

### Foley et al.

### [54] DEVICES AND METHODS FOR PERCUTANEOUS SURGERY

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- [52] U.S. Cl. ..... 600/114; 600/102; 604/264

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### [56] **References Cited**

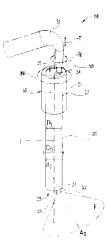
#### U.S. PATENT DOCUMENTS

2,235,979	3/1941	Brown 128/6
3,486,505	12/1969	Morrison 128/303
3,941,127	3/1976	Froning 128/215
3,964,480	6/1976	Froning 128/215
4,461,281	7/1984	Carson 128/3
4,498,902	2/1985	Ash et al 604/164
4,545,374	10/1985	Jacobson 128/303
4,573,448	3/1986	Kambin 128/1
4,586,491	5/1986	Carpenter 128/6
4,638,799	1/1987	Moore 128/303
4,655,216	4/1987	Tischer 128/303
4,674,501	6/1987	Greenberg 128/305
4,678,459	7/1987	Onik et al 604/22
4,700,694	10/1987	Shishido 128/6
4,736,738	4/1988	Lipovsek et al 128/92
4,750,475	6/1988	Yoshihashi 128/6
4,750,487	6/1988	Zanetti 128/303

(List continued on next page.)

#### FOREIGN PATENT DOCUMENTS

0 303 824	2/1989	European Pat. Off
0 528 562 A2	2/1993	European Pat. Off.
2 701 379 A1	8/1994	France .
2 714 285	6/1995	France .
1 566 116	<b>1/197</b> 0	Germany .





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3936811	9/1990	Germany .
2 234 906	2/1991	United Kingdom
WO92/19146	11/1992	WIPO .
WO93/14801	8/1993	WIPO .
WO93/15647	8/1993	WIPO .
WO95/22285	8/1995	WIPO .

### OTHER PUBLICATIONS

Laparoscopic Bone Dowel Instruments, Sofamor Danek. Inc., 1995.

Micro Endo Systems, Sofamor Danek, Inc., 1994. Spinal Endoscopy, Evolution, Applications & Foundations, Hallett H. Mathews, MD. Medical College of Virginia.

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#### ABSTRACT

[57]

Devices and methods for performing percutaneous spinal surgery under direct visualization and through a single cannula are shown. A device (10) is provided which includes an elongated cannula (20) having a first inner diameter  $(D_i)$ and an outer diameter  $(D_{\alpha})$  sized for percutaneous introduction into a patient. The cannula (20) defines a working channel (25) between its ends (21, 22) which has a second diameter  $(D_2)$  equal to the diameter  $(D_1)$  of the cannula sized for receiving a tool therethrough. An elongated viewing element (50) is engageable to the cannula (20) adjacent the working channel (25), preferably by a fixture (30). The fixture (30) includes a housing (31) attachable to the proximal end (22) of the cannula (20) that defines a working channel opening (35) which is in communication with the working channel (25). The housing (31) also defines an optics bore (60) adjacent the working channel opening (35). In certain embodiments, the fixture (30) supports the viewing element (50) for translation and/or rotation within the optics bore (60) along the longitudinal axis of the bore, and for rotation of the housing (31) relative to the cannula (20) so that the longitudinal axis of the optics bore (60) will rotate about the longitudinal axis of the working channel (25). Methods are also provided for performing spinal surgeries percutaneously with direct visualization and without the requirement for a fluid-maintained workspace.

### 37 Claims, 7 Drawing Sheets

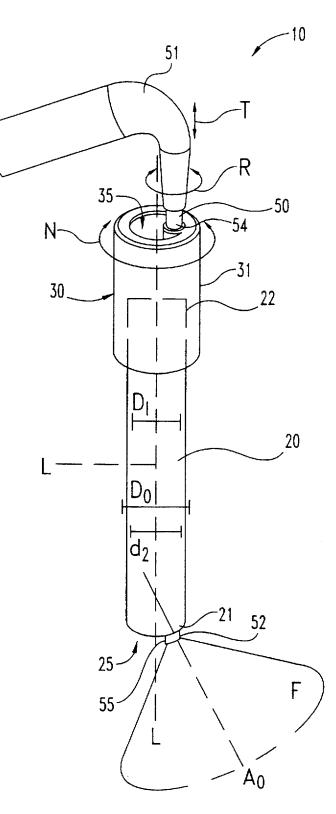
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### U.S. PATENT DOCUMENTS

4,762,120	8/1988	Hussein 128/6
4,875,879	10/1989	Lee 604/283
4,899,729	2/1990	Gill et al 128/3
4,905,082	2/1990	Hishigaki et al 358/98
4,972,827	11/1990	Kishi et al 128/3
5,004,457	4/1991	Wyatt et al 604/158
5,071,410	12/1991	Pazell 604/164
5,125,396	6/1992	Ray 128/20
5,158,543	10/1992	Lazarus 604/164
5,171,279	12/1992	Mathews 623/17
5,195,541	3/1993	Obenchain 128/898
5,201,729	4/1993	Hertzmann et al 606/2
5,242,444	9/1993	MacMillan 606/61
5,334,150	8/1994	Kaali 604/164
5,354,302	10/1994	Ко 606/104

5,357,983	10/1994	Mathews 128/898
5,376,076	12/1994	Kaali 604/164
5,380,291	1/1995	Kaali 604/164
5,392,766	2/1995	Masterson et al 128/4
5,395,317	3/1995	Kambin 604/51
5,396,880	3/1995	Kagan et al 128/6
5,437,637	8/1995	Lieber et al 604/96
5,439,