclically by a control system with tissue impedance feedback. The impedance of the tissue follows the cyclic pattern of the output power several times, depending on the state of the tissue, until the tissue becomes fully desiccated. High power is applied to cause the tissue to reach a high impedance, and then the power is reduced to allow the impedance to fall. Thermal energy is allowed to dissipate during the low power cycle. The control system is adaptive to tissue in the sense that output power is modulated in response to the impedance of the tissue.

**24 Claims, 6 Drawing Sheets**



# US RE40,388 E

Page 2

U.S. PATENT DOCUMENTS					
2,827,056 A	3/1958	Degelman	4,092,986 A	6/1978	Schneiderman
2,849,611 A	8/1958	Adams	4,094,320 A	6/1978	Newton et al.
2,982,881 A	5/1961	Reich	4,102,341 A	7/1978	Ikuno et al.
3,058,470 A	10/1962	Seeliger et al.	4,114,623 A	9/1978	Meinke et al.
3,089,496 A	5/1963	Degelman	4,121,590 A	10/1978	Gonser
3,163,165 A	12/1964	Islikawa	4,123,673 A	10/1978	Gonser
3,252,052 A	5/1966	Nash	4,126,137 A	11/1978	Archibald
3,391,351 A	7/1968	Trent	4,145,636 A	3/1979	Doi
3,402,326 A	9/1968	Guasco et al.	4,188,927 A	2/1980	Harris
3,413,480 A	11/1968	Biard et al.	4,191,188 A	3/1980	Belt et al.
3,436,563 A	4/1969	Regitz	4,196,734 A	4/1980	Harris
3,439,253 A	4/1969	Piteo	4,200,104 A	4/1980	Harris
3,439,680 A	4/1969	Thomas, Jr.	4,200,105 A	4/1980	Gosner
3,461,874 A	8/1969	Martinez	4,209,018 A	6/1980	Meinke et al.
3,471,770 A	10/1969	Haire	4,231,372 A	11/1980	Newton
3,478,744 A	11/1969	Leiter	4,232,676 A	11/1980	Herczog
3,486,115 A	12/1969	Anderson	4,237,887 A	12/1980	Gosner
3,495,584 A	2/1970	Schwalm	4,237,891 A	12/1980	DuBose et al.
3,513,353 A	5/1970	Lansch	4,281,373 A	7/1981	Mabille
3,514,689 A	5/1970	Giannamore	4,287,557 A	9/1981	Brehse
3,515,943 A	6/1970	Warrington	4,303,073 A	12/1981	Archibald
3,551,786 A	12/1970	Van Gulik	4,311,154 A	1/1982	Sterzer et al.
3,562,623 A	2/1971	Farnsworth	4,314,559 A	2/1982	Allen
3,571,644 A	3/1971	Jakoubovitch	4,321,926 A	3/1982	Roge
3,589,363 A	6/1971	Banko	4,334,539 A	6/1982	Childs et al.
3,595,221 A	7/1971	Blackett	4,343,308 A	8/1982	Gross
3,601,126 A	8/1971	Estes	4,372,315 A	2/1983	Shapiro et al.
3,611,053 A	10/1971	Rowell	4,376,263 A	3/1983	Pittroff et al.
3,641,422 A	2/1972	Farnsworth et al.	4,378,801 A	4/1983	Oosten
3,662,151 A	5/1972	Haffey	4,384,582 A	5/1983	Watt
3,675,655 A	7/1972	Sittner	4,397,314 A	8/1983	Vaguine
3,683,923 A	8/1972	Anderson	4,407,272 A	10/1983	Yamaguchi
3,693,613 A	9/1972	Kelman	4,411,266 A	10/1983	Cosman
3,697,808 A	10/1972	Lee	4,416,276 A	11/1983	Newton et al.
3,699,967 A	10/1972	Anderson	4,416,277 A	11/1983	Newton et al.
3,720,896 A	3/1973	Bierlein	4,437,464 A	3/1984	Crow
3,743,918 A	7/1973	Maitre	4,452,546 A	6/1984	Hiltebrandt et al.
3,766,434 A	10/1973	Sherman	4,463,759 A	8/1984	Garito et al.
3,768,482 A	10/1973	Shaw	4,470,414 A	9/1984	Imagawa et al.
3,783,340 A	1/1974	Becker	4,472,661 A	9/1984	Culver
3,784,842 A	1/1974	Kremer	4,474,179 A	10/1984	Koch
3,801,766 A	4/1974	Morrison, Jr.	4,492,231 A	1/1985	Auth
3,801,800 A	4/1974	Newton	4,492,832 A	1/1985	Taylor
3,812,858 A	5/1974	Oringer	4,494,541 A	1/1985	Archibald
3,815,015 A	6/1974	Swin et al.	4,514,619 A	4/1985	Kugelman
3,826,263 A	7/1974	Cage et al.	4,520,818 A	6/1985	Mickiewicz
3,828,768 A	8/1974	Douglas	4,559,943 A	12/1985	Bowers
3,848,600 A	11/1974	Patrick, Jr. et al.	4,565,200 A	1/1986	Cosman
3,870,047 A	3/1975	Gonser	4,566,454 A	1/1986	Mehl et al.
3,875,945 A	4/1975	Friedman	4,569,345 A	2/1986	Manes
3,885,569 A	5/1975	Judson	4,576,177 A	3/1986	Webster, Jr.
3,897,787 A	8/1975	Ikuno et al.	4,582,057 A	4/1986	Auth et al.
3,897,788 A	8/1975	Newton	4,590,934 A	5/1986	Malis et al.
3,901,216 A	8/1975	Felger	4,608,977 A	9/1986	Brown
3,905,373 A	9/1975	Gonser	4,630,218 A	12/1986	Hurley
3,913,583 A	10/1975	Bross	4,632,109 A	12/1986	Patterson
3,923,063 A	12/1975	Andrews et al.	4,644,955 A	2/1987	Mioduski
3,933,157 A	1/1976	Bjurwill et al.	4,646,222 A	2/1987	Okado et al.
3,946,738 A	3/1976	Newton et al.	4,651,264 A	3/1987	Shiao-Chung Hu
3,952,748 A	4/1976	Kaliher et al.	4,651,280 A	3/1987	Chang et al.
3,963,030 A	6/1976	Newton	4,657,015 A	4/1987	Irnich
3,964,487 A	6/1976	Judson	4,658,815 A	4/1987	Farin et al.
3,971,365 A	7/1976	Smith	4,658,819 A	4/1987	Harris et al.
3,980,085 A	9/1976	Ikuno	4,658,820 A	4/1987	Klicek
4,005,714 A	2/1977	Hilebrandt	4,662,383 A	5/1987	Sogawa et al.
4,024,467 A	5/1977	Andrews et al.	4,712,559 A	12/1987	Turner
4,041,952 A	8/1977	Morrison, Jr. et al.	4,727,874 A	3/1988	Bowers et al.
4,051,855 A	10/1977	Schneiderman	4,735,204 A	4/1988	Sussman et al.
4,063,557 A	12/1977	Wuchinich et al.	4,739,759 A	4/1988	Rexroth et al.
4,074,719 A	2/1978	Semm	4,741,334 A	5/1988	Irnich
			4,754,757 A	7/1988	Feucht



# US RE40,388 E

Page 3

4,805,621 A	2/1989	Heinze et al.	5,400,267 A	3/1995	Denen et al.
4,818,954 A	4/1989	Flachenecker et al.	5,403,311 A	4/1995	Abele et al.
4,827,911 A	5/1989	Broadwin et al.	5,403,312 A	4/1995	Yates et al.
4,827,927 A	5/1989	Newton	5,409,000 A	4/1995	Imran
4,832,024 A	5/1989	Boussignac et al.	5,409,006 A	4/1995	Buchholtz et al.
4,848,335 A	7/1989	Manes	5,409,485 A	4/1995	Suda
4,848,355 A	7/1989	Nakamura et al.	5,413,573 A	5/1995	Koivukangas
4,860,745 A	8/1989	Farin et al.	5,417,719 A	5/1995	Hull et al.
4,862,889 A	9/1989	Feucht	5,422,567 A	6/1995	Matsunaga
4,880,719 A	11/1989	Murofushi et al.	5,423,808 A	6/1995	Edwards et al.
4,890,610 A	1/1990	Kirwan et al.	5,423,809 A	6/1995	Klicek
4,903,696 A	2/1990	Stasz et al.	5,423,810 A	6/1995	Goble et al.
4,907,589 A	3/1990	Cosman	5,430,434 A	7/1995	Lederer et al.
4,922,210 A	5/1990	Flachenecker et al.	5,432,459 A	7/1995	Thompson
4,931,047 A	6/1990	Broadwin et al.	5,433,739 A	7/1995	Sluijter et al.
4,931,717 A	6/1990	Gray et al.	5,434,398 A	7/1995	Goldberg
4,938,761 A	7/1990	Ensslin	5,436,566 A	7/1995	Thompson
4,942,313 A	7/1990	Kinzel	5,438,302 A	8/1995	Goble
4,961,047 A	10/1990	Carder	5,443,463 A	8/1995	Stern et al.
4,961,435 A	10/1990	Kitagawa et al.	5,445,635 A	8/1995	Denen
4,966,597 A	10/1990	Cosman	5,451,224 A	9/1995	Goble et al.
RE33,420 E	11/1990	Sussman	5,458,597 A	10/1995	Edwards et al.
4,969,885 A	11/1990	Farin	5,462,521 A	10/1995	Brucker et al.
4,993,430 A	2/1991	Shimoyama et al.	5,472,441 A	12/1995	Edwards et al.
4,995,877 A	2/1991	Ams et al.	5,472,443 A	12/1995	Cordis et al. .... 606/48
5,015,227 A	5/1991	Broadwin et al.	5,478,303 A	12/1995	Folry-Nolan et al.
5,019,176 A	5/1991	Brandhorst, Jr.	5,480,399 A	1/1996	Hebborn
5,029,588 A	7/1991	Yock et al.	5,483,952 A	1/1996	Aranyi
5,087,257 A	2/1992	Farin	5,490,850 A	2/1996	Ellman et al.
5,103,804 A	4/1992	Abele et al.	5,496,312 A	3/1996	Klicek ..... 606/37
5,108,389 A	4/1992	Cosmescu	5,496,313 A	3/1996	Gentelia et al.
5,108,391 A	4/1992	Flachenecker	5,500,012 A	3/1996	Brucker et al.
5,122,137 A	6/1992	Lennox	5,500,616 A	3/1996	Ochi
5,133,711 A	7/1992	Hagen	5,514,129 A	5/1996	Smith
5,151,102 A	9/1992	Kamiyama et al.	5,520,684 A	5/1996	Imran
5,152,762 A	10/1992	McElhenney	5,531,774 A	7/1996	Schulman et al.
5,157,603 A	10/1992	Scheller et al.	5,534,018 A	7/1996	Wahlstrand et al.
5,160,334 A	11/1992	Billings et al.	5,536,267 A	7/1996	Edwards et al.
5,162,217 A	11/1992	Hartman	5,540,681 A	7/1996	Strul et al.
5,167,658 A	12/1992	Ensslin	5,540,683 A	7/1996	Ichikawa
5,190,517 A	3/1993	Zieve et al.	5,540,684 A	7/1996	Hassler, Jr.
5,196,008 A	3/1993	Kuenecke	5,540,724 A	7/1996	Cox
5,196,009 A	3/1993	Kirwan, Jr.	5,556,396 A	9/1996	Cohen et al. .... 606/42
5,201,900 A	4/1993	Nardella	5,558,671 A	9/1996	Yates ..... 606/38
5,207,691 A	5/1993	Nardella	5,569,242 A	10/1996	Lax et al.
5,230,623 A	7/1993	Guthrie et al.	5,571,147 A	11/1996	Sluijter et al.
5,233,515 A	8/1993	Cosman	5,573,533 A	11/1996	Strul
5,267,994 A	12/1993	Gentelia et al.	5,588,432 A	12/1996	Crowley
5,267,997 A	12/1993	Farin	5,594,636 A	1/1997	Schauder
5,281,213 A	1/1994	Milder et al.	5,596,466 A	1/1997	Ochi
5,300,068 A	4/1994	Rosar et al.	5,599,344 A	2/1997	Paterson
5,300,070 A	4/1994	Gentelia	5,599,345 A	2/1997	Edwards et al.
5,318,563 A	6/1994	Malis et al.	5,605,150 A	2/1997	Radons et al.
5,323,778 A	6/1994	Kandarpa et al.	5,613,966 A	3/1997	Makower et al.
5,324,283 A	6/1994	Heckele	5,613,996 A	3/1997	Lindsay
5,330,518 A	7/1994	Neilson et al.	5,625,370 A	4/1997	D'Hont
5,334,193 A	8/1994	Nardella	5,626,575 A	5/1997	Crenner
5,341,807 A	8/1994	Nardella	5,628,745 A	5/1997	Bek
5,342,356 A	8/1994	Ellman	5,643,330 A	7/1997	Holsheimer et al.
5,342,357 A	8/1994	Nardella	5,647,869 A	7/1997	Goble et al.
5,342,409 A	8/1994	Mullett	5,647,871 A	7/1997	Levine et al.
5,348,554 A	9/1994	Imran et al.	5,651,780 A	7/1997	Jackson et al.
5,370,645 A	12/1994	Klicek et al.	5,658,322 A	8/1997	Fleming
5,370,672 A	12/1994	Fowler et al.	5,660,567 A	8/1997	Nierlich et al.
5,370,675 A	12/1994	Edwards et al.	5,688,267 A	11/1997	Panescu et al.
5,372,596 A	12/1994	Klicek et al.	5,690,692 A	11/1997	Fleming
5,383,874 A	1/1995	Jackson	5,693,042 A	12/1997	Bioarski et al.
5,383,876 A	1/1995	Nardella	5,695,494 A	12/1997	Becker
5,383,917 A	1/1995	Desai et al.	5,696,351 A	12/1997	Benn et al.
5,385,148 A	1/1995	Lesh et al.	5,702,386 A	12/1997	Stern et al.
5,396,062 A	3/1995	Eisentraut et al.	5,702,429 A	12/1997	King



# US RE40,388 E

Page 4

5,707,369 A	1/1998	Vaitekunas et al.	6,241,725 B1	6/2001	Cosman
5,713,896 A	2/1998	Nardella	6,245,065 B1	6/2001	Panescu
5,720,744 A	2/1998	Eggleston et al.	6,246,912 B1	6/2001	Sluijter et al.
5,722,975 A	3/1998	Edwards et al. .... 606/34	6,251,106 B1	6/2001	Becker et al.
5,733,281 A	3/1998	Nardella	6,258,085 B1	7/2001	Eggleston
5,749,869 A	5/1998	Lindenmeier et al.	6,261,285 B1	7/2001	Novak
5,749,871 A	5/1998	Hood et al.	6,261,286 B1	7/2001	Goble et al.
5,755,715 A	5/1998	Stern	6,273,886 B1	8/2001	Edwards
5,766,165 A	6/1998	Gentelia et al.	6,275,786 B1	8/2001	Daners
5,769,847 A	6/1998	Panescu	6,293,941 B1	9/2001	Strul
5,772,659 A	6/1998	Becker et al.	6,293,942 B1	9/2001	Goble et al.
5,792,138 A	8/1998	Shipp	6,306,131 B1	10/2001	Hareyama et al.
5,797,802 A	8/1998	Nowak	6,306,134 B1	10/2001	Goble et al.
5,797,902 A	8/1998	Netherly	6,309,386 B1	10/2001	Bek
5,814,092 A	9/1998	King	6,337,998 B1	1/2002	Behl et al.
5,817,093 A	10/1998	Williamson, IV et al.	6,338,657 B1	1/2002	Harper et al.
5,820,568 A	10/1998	Willis	6,358,245 B1	3/2002	Edwards
5,827,271 A	10/1998	Bussey et al.	6,364,877 B1	4/2002	Goble et al.
5,830,212 A	11/1998	Cartmell et al.	6,383,183 B1	5/2002	Sekino et al.
5,836,943 A	11/1998	Miller, III ..... 606/34	6,398,779 B1	6/2002	Buysse et al.
5,836,990 A	11/1998	Li	6,398,781 B1	6/2002	Goble et al.
5,846,236 A	12/1998	Lindenmeier et al.	6,402,741 B1	6/2002	Keppel et al.
5,868,737 A	2/1999	Taylor et al.	6,402,743 B1	6/2002	Orszulak et al.
5,868,739 A	2/1999	Lindenmeier et al.	6,416,509 B1	7/2002	Goble et al.
5,868,740 A	2/1999	LeVeen et al.	6,436,096 B1	8/2002	Hareyama
5,871,481 A	2/1999	Kannenbergen et al.	6,451,015 B1	9/2002	Rittman, III et al.
5,897,552 A	4/1999	Edwards et al.	6,458,121 B1	10/2002	Rosenstock
5,908,444 A	6/1999	Azure	6,464,689 B1	10/2002	Qin
5,913,882 A	6/1999	King	6,464,696 B1	10/2002	Oyama
5,921,982 A	7/1999	Lesh et al.	6,506,189 B1	1/2003	Rittman, III et al.
5,925,070 A	7/1999	King et al.	6,508,815 B1	1/2003	Strul
5,931,836 A	8/1999	Hatta et al.	6,511,476 B2	1/2003	Hareyama
5,938,690 A	8/1999	Law et al.	6,547,786 B1	4/2003	Goble
5,948,007 A	9/1999	Starkenbaum et al.	6,558,376 B2	5/2003	Bishop
5,951,545 A	9/1999	Schilling et al.	6,562,037 B2	5/2003	Paton
5,951,546 A	9/1999	Lorentzen	6,565,559 B2	5/2003	Eggleston
5,954,686 A	9/1999	Garito et al.	6,573,248 B2	6/2003	Ramasamy et al.
5,954,717 A	9/1999	Behl et al. .... 606/34	6,575,969 B1	6/2003	Rittman, III et al.
5,961,344 A	10/1999	Rosales et al.	6,582,427 B1	6/2003	Goble et al.
5,971,980 A	10/1999	Sherman ..... 606/34	6,620,157 B1	9/2003	Dabney et al.
5,976,128 A	11/1999	Schilling et al.	6,623,423 B2	9/2003	Sakurai
5,983,141 A	11/1999	Sluijter et al.	6,635,057 B2	10/2003	Harano
6,010,499 A	1/2000	Cobb	6,648,883 B2	11/2003	Francischelli
6,014,581 A	1/2000	Whayne et al.	6,652,514 B2	11/2003	Ellman
6,033,399 A	3/2000	Gines	6,663,623 B1	12/2003	Oyama et al.
6,044,283 A	3/2000	Fein et al.	6,663,624 B2	12/2003	Edwards
6,053,910 A	4/2000	Fleenor	6,666,860 B1	12/2003	Takahashi
6,053,912 A	4/2000	Panescu et al.	6,679,875 B2	1/2004	Honda
6,056,745 A	5/2000	Panescu et al.	6,682,527 B2	1/2004	Strul
6,056,746 A	5/2000	Goble et al.	6,685,700 B2	2/2004	Behl
6,063,075 A	5/2000	Mihori	6,685,701 B2	2/2004	Orszulak et al.
6,063,078 A	5/2000	Wittkampf	6,692,489 B1	2/2004	Heim
6,068,627 A	5/2000	Orszulak et al.	6,712,813 B2	3/2004	Ellman
6,074,386 A	6/2000	Goble et al.	6,730,080 B2	5/2004	Harano
6,080,149 A	6/2000	Huang et al.	6,733,495 B1	5/2004	Bek
6,093,186 A	7/2000	Goble	6,733,498 B2	5/2004	Paton
RE36,871 E	9/2000	Epstein	6,740,079 B1	5/2004	Eggers
6,113,591 A	9/2000	Whayne et al.	6,740,085 B2	5/2004	Hareyama
6,113,596 A	9/2000	Hooven	6,783,523 B2	8/2004	Qin
6,123,702 A	9/2000	Swanson et al.	6,790,206 B2	9/2004	Panescu
6,132,429 A	10/2000	Baker	6,796,981 B2	9/2004	Wham
6,142,992 A	11/2000	Cheng et al.	6,824,539 B2	11/2004	Novak
6,162,217 A	12/2000	Kannenbergen et al.	6,830,569 B2	12/2004	Thompson
6,203,541 B1	3/2001	Keppel	6,843,789 B2	1/2005	Goble
6,210,403 B1	4/2001	Klicek	6,849,073 B2	2/2005	Hoey
6,228,080 B1	5/2001	Gines	6,855,141 B2	2/2005	Lovewell
6,228,081 B1	5/2001	Goble	6,855,142 B2	2/2005	Harano
6,231,569 B1	5/2001	Bek	6,860,881 B2	3/2005	Sturm
6,235,020 B1	5/2001	Cheng et al.	6,864,686 B2	3/2005	Novak
6,238,387 B1	5/2001	Miller, III	6,875,210 B2	4/2005	Refior
6,238,388 B1	5/2001	Ellman	6,893,435 B2	5/2005	Goble



2001/0014804	A1	8/2001	Goble et al.	DE	19717411	11/1998
2001/0031962	A1	10/2001	Eggleston	EP	246350	11/1987
2002/0035363	A1	3/2002	Edwards et al.	EP	310431	4/1989
2002/0035364	A1	3/2002	Schoenman et al.	EP	325456	7/1989
2002/0068932	A1	6/2002	Edwards	EP	336742	10/1989
2002/0193787	A1	12/2002	Qin	EP	390937	10/1990
2003/0004510	A1	1/2003	Wham et al.	EP	556705	8/1993
2003/0060818	A1	3/2003	Kannenber	EP	608609	8/1994
2003/0078572	A1	4/2003	Pearson et al.	EP	836868	4/1998
2003/0139741	A1	7/2003	Goble et al.	EP	878169	11/1998
2003/0153908	A1	8/2003	Goble	EP	1293171	3/2003
2003/0163123	A1	8/2003	Goble	FR	1275415	10/1961
2003/0163124	A1	8/2003	Goble	FR	1347865	11/1963
2003/0171745	A1	9/2003	Francischelli	FR	2313708	12/1976
2003/0199863	A1	10/2003	Swanson	FR	2502935	10/1982
2004/0002745	A1	1/2004	Flemming	FR	2517953	6/1983
2004/0015163	A1	1/2004	Buyse et al.	FR	2573301	5/1986
2004/0019347	A1	1/2004	Sakurai	GB	607850	9/1948
2004/0024395	A1	2/2004	Ellman	GB	855459	11/1960
2004/0030328	A1	2/2004	Eggers	GB	902775	8/1962
2004/0044339	A1	3/2004	Beller	GB	2164473	3/1986
2004/0049179	A1	3/2004	Francischelli	GB	2214430	9/1989
2004/0054365	A1	3/2004	Goble	SU	166452	1/1965
2004/0059323	A1	3/2004	Sturm et al.	SU	727201	4/1980
2004/0068304	A1	4/2004	Paton	WO	WO92/06642	4/1992
2004/0082946	A1	4/2004	Malis	WO	WO93/24066	12/1993
2004/0097912	A1	5/2004	Gonnering	WO	WO94/24949	11/1994
2004/0097914	A1	5/2004	Pantera	WO	WO94/28809	12/1994
2004/0097915	A1	5/2004	Refior	WO	WO95/09577	4/1995
2004/0116919	A1	6/2004	Heim	WO	WO95/19148	7/1995
2004/0133189	A1	7/2004	Sakurai	WO	WO96/02180	2/1996
2004/0138653	A1	7/2004	Dabney et al.	WO	WO96/04860	2/1996
2004/0138654	A1	7/2004	Goble	WO	WO96/08794	3/1996
2004/0147918	A1	7/2004	Keppel	WO	WO96/18349	6/1996
2004/0167508	A1	8/2004	Wham et al.	WO	WO96/29946	10/1996
2004/0172016	A1	9/2004	Bek	WO	WO96/39914	12/1996
2004/0193148	A1	9/2004	Wham et al.	WO	WO97/06739	2/1997
2004/0230189	A1	11/2004	Keppel	WO	WO97/06740	2/1997
2004/0243120	A1	12/2004	Orszulak et al.	WO	WO97/06855	2/1997
2004/0260279	A1	12/2004	Goble	WO	WO97/17029	5/1997
2005/0004564	A1	1/2005	Wham	WO	WO02/11634	2/2002
2005/0021020	A1	1/2005	Blaha et al.	WO	WO02/45589	6/2002
2005/0021022	A1	1/2005	Sturm et al.	WO	WO02/47565	6/2002
2005/0101951	A1	5/2005	Wham	WO	WO02/088128	7/2002
2005/0113818	A1	5/2005	Sartor	WO	WO03/092520	11/2003
2005/0113819	A1	5/2005	Wham	WO	WO2004/028385	4/2004
2005/0149151	A1	7/2005	Orszulak	WO	WO2004/098385	4/2004
2005/0182398	A1	8/2005	Paterson	WO	WO2005/046496	5/2005
2005/0197659	A1	9/2005	Bahney	WO	WO2005/048809	6/2005
2005/0203504	A1	9/2005	Wham et al.	WO	WO2005/050151	6/2005
2006/0025760	A1	2/2006	Podhajsky	WO	WO2005/060365	7/2005

## FOREIGN PATENT DOCUMENTS

DE	2439587	2/1975
DE	2455174	5/1975
DE	2407559	8/1975
DE	2602517	7/1976
DE	2504280	8/1976
DE	2540968	3/1977
DE	2820908	11/1978
DE	2803275	8/1979
DE	2823291	11/1979
DE	2946728	5/1981
DE	3143421	5/1982
DE	3045996	7/1982
DE	3120102	12/1982
DE	3510586	10/1986
DE	3604823	8/1987
DE	390937	4/1989
DE	3904558	8/1990
DE	3942998	7/1991

## OTHER PUBLICATIONS

Astrahan, "A Localized Current Field Hyperthermia System for Use with 192-Iridium Interstitial Implants" Medical Physics, 9 (3), May/Jun. 1982.

Bergdahl et al., "Studies on Coagulator and the Development of an Automatic computerized Bipolar Coagulation" Journal of Neurosurgery 75:1, (Jul. 1991) pp. 148-151.

Chicharo et al. "A Sliding Goertzel Algorithm" Aug. 1996, pp. 283-297 Signal Processing, Elsevier Science Publishers B.V. Amsterdam, NL vol. 52 No. 3.

Cosman et al., "Methods of Making Nervous System Lesions" In William RH, Rengachary SS (eds): Neurosurgery, New York: McGraw-Hill, vol. 111, (1984), pp. 2490-2499.

Cosman et al. "Radiofrequency Lesion Generation and Its Effect on Tissue Impedance" Applied Neurophysiology 51: (1988) pp. 230-242.

Cosman et al., "Theoretical Aspects of Radiofrequency Lesions in the Dorsal Root Entry Zone" *Neurosurgery* 15:(1984) pp. 945–950.

Geddes et al., "The Measurement of Physiologic Events by Electrical Impedence" *Am. J. MI*, Jan. Mar. 1964, pp. 16–27.

Goldberg et al., "Tissue Ablation with Radiofrequency: Effect of Probe Size, Gauge, Duration, and Temperature on Lesion Volume" *Acad Radio* (1995) vol. 2, No. 5, pp. 399–404.

Ogden Goertzel Alternative to the Fourier Transform: Jun. 1993 pp. 485–487 *Electronics World*; Reed Business Publishing, Sutton, Surrey, BG vol. 99, No. 9, 1687.

Sugita et al., "Bipolar Coagulator with Automatic Thermo-control" *J. Neurosurg.*, vol. 41, Dec. 1944, pp. 777–779.

Vallfors et al., "Automatically Controlled Bipolar Electrocoagulation—'COA-COMP'" *Neurosurgical Review* 7:2–3 (1984) pp. 187–190.

Wald et al., "Accidental Burns", *JAMA*, Aug. 16, 1971, vol. 217, No. 7, pp. 916–921.

International Search Report PCT/US03/37110 dated Jul. 25, 2005.

International Search Report PCT/US03/37310 dated Aug. 13, 2004.

International Search Report EP 04009964 dated Jul. 13, 2004.

International Search Report EP 98300964.8 dated Dec. 4, 2000.

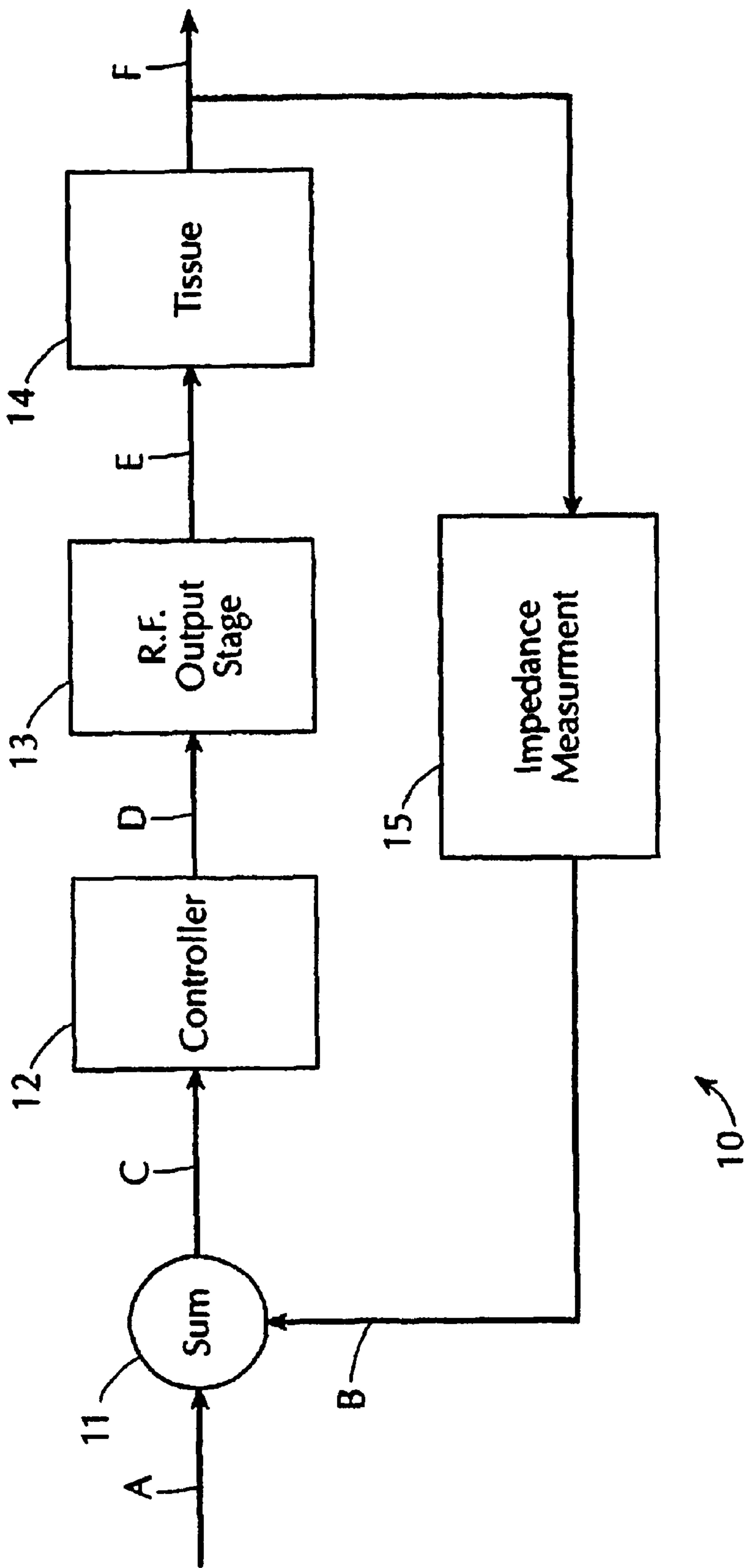
International Search Report EP 04015981.6 dated Sep. 29, 2004.

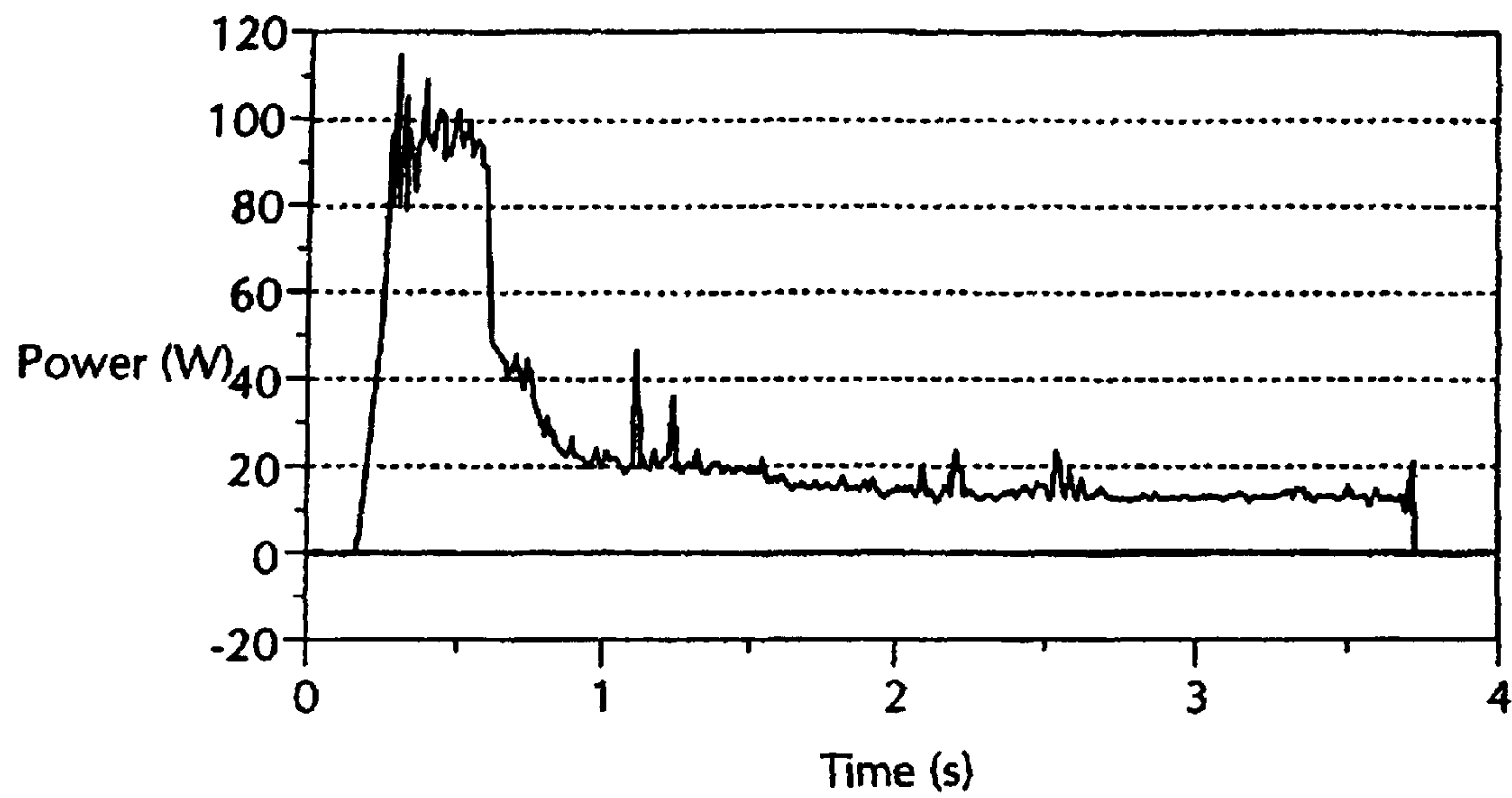
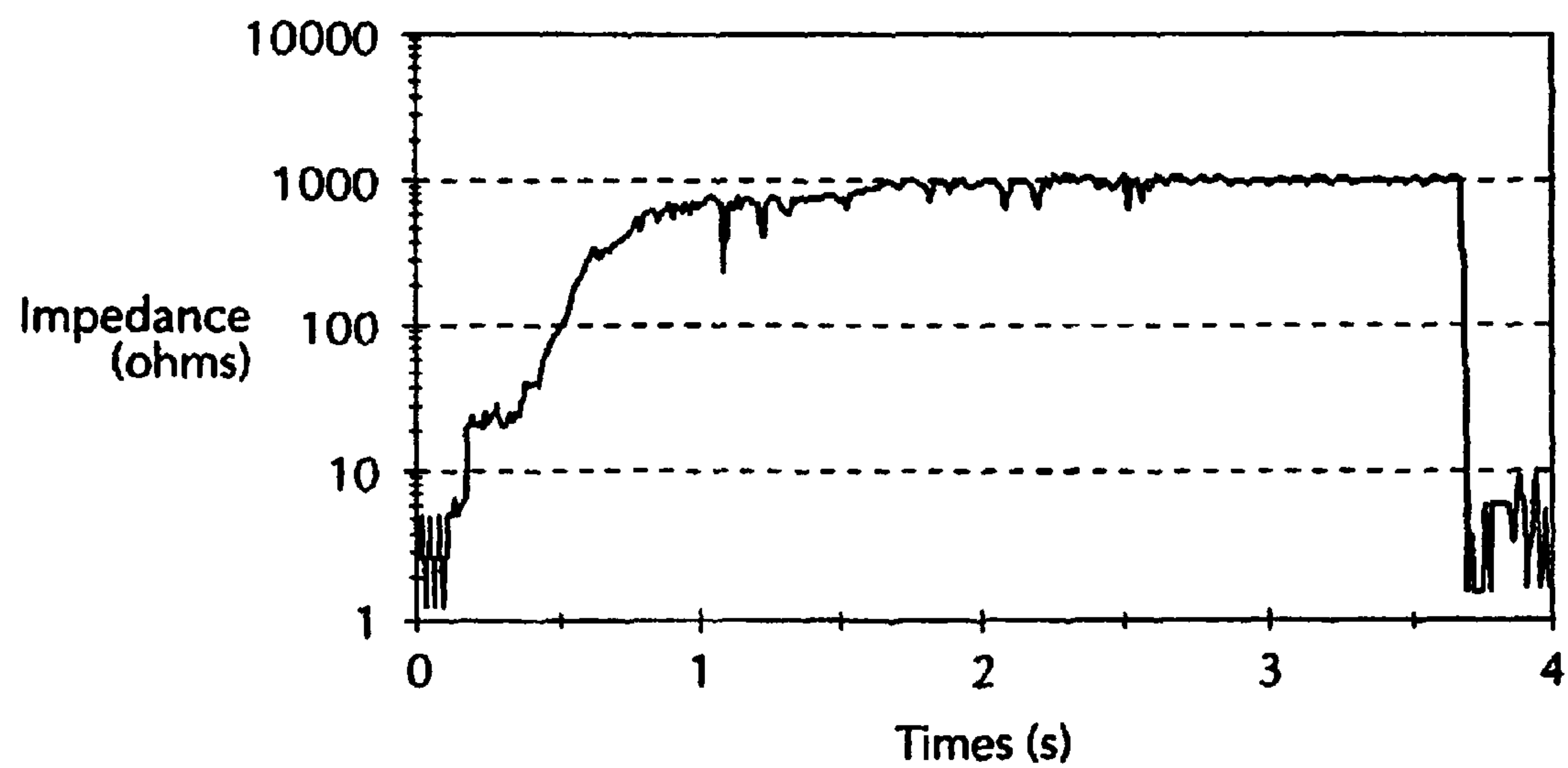
International Search Report EP 05014156.3 dated Dec. 28, 2005.

International Search Report EP 05021944.3 dated Jan. 18, 2006.

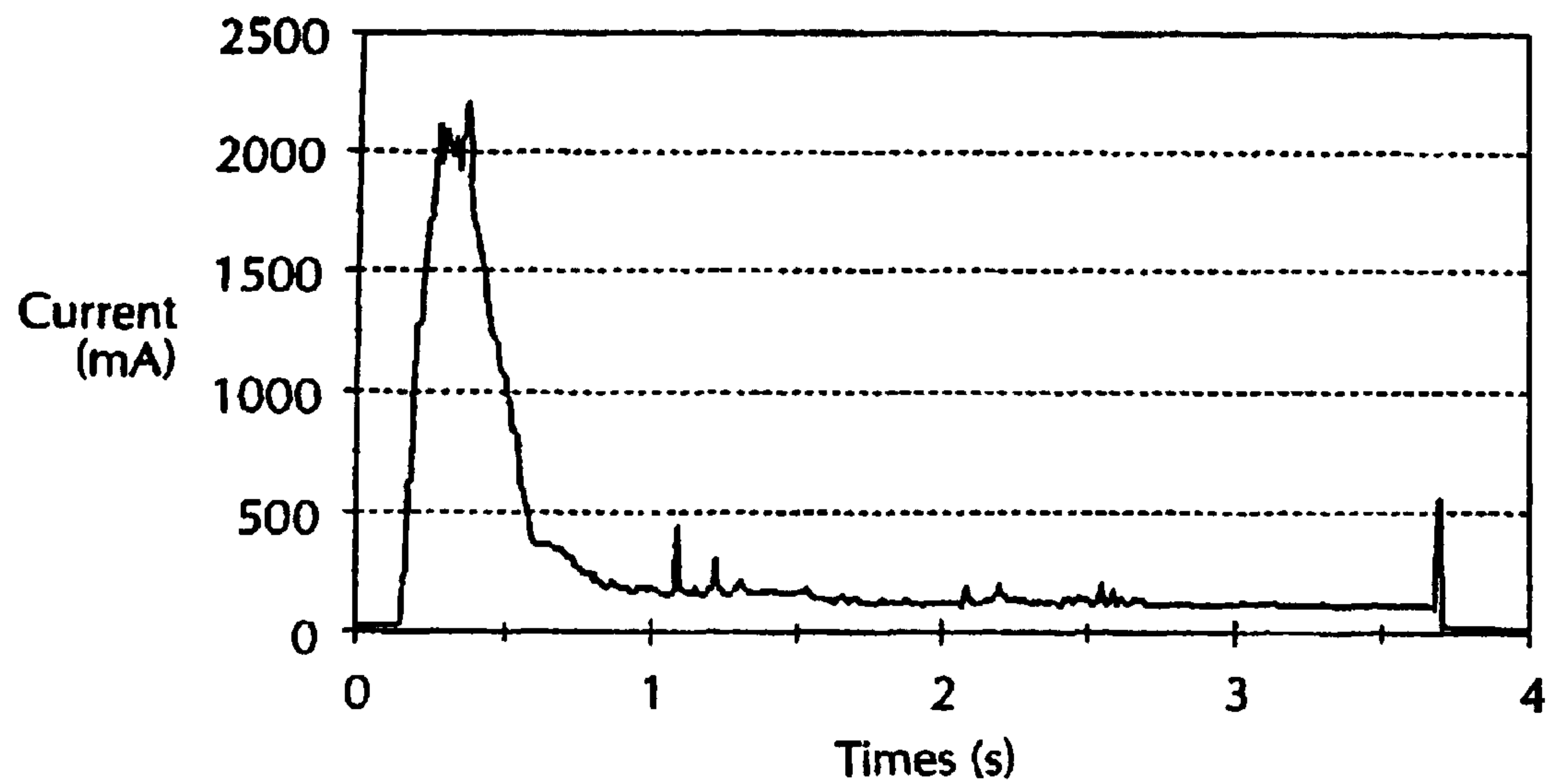
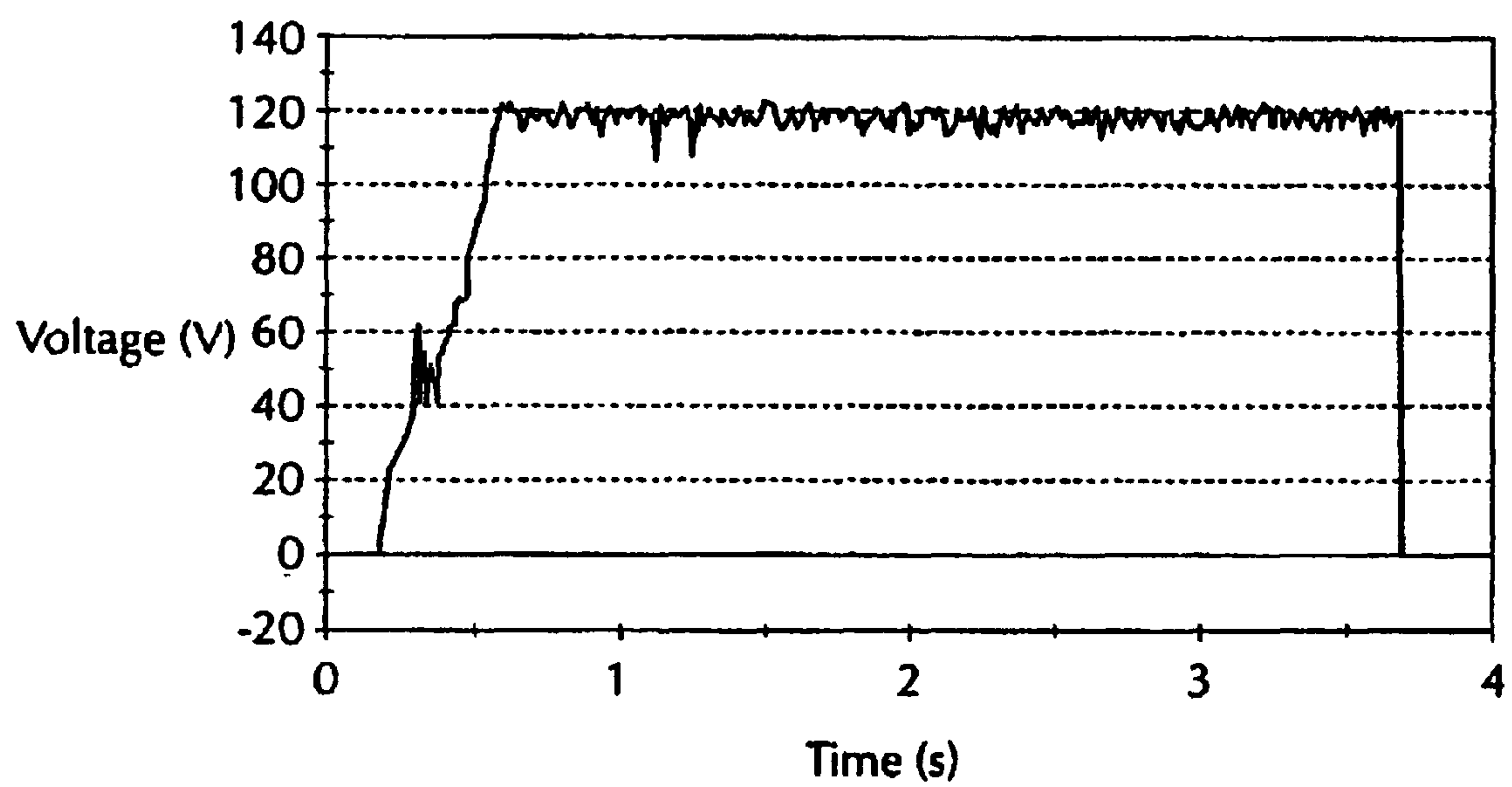
International Search Report EP 05022350.2 dated Jan. 18, 2006.

FIG. 1



**FIG. 2a****FIG. 2b**



**FIG. 2c****FIG. 2d**

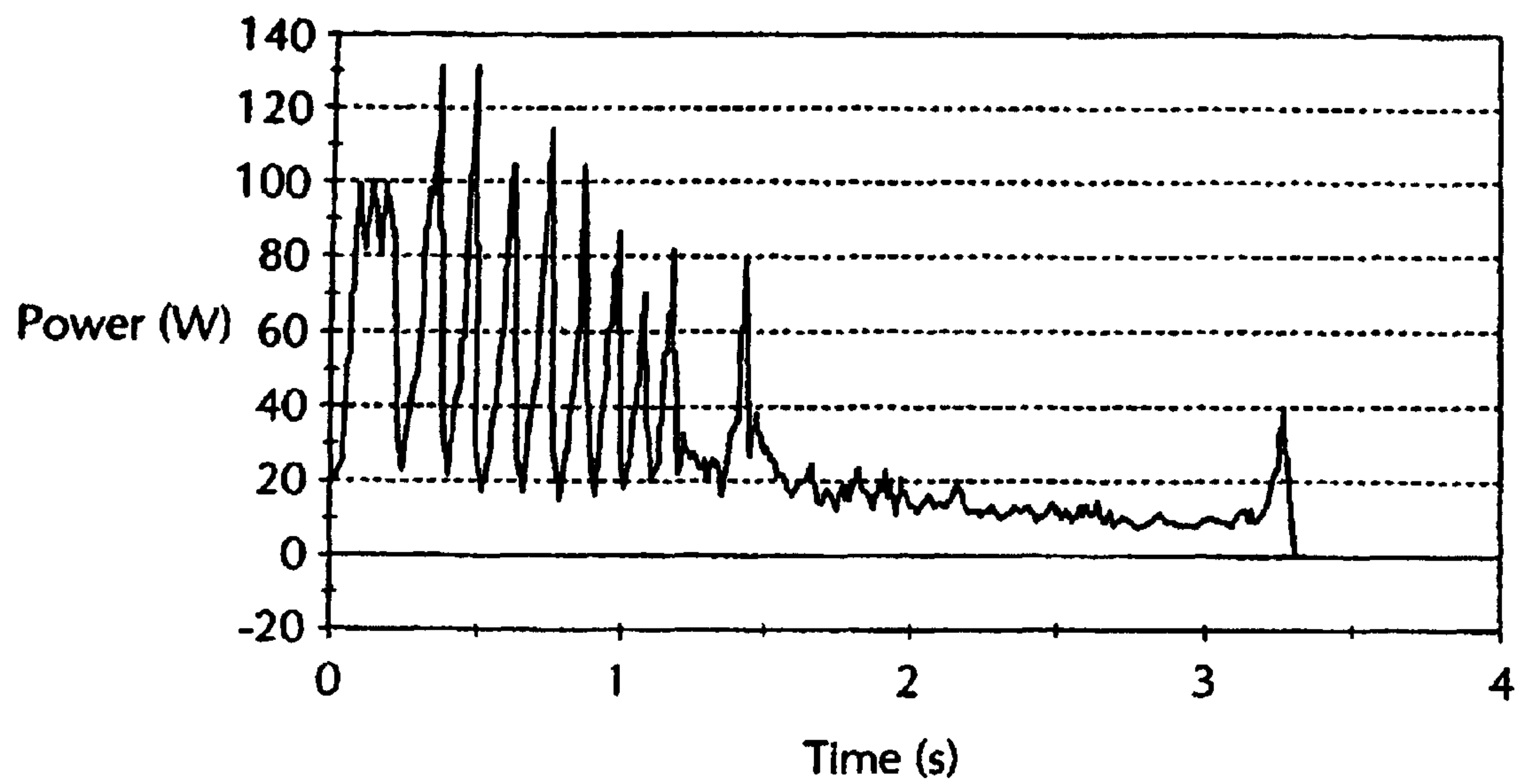
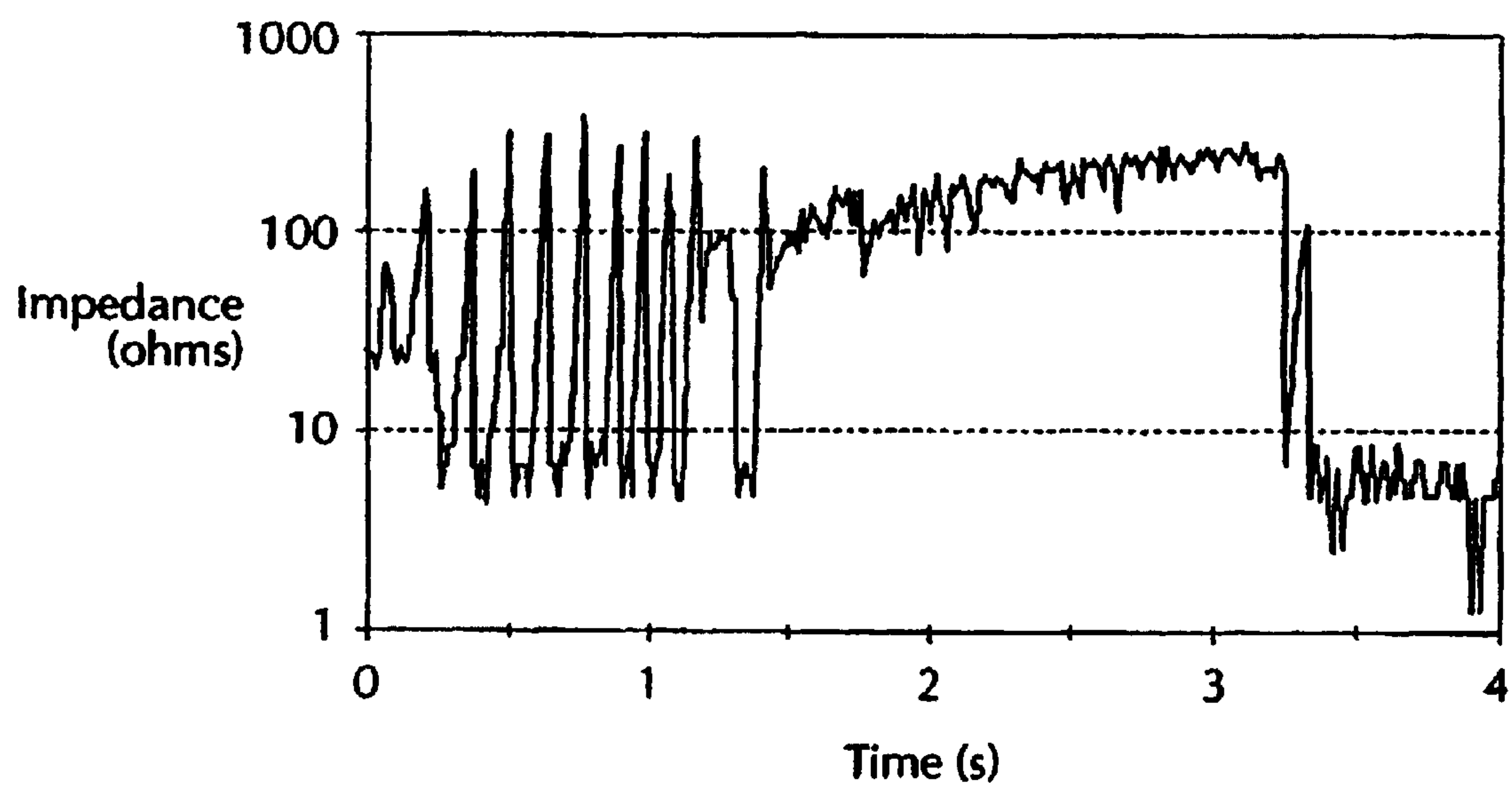
**FIG. 3a****FIG. 3b**



FIG. 3c

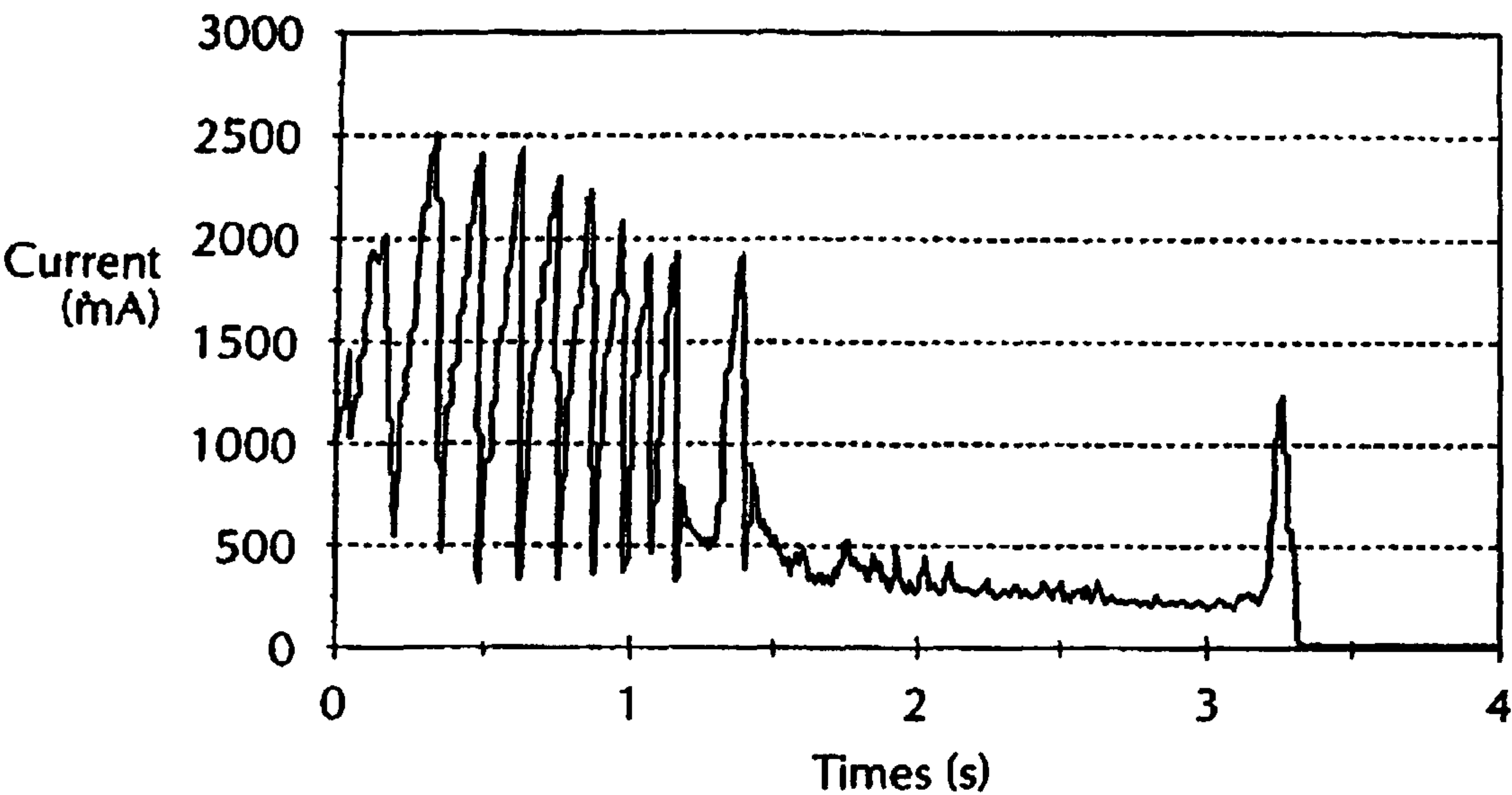


FIG. 3d

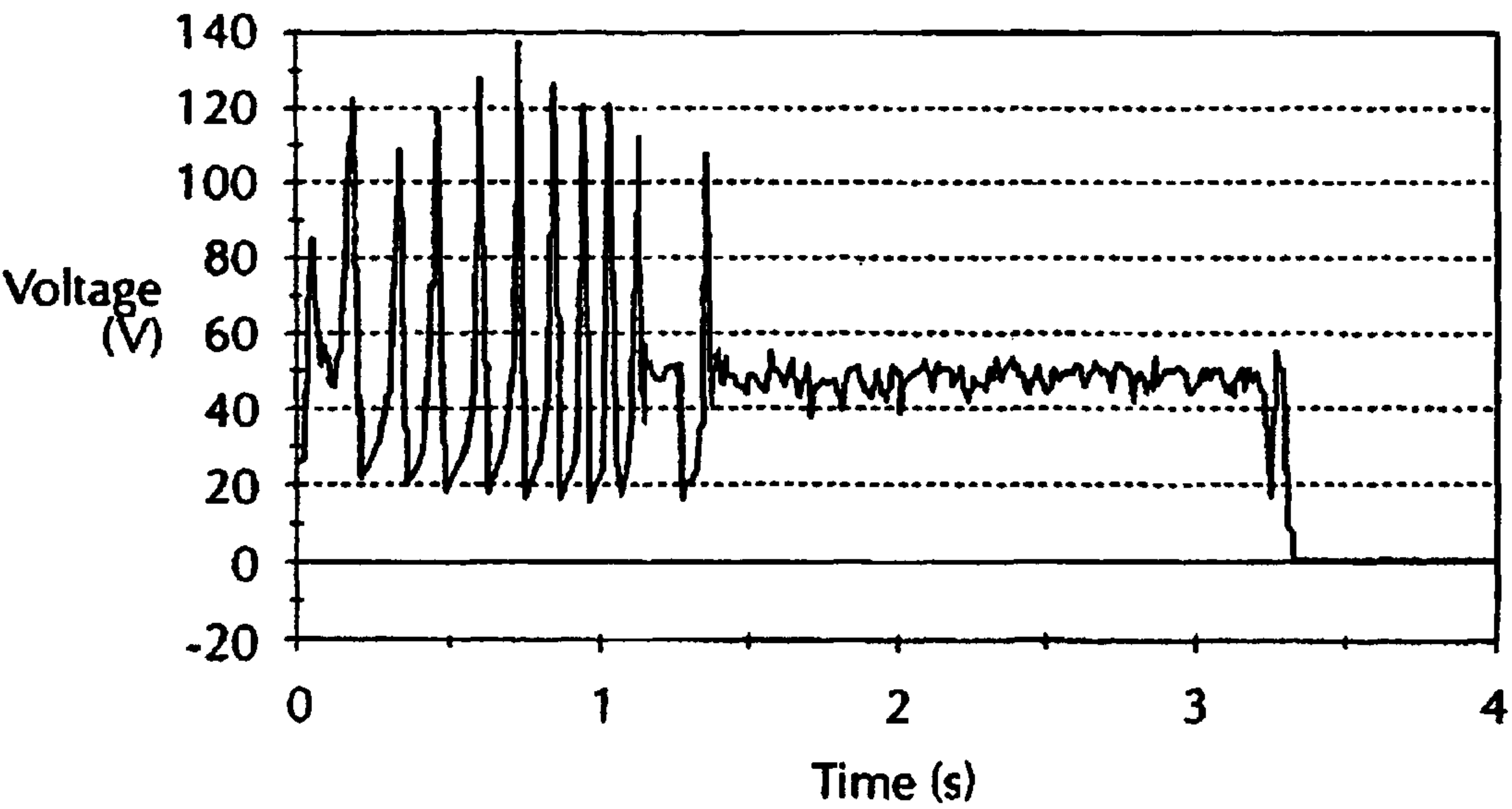


FIG. 4a

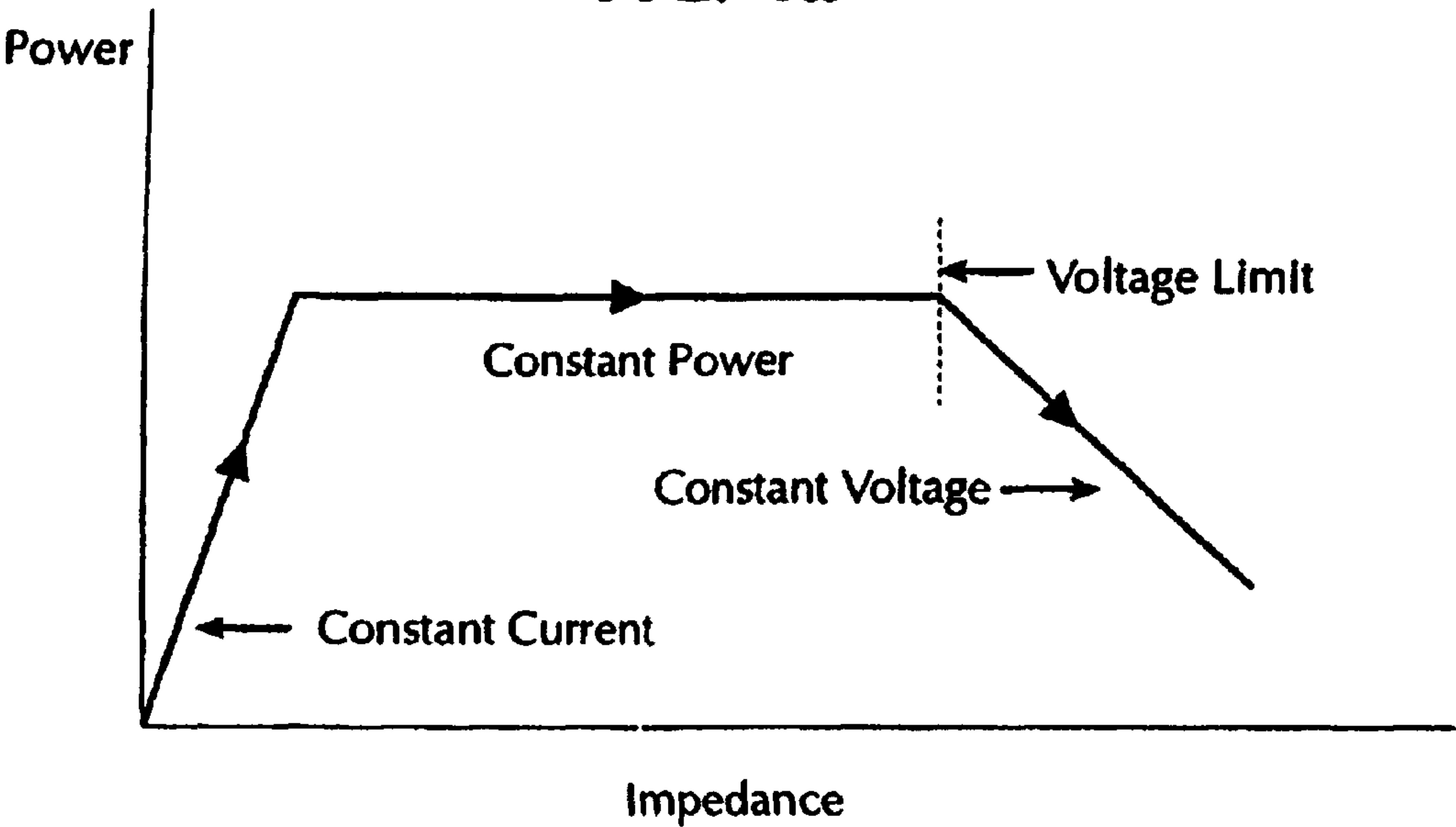
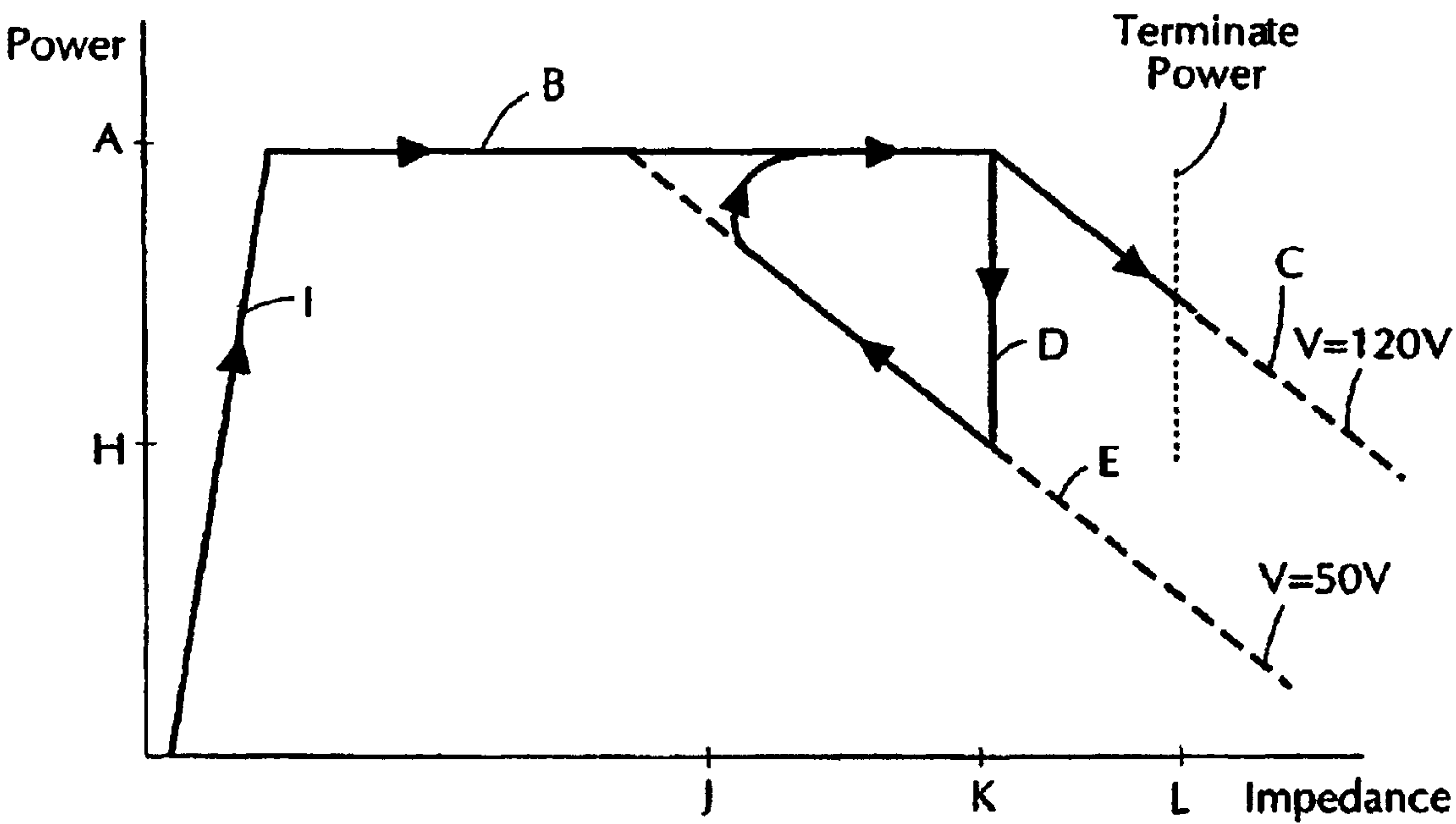


FIG. 4b





## ELECTROSURGICAL GENERATOR WITH ADAPTIVE POWER CONTROL

**Matter enclosed in heavy brackets [ ] appears in the original patent but forms no part of this reissue specification; matter printed in italics indicates the additions made by reissue.**

This application is a Continuation of U.S. application Ser. No. 08/838,548, filed on Apr. 9, 1997, now U.S. Pat. No. 6,033,399, the contents of which are incorporated herein by reference.

### BACKGROUND

#### 1. Field of the Invention

The present invention relates to an electrosurgical generator with an adaptive power control, and more particularly to an electrosurgical generator that controls the output power in a manner that causes impedance of tissue to rise and fall cyclically until the tissue is completely desiccated.

#### 2. Background of the Disclosure

Electrosurgical generators are used by surgeons to cut and coagulate tissue of a patient. High frequency electrical power is produced by the electrosurgical generator and applied to the surgical site by an electrosurgical tool. Monopolar and bipolar configurations are common in electrosurgical procedures.

Electrosurgical generators are typically comprised of power supply circuits, front panel interface circuits, and RF output stage circuits. Many electrical designs for electrosurgical generators are known in the field. In certain electrosurgical generator designs, the RF output stage can be adjusted to control the RMS output power. The methods of controlling the RF output stage may comprise changing the duty cycle, or changing the amplitude of the driving signal to the RF output stage. The method of controlling the RF output stage is described herein as changing an input to the RF output stage.

Electrosurgical techniques have been used to seal small diameter blood vessels and vascular bundles. Another application of electrosurgical energy is tissue welding. In this application, two layers of tissue are grasped and clamped together while electrosurgical power is applied. The two layers are thereby welded together. Tissue welding is similar to vessel sealing, except that a vessel or duct is not necessarily sealed in this process. For example, tissue welding may be used instead of staples for surgical anastomosis. Electrosurgical power has a desiccating effect on tissue during tissue welding or vessel sealing. As used herein, the term "electrosurgical desiccation" is meant to encompass any tissue desiccation procedure, including standard electrosurgical coagulation, desiccation, vessel sealing, and tissue welding.

One of the problems associated with electrosurgical desiccation is undesirable tissue damage due to thermal effects. The tissue at the operative site is heated by the electrosurgical current. Healthy tissue adjacent to the operative site can become thermally damaged if too much heat is allowed to build up at the operative site. The heat may conduct to the adjacent tissue and cause a large region of tissue necrosis. This is known as thermal spread. The problem of thermal spread becomes important when electrosurgical tools are used in close proximity to delicate anatomical structures. Therefore, an electrosurgical generator that reduced the possibility of thermal spread would offer a better opportunity for a successful surgical outcome.

Another problem that is associated with electrosurgical desiccation is a buildup of eschar on the surgical tool. Eschar

is a deposit on an electrosurgical tool that is created from tissue that is desiccated and then charred by heat. The surgical tools will often lose effectiveness when they are coated with eschar. The buildup of eschar could be reduced when less heat is developed at the operative site.

Practitioners have known that a measurement of electrical impedance of tissue is a good indication of the state of desiccation of the tissue. Several commercially available electrosurgical generators can automatically terminate output power based on a measurement of impedance. Several methods for determining the optimal point of desiccation are known in the field. One method sets a threshold impedance, and terminates power once the measured impedance of the tissue crosses the threshold. Another method terminates power based on dynamic variations in the impedance.

A discussion of the dynamic variations of impedance of tissue can be found in the article, Vallfors and Bergdahl "Automatically Controlled Bipolar Electrocoagulation," *Neurosurgical Review*, 7:2-3, pp. 187-190, 1984. FIG. 2 in the Vallfors article shows impedance as a function of time during heating of tissue. Vallfors reports that the impedance value of tissue proved to be close to minimal at the moment of coagulation. Based on this observation, Vallfors suggests a micro-computer technique for monitoring the minimum impedance and subsequently terminating output power to avoid charring the tissue.

A second article by Bergdahl and Vallfors, "Studies on Coagulation and the Development of an Automatic Computerized Bipolar Coagulator," *Journal of Neurosurgery*, 75:1, 148-151, July 1991, discusses the impedance behavior of tissue and its application to electrosurgical vessel sealing. The Bergdahl article reported that the impedance had a minimum value at the moment of coagulation. The Bergdahl article also reported that it was not possible to coagulate safely arteries with a diameter larger than 2 to 2.5 millimeters. The present invention helps to overcome this limitation by enabling electrosurgical vessel sealing of larger diameter vessels.

U.S. Pat. No. 5,540,684 discloses a method and apparatus for electrosurgically treating tissue in a manner similar to the disclosures of Vallfors and Bergdahl. The '684 patent addresses the problem associated with turning off the RF output automatically after the tissue impedance has reached a minimum value. A storage device records maximum and minimum impedance values, and an algorithm computes an optimal time for terminating output power.

U.S. Pat. No. 4,191,188 discloses a variable crest factor electrosurgical generator. The crest factor is disclosed to be associated with the coagulation effectiveness of the electrosurgical waveform.

U.S. Pat. No. 5,472,443 discloses the variation of tissue impedance with temperature. The impedance of tissue is shown to fall, and then subsequently rise as the temperature is increased. The '443 patent shows a relatively lower temperature region (Region A in FIG. 2) where salts, contained within the body fluids, are believed to dissociate, thereby decreasing the electrical impedance. The relatively next higher temperature region (Region B) is where the water in the tissues boils away, causing the impedance to rise. The relatively highest region (Region C) is where the tissue becomes charred, resulting in a slight lowering of impedance.

It would be desirable to have an electrosurgical generator that produced a clinically effective output and, in addition, reduced the amount of heat and thermal spread at the operative site. It would also be desirable to have an electrosurgical



generator that produced a better quality seal for vessel sealing and tissue welding operations. It would also be desirable to have an electrosurgical generator that desiccated tissue by applying a minimal amount of electrosurgical energy.

### SUMMARY OF THE INVENTION

The present invention relates to an electrosurgical generator having an improved output power controller for increasing the quality and reliability of electrosurgically sealing vessels, sealing ducts, welding and desiccating tissue. In particular, the output power is controlled in a manner that causes impedance of tissue to rise and fall repeatedly until the tissue is completely desiccated. The output power and the tissue impedance are both part of a control system wherein the output power is cycled to thereby cause a cycling of the tissue impedance. A basis for this invention is an experimental observation that the electrical impedance of tissue will usually rise when electrosurgical power is applied, and the electrical impedance of tissue will usually fall when the electrosurgical power is reduced or terminated. Presently available electrosurgical generators will monitor the rising impedance of tissue as power is applied. However, the applicant is the first to design an electrosurgical generator with a power control system that actively cause the impedance of the tissue to rise and fall repeatedly until the tissue is desiccated, and thereby achieve beneficial surgical effects.

The application of electrosurgical power is known to cause the impedance of tissue to fall to a local minimum and then rise monotonically thereafter. If the electrosurgical power is applied for too long, the tissue may char and stick to the electrode. Whereas prior designs terminated output power after the first local minimum in the impedance measurement, the present invention actively causes several local impedance minima to occur. Power can be terminated in the present invention based on an impedance limit, a time limit, or based on the responsiveness of the tissue to changes in output power from the generator.

An advantage of the present invention is that it can coagulate tissue with a reduced level of tissue charring. Another benefit of the present invention is that it has improved tissue sealing characteristics. Yet another benefit of the present invention is that it reduces thermal spread and thereby reduces damage to adjacent tissue. Yet another advantage of the present invention is that it reduces the tendency for eschar buildup on the electrosurgical tool. Yet another advantage of the present invention is that large vessels and ducts can be electrosurgically sealed.

It is thought that impedance of tissue can rise and fall depending on several factors, including output power, output voltage, output current, temperature, and pressure on the tissue exerted by surgical graspers. The present invention addresses changes in impedance of tissue that can be attributed to electrosurgical power application, wherein the power can be adjusted by changing the output voltage or the output current. The present invention causes the tissue impedance to rise and fall repeatedly until the tissue is completely desiccated. The present invention adjusts the output power in a manner that is based on feedback from a tissue impedance measurement.

According to the present invention, the impedance of the tissue rises and falls in response to relatively low frequency cycling of the electrosurgical power. The electrosurgical power is raised and lowered (also referenced herein as "cycled") at a relatively low frequency, and the impedance of the tissue is thereby caused to rise and fall at approximately

the same frequency until the tissue becomes desiccated. The manner in which the electrosurgical power is raised and lowered may be accomplished in several ways which incorporate well known principles of control system design.

The frequency of power cycling in the present invention is different from the RF modulation frequency of the electrosurgical waveforms, which are typically in the range of one hundred kilohertz to one megahertz. The frequency of power cycling of the present invention is also different from the duty cycle of generators that causes a coagulation effect on tissue, which is typically in the frequency range above one thousand hertz. The frequency range of power cycling in the present invention is typically between one and twenty hertz. Both the RF modulation and the duty cycling of present electrosurgical generators may occur simultaneously with the power cycling of the present invention.

The frequency at which the electrosurgical power is raised and lowered (i.e. cycled or modulated) should not be too high, otherwise the impedance of the tissue will not be able to rise and fall in response with an amplitude that will produce additional benefits. Similarly, the frequency should not be too low, otherwise the beneficial aspects of the invention will not become apparent because the tissue will desiccate without any appreciable modulation. The range of effective frequencies of the present invention has been called "thermal bandwidth."

The behavior of the tissue impedance is possibly related to the thermal time constant of the tissue. There are additional factors that affect the tissue impedance, including the water content in the tissue and steam. After the tissue is desiccated, which is indicated by a high measured impedance, further application of electrosurgical power will cause undesirable charring. Thus, it is preferred to have impedance monitoring to determine the appropriate time for terminating the electrosurgical power. Impedance monitoring is also preferred so that the modulation frequency of the electrosurgical power can be automatically adjusted and kept within the thermal bandwidth.

It is theorized by the inventor that thermal spread during electrosurgical desiccation is created in at least three ways. The first is through direct thermal conduction away from the weld site. The second is from hot steam exiting the weld site. This mechanism is perhaps far more significant than the first, because of the steam's high mobility. The third mechanism is the lateral spread of current away from the weld site. It is theorized that the third mechanism is due to steam creating a high impedance pathway between the jaws, which forces a larger portion of the current to flow laterally. The present invention controls the output power in a manner that reduces thermal spread.

The present invention is relevant to all electrosurgical generators. It has been found to be particularly relevant to bipolar electrosurgical applications, as well as to electrosurgical tissue welding and vessel sealing. Skilled practitioners will recognize the value of the invention wherever tissue desiccation is accomplished by electrosurgical methods.

### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a block diagram representation of an adaptive oscillatory power curve according to the present invention.

FIG. 2(a) is a sample of experimental data for a standard vessel sealing operation, showing output power as function of time.

FIG. 2(b) is a sample of experimental data for a standard vessel sealing operation, showing load impedance as a function of time.



## 5

FIG. 2(c) is a sample of experimental data for a standard vessel sealing operation, showing output current as a function of time.

FIG. 2(d) is a sample of experimental data for a standard vessel sealing operation, showing output voltage as a function of time.

FIG. 3(a) is a sample of experimental data for an adaptive power control generator, showing output power as a function of time.

FIG. 3(b) is a sample of experimental data for an adaptive power control generator, showing load impedance as a function of time.

FIG. 3(c) is a sample of experimental data for an adaptive power control generator, showing output current as a function of time.

FIG. 3(d) is a sample of experimental data for an adaptive power control generator, showing output voltage as a function of time.

FIG. 4(a) is a representation of a power curve for a standard electrosurgical generator.

FIG. 4(b) is a representation of an adaptive oscillatory power curve.

#### DETAILED DESCRIPTION OF THE INVENTION

The present invention discloses an adaptive, oscillatory power curve which is able to reduce thermal spread in each of these areas by applying power in a cyclical fashion, rather than continuously. During the periods of reduced power application, thermal energy is allowed to dissipate which reduces direct thermal conduction. Also, the steam exits the weld site in smaller bursts, which produces less thermal damage than one large burst. Finally, the impedance between the jaws of the electrosurgical instrument is kept low, which allows current to flow more directly between the jaws.

Charring is also reduced. High voltages contribute to tissue charring, which is why it is preferable to limit the output voltage of the electrosurgical generator to 120 volts, and to periodically reduce it to a lower value during power cycling. A relatively low voltage is also important because it prevents electrical sparks, or arcs, from passing through the tissue and burning small holes in the newly sealed, or welded, tissue.

The transparency, or clarity, at the weld site has been identified as an indicator of successful seal completion. It also gives the surgeon visual feedback as to whether the seal is a success. Preliminary findings indicate that this method may also increase weld site transparency. The reason for this is unknown, but it seems reasonable that reduced charring will allow the weld site to remain more transparent.

Referring to FIG. 1, a block diagram of an adaptive oscillatory power control system 10 is shown. The line designated by the letter A represents the command input signal to the control system 10. The command input signal A is preferably a periodic function, and in certain embodiments the period may vary depending on the dynamics of the tissue. The signal A is representative of the desired tissue impedance. A measurement of tissue impedance is represented by line B. A summing block 11 compares the command input signal A with the measured tissue impedance B to produce a difference signal C. The summing block 11 may be comprised of an electrical comparator circuit as is commonly known to control systems engineers.

The difference signal C may be input to a controller 12 that generates a control signal D. The control signal D adjusts or terminates the output power of the electrosurgical generator by changing the state of the RF. Output Stage 13.

## 6

The controller 12 may be comprised of an algorithm in a microprocessor that determines the conditions for power termination based on the amplitude of the control signal. Alternatively and equivalently, the controller 12 may be connected directly to the measured tissue impedance B to terminate power based on the amplitude of the measured tissue impedance B. The controller 12 may be comprised of any combination of proportional integral, and derivative control laws that are known to control system engineers. Other types of control laws, such as "bang-bang" control laws, are effective equivalents.

In one embodiment, the command input signal A has a cyclic pattern, for example a sine wave or a square wave. The cyclic nature of the command input signal A causes the control system 10 to regulate the output power in a cyclic manner to achieve beneficial surgical effects. The controller 12 monitors the difference signal C to determine the response of the output power E. In one embodiment, when the difference signal C is large, and the impedance measurement B is above threshold, then the controller 12 terminates the output power E.

The control signal D is preferably connected to an R.F. Output Stage 13. The control signal D preferably changes a driving voltage in the R.F. output stage to thereby change the RMS output power from the electrosurgical generator, shown as line E in FIG. 1. Alternatively and equivalently, the control signal D may change the duty cycle of the R.F. Output Stage 13 thereby effectively changing the RMS output power. Other means of changing RMS output power from an R.F. Output Stage, such as changing current, are known to electrical engineers.

The generator R.F. Output Stage 13 causes the electrosurgical generator to output a power level E to the tissue 14 of the patient. The tissue 14 becomes desiccated, thereby changing the electrical impedance, shown by F in FIG. 1. The electrical impedance F of the tissue is measured by an impedance measurement circuit 15 and reported as the measured tissue impedance B. The impedance measurement circuit 15 may be any form of electrical circuit that measures, or estimates, electrical impedance. The measured tissue impedance B is preferably an electrical signal that is proportional to the actual tissue impedance F.

Electrical engineers will recognize that output power from an electrosurgical generator can be adjusted in several ways. For example, the amplitude of the output power can be adjusted. In another example, the output power can be adjusted by changing the duty cycle or the crest factor. The change or adjustment in output power, as used herein is meant to refer any change or adjustment in the root mean square (RMS) value of the output power of the electrosurgical generator.

In operation, the control system 10 is designed to cycle the tissue impedance F for preferably several cycles in order to achieve beneficial effects. Thus, the command input signal A is a cyclically varying signal such as a sine wave. An example of cyclical impedance behavior of tissue is shown in FIG. 3(b). The generator output power that caused the cyclical impedance behavior is shown in FIG. 3(a). The cyclical behavior of the present invention can be contrasted with a standard electrosurgical generator wherein the output power is shown in FIG. 2(a) and the tissue impedance is shown in 2(b).

The present invention discloses an adaptive, oscillatory power curve which is able to reduce thermal spread in each of these areas by applying power in a cyclical fashion, rather than continuously. During the periods of reduced power



application, thermal energy is allowed to dissipate which reduces direct thermal conduction. Also, the steam exits the weld site in smaller bursts, which produces less thermal damage than one large burst. Finally, the impedance between the jaws of the electrosurgical instrument is kept low, which allows current to flow more directly between the jaws.

Charring is thought to be reduced by the present invention. High voltages contribute to tissue charring, which is why it is preferable to limit the output voltage of the electrosurgical generator to 120 volts, and to periodically reduce it to a lower value during power cycling. A relatively low voltage is also important because it prevents electrical sparks, or arcs, from passing through the tissue and burning small holes in the newly sealed, or welded, tissue.

The transparency, or clarity, at the weld site has been identified as an indicator of successful seal completion. It also gives the surgeon visual feedback as to whether the seal is a success. Preliminary findings indicate that this method may also increase weld site transparency. The reason for this is unknown, but it seems reasonable that reduced charring will allow the weld site to remain more transparent.

A plot of output power vs. load impedance is called a "power curve." A representation of a standard power curve is shown in FIG. 4(a). At low impedance, the output is typically current limited, and this is shown as the "constant current" line segment on FIG. 4(a). At midranges of impedance, the electrosurgical generator has a power control system that maintains the output power at a constant level by adjusting the output voltage, as shown by the "constant power" line segment on FIG. 4(a). Eventually, the load impedance becomes large, and the output power cannot be maintained without applying unacceptably high output voltages. Thus, a voltage limit is reached, and the output power drops off because the output current is falling and the output voltage is at a limit. The drop in output power is shown as the "constant voltage" line segment in FIG. 4(a).

The present invention is related to an electrosurgical generator having an adaptive oscillatory power curve as shown in FIG. 4(b). The adaptive oscillatory power curve is produced by a power control system in the electrosurgical generator. The design details of the control system can be implemented in several ways which are well known to control system engineers.

The first part of the adaptive oscillatory power curve, shown at the line segment I in FIG. 4(b), is similar to the standard power curve, wherein the generator applies high current into a low impedance load until a maximum power limit, shown as A, is reached. In the next "leg" of the power curve, shown by line segment B, output current begins to fall, and output voltage begins to rise as the generator adjusts the output voltage to maintain constant output power at the level marked by A. The generator then begins looking for signs to indicate the onset of boiling in the tissue. Such signs include a very rapid rise in impedance, or a high value of voltage, such as 120 volts. The local maximum of the impedance curve is shown by letter K in FIG. 4(b). The dotted line, marked C and labeled V=120 V, shows the possible output power if the generator were to maintain a voltage limit of 120 volts, which is a preferred voltage limit. Rather than follow the V=120 V line, a controller in the generator drops the output power. This can be accomplished, in one embodiment, by dropping the output voltage limit to between zero and 70 volts, and preferably 50 volts, as shown in line segment D. In another embodiment of the control system, the output power can be reduced by other combinations of output current reduction and/or output voltage reduction.

As a consequence of the lower voltage limit, the output power drops to the level indicated by H in FIG. 4(b). In certain embodiments, H may be zero watts. At this lower output power, desiccation stops and the tissue impedance starts to fall. A preferred lower voltage limit of 50 volts may be used as shown by dotted line E and marked "V=50 volts". Once the impedance has reached a local minimum, shown by J, or after a set period of time, the power control system raises the output power back to level A, which corresponds to an output voltage limit of 120 volts in the preferred embodiment. Thus, the output power rises back to level A, and the impedance rises again, until the onset of boiling or an impedance threshold is reached. The cyclical portion of the power curve incorporating line segments B, D, and E is an important part of this invention and will continue until the tissue is desiccated. When the tissue is desiccated, the power will terminate as shown when impedance reaches point L. In certain embodiments, point L will be substantially the same as point K.

The behavior shown in FIG. 4(b) can be observed in FIGS. 3(a), 3(b), 3(c) and 3(d). Power oscillations between 120 watts and 20 watts in FIG. 3(a) correspond to cyclical movement between power level A and power level H in FIG. 4(b). Impedance oscillations in FIG. 3(b) correspond to cyclical movement between impedance level K and impedance level J in FIG. 4(b). It will be understood by control systems engineers that FIG. 4(b) is highly idealized, and the cyclical behavior may not always reach exactly the same local maxima and minima. This can be observed in FIG. 3(a), where the local maxima of the power curve may not always reach 120 volts.

It is theorized by the inventor that the following phenomena occur. The initial high output power initiates boiling in the tissues. The subsequent low output power is insufficient to maintain boiling, and hence boiling in the tissue stops. After boiling stops, if the tissue is not completely desiccated then the impedance will fall to a lower value. Next, the low impedance allows output power to increase, which re-heats the tissue to the point of boiling. The voltage is also pulled higher during the process, and remains so until the power curve can sense the onset of boiling, and lower the voltage, preferably back to 50 volts. The process continues until the tissue is fully desiccated. An oscillation is one cycle of high output power followed by low output power.

FIGS. 2(a) through 2(d) show experimental results on tissue samples using a standard power curve. FIGS. 3(a) through 3(d) show experimental results using an adaptive oscillatory power curve. The general nature of the invention can be seen by comparing FIG. 2(a) with FIG. 3(a). FIG. 2(a) shows a 100 watt electrosurgical output that is applied continuously to tissue. As the tissue desiccates, the impedance of the tissue rises and the output power in FIG. 2(a) is seen to fall off below 20 watts. In contrast, FIG. 3(a) shows an oscillating output power that varies from approximately 100 watts to approximately 20 watts. The effects on tissue impedance can be seen by comparing FIG. 2(b) with FIG. 3(b). The tissue impedance resulting from the standard power curve is shown to continuously increase in FIG. 2(b), perhaps after an initial drop. The tissue impedance resulting from the adaptive oscillatory power curve is shown to oscillate in FIG. 3(b) and thus has several local minima.

Output voltage and output current show a cyclic behavior in the adaptive oscillatory power curve. The cyclic behavior is absent in the standard power curve. FIGS. 2(c) and 3(c) can be compared to show the difference in output current between the standard power curve and the adaptive oscillatory power curve. In each case the maximum output current



risers above 2 amps RMS. FIGS. 2(d) and 3(d) can be compared to show the difference in output voltage between the standard power curve and the adaptive oscillatory power curve. A voltage limit, preferably in each case 120 volts, prevents arcing that might leave pinholes in the tissue seal.

In one embodiment of the adaptive oscillatory power curve, the generator temporarily lowers the output voltage limit to 50 volts whenever the output voltage reaches 120 volts. This causes a reduction in output power, and if the tissue is not completely desiccated, a corresponding significant reduction in tissue impedance. After the reduction in tissue impedance, the output voltage limit is reset to 120 volts, allowing a rise in output power. This reduction and subsequent rise in output power constitutes a cycle.

Designers of electrosurgical generators have found that impedance is a good indicator of the desiccation state of the tissue. However, skilled artisans will recognize that it may not be necessary to compute an exact value for impedance. An electrical measurement that is proportional to the tissue impedance can be used as a functional equivalent. In one embodiment, the control system can properly create the adaptive oscillatory power curve based on measurements of time, and output voltage.

Table 1 shows a comparison between two sets of tests which compare a standard power curve with an adaptive oscillatory power curve. Test 1 indicates use of the standard power curve, while Test 2 indicates the use of the adaptive oscillatory power curve. Size indicates the vessel diameter in millimeters, burst pressures are measured in p.s.i., sticking, charring, and clarity are subjective measures ranked from 0 to 3, (where 0 represents a low value for sticking and charring, and 0 represents a poor value for clarity), and ts indicates thermal spread, measured in millimeters.

TABLE I

CATEGORIES FOR NORMAL AND ABNORMAL RECEPTION AND INTERPRETATION OF SUPPORT SURFACE INPUTS					
SENSE TEST	CHANGES IN AP STANCE ORIENTATION ANGLE COMPARED TO				
	Age-matched Normals				Other Test
PROCEDURE	Cond 1	Cond 2	Cond 3	Cond 4	Conditions
A. Bilateral	>NORM	>=NORM	>NORM	>NORM	2 >= 1
Abnormal					1 = 3 = 4
B. Unilateral	=NORM	=NORM	>NORM	=NORM	2 > 1
Abnormal					3 > 4
(Leg 1)					2 >= 3
B. Unilateral	=NORM	=NORM	=NORM	>NORM	2 > 1
Abnormal					3 > 4
(Leg 2)					2 >= 4
N. Bilateral	=NORM	=NORM	=NORM	=NORM	2 > 1
Normal					1 = 3 = 4

Legend:

NORM parameter value range for age-matched normals

1, 2 etc parameter value on test condition 1, 2 etc

= substantially equivalent parameter values

> parameter value substantially greater than

>= parameter value equal to or substantially greater than

Table 1 illustrates that the adaptive oscillatory power curve (Test 2) has several advantages over the standard power curve (Test 1). Most notable is the lower amount of thermal spread: a mean value of 2.1 mm for the standard power curve, and 1.65 mm for the adaptive oscillatory power curve. The subjective measures for sticking, charring and

clarity of the weld show that the adaptive oscillatory power curve offer improvements over the standard power curve.

In general, the invention is an electrosurgical generator for treating tissue, wherein the electrosurgical generator comprises a circuit for generating a measurement of the load impedance, and an output power controller having means for inducing multiple oscillations of the load impedance in response to the measurement. The load impedance refers to the impedance of the tissue being treated by the electrosurgical generator. The circuit for generating a measurement of the load impedance can be analog or digital, and typically requires an output voltage sensor and an output current sensor. The output voltage is divided by the output current to compute a measurement of load impedance.

The means for inducing multiple oscillations of the load impedance preferably comprises a control system which can selectively control the output voltage to cause appropriate oscillations of the output power. In many electrosurgical generators, an output power control circuit has an adjustable voltage supply connected to the primary side of an isolation transformer. The secondary winding of the transformer is connected to an output resonant circuit. The voltage supply has an adjuster for changing the voltage to the transformer, and thereby changing the output voltage of the electrosurgical generator. A digital signal may be used to control the voltage supply.

The means for inducing multiple oscillations preferably comprise a feedback control system, where the feedback is a measurement of the load impedance. The control system preferably includes an algorithm in a microprocessor. The algorithm in the microprocessor can monitor the load impedance and determine how the load impedance is responding to a change in the output power.

In the preferred embodiment, the control system sets an output voltage limit of 120 volts RMS, and then controls the output power to a user desired setting, for example 100 watts. When the impedance is relatively low, a high current will combine with an output voltage of less than 120 volts to yield the desired power of 100 watts. As the impedance rises,



## 11

the output current will fall, and the output voltage will be increased by the circuit to maintain the desired output power. When the voltage limit of 120 volts is reached, the control system will automatically lower the output voltage to a low value, preferably 50 volts. This effectively lowers the output power. If the tissue is not completely desiccated, the lower output power will cause the impedance to drop significantly. Once a local impedance minimum is detected, or after a set period of time, the output voltage limit is reset to 120 volts by the control system, and the cycle repeats. It has been found through experimentation that the oscillations of the load impedance will occur in the frequency range of one to twenty hertz, and this range has been referred to herein as the thermal bandwidth. In one embodiment, the control system terminates the output power after a set period of time which was three seconds. Alternatively, the control system can terminate power when the impedance reaches a threshold of 2000 ohms. Another alternative is to terminate output power when the measurement of impedance indicates that the impedance does not substantially fall in response to a drop in the output power.

The present invention is applicable to any form of electrosurgical coagulation. The benefits of the present invention, including reduced thermal spread, less eschar buildup, and improved desiccation, can be applied to both monopolar and bipolar electrosurgical generator outputs. While a particular preferred embodiment has been illustrated and described, the scope of protection sought is in the claims that follow.

What is claimed:

1. An electrosurgical generator for applying output power to tissue to desiccate tissue, the electrosurgical generator comprising:

- a controller for cycling the output power to cause a cycling of the tissue impedance; and
- a tissue impedance measurement circuit coupled to said controller for measuring impedance of the tissue;

wherein the controller cycles the output power by applying a predetermined amount of output power to said tissue, lowering the output power upon an output voltage reaching a predetermined maximum, re-applying the predetermined amount of output power to said tissue of a measured tissue impedance does not indicate desiccation of the tissue, and terminating output power when the measured tissue impedance exceeds a predetermined value, the predetermined value corresponding to a desiccated condition of tissue.

2. The generator of claim 1, wherein the controller changes the output voltage to cycle the output power.

3. The generator of claim 1, wherein the controller changes the output current to cycle the output power.

4. The generator of claim 1, wherein the output voltage is cycled by lowering the output voltage once it reaches a predetermined maximum and raising the output voltage if the reduction in measured tissue impedance does not indicate desiccation of the tissue.

5. The generator of claim 1, wherein the output power is cycled at a frequency that is between 1 and 20 Hz.

6. The generator of claim 1, wherein the output voltage does not exceed 120 volts.

7. The generator of claim 1, further comprising a comparator wherein the measured tissue impedance value is compared to a first signal representative of a desired tissue impedance value by the comparator and a difference signal is produced.

8. The generator of claim 7, wherein the difference signal is input to the controller which generates a signal to adjust the power.

## 12

9. The generator of claim 7, wherein the first signal has a cyclic pattern.

10. The generator of claim 9, wherein the first signal is a sine wave.

11. An electrosurgical generator for treating tissue by applying energy comprising:

- a desiccation detector for measuring a degree of desiccation of tissue; and

a controller for minimizing the burning of tissue comprising power control circuitry for repeatedly increasing and decreasing output power to the tissue to be treated, the power control circuitry coupled to the desiccation detector and operating to adjust the output power in response to the degree of desiccation of the tissue by applying a predetermined amount of output power to said tissue, lowering the output power upon an output voltage reaching a predetermined maximum, and re-applying the predetermined amount of output power to said tissue if said desiccation detector does not indicate desiccation of the tissue.

12. The generator of claim 11, wherein the output power is terminated by said controller upon detection of desiccated tissue.

13. The generator of claim 12, wherein the desiccation detector further comprises impedance measuring circuitry, wherein the degree of desiccation of the tissue is determined by the impedance of the tissue measured by the impedance measuring circuitry.

14. The generator of claim 13, wherein the circuitry adjusts the output power by adjusting the output voltage within a predetermined voltage range.

15. The generator of claim 11, wherein the output power is repeatedly increased and decreased by the circuitry at a frequency between 1 and 20 Hz.

16. A method for applying energy to tissue to treat tissue, the method including supplying a generator having a power control system to produce an adaptive oscillatory power curve to minimize the heating effect on tissue, the method comprising:

- a) applying a high current into a low impedance load until a maximum power is reached;
- b) adjusting the output voltage to maintain constant output power as impedance increases as tissue begins to desiccate;
- c) dropping the output power in response to a rapid rise in tissue impedance indicating the boiling of tissue;
- d) allowing the tissue impedance to fall to a predetermined minimum value and then raising the output power to cause an increase in tissue impedance;
- e) repeating steps b and c until impedance reaches a maximum value.

17. A method for applying energy to tissue to treat tissue, the method including supplying a generator having a power control system to produce an adaptive oscillatory power curve to minimize the heating effect on tissue, the method comprising:

- a) applying a high current into a low impedance load until a maximum power is reached;
- b) adjusting the output voltage to maintain constant output power as impedance increases as tissue begins to desiccate;
- c) dropping the output power if the output voltage exceeds a maximum value;
- d) raising the output power after a predetermined period of time to cause an increase in tissue impedance; and



## 13

e) repeating steps b and c until impedance reaches a maximum value.

18. A method for applying energy to tissue to treat the tissue, comprising steps of:

providing an electrosurgical generator;

coupling an output of the generator to tissue to be treated; and

coupling electrosurgical energy from the generator into the tissue in an oscillatory manner until an impedance of the tissue rises to a value that indicates that the tissue is desiccated, wherein the electrosurgical energy is coupled into the tissue with an oscillatory frequency that lies within a thermal bandwidth of the tissue.

19. A method as in claim 18, wherein the frequency is within a range of about one Hertz to about 20 Hertz.

20. A method of applying energy to tissue to treat the tissue, the method including supplying a generator having a power control system to produce an adaptive oscillatory power curve to minimize the heating effect on tissue, the method comprising the steps of:

applying a high current into a low impedance load until a maximum power is reached;

adjusting the output voltage to maintain constant output power as impedance increases as tissue begins to desiccate;

dropping the output power in response to a rapid rise in tissue impedance indicating the boiling of tissue;

allowing the tissue to cool until the tissue impedance reaches a predetermined minimum value and then rais-

## 14

ing the output power to cause an increase in tissue impedance; and

repeating the adjusting and dropping steps until the tissue impedance reaches a maximum value.

21. A method of applying energy to tissue to treat tissue, the method comprising the steps of:

supplying a generator having a power control system to produce an adaptive oscillatory power curve to minimize the heating effect on tissue;

coupling electrosurgical energy from the generator into the tissue in an oscillatory manner until an impedance of the tissue rises to a value that indicates that the tissue is desiccated;

adjusting an output voltage to apply output power to the tissue in a cyclical fashion such that there are periods of increased power application and periods of reduced power application; and

allowing thermal energy to dissipate during the periods of reduced power application.

22. The method of claim 21 wherein the electrosurgical energy is coupled into the tissue with an oscillatory frequency that lies within a thermal bandwidth of the tissue.

23. The method of claim 22 wherein the frequency is within a range of about one Hertz to about 20 Hertz.

24. The method of claim 21 wherein the output voltage of the generator is limited to 120 volts to further minimize the heating effect on the tissue.

\* \* \* \* \*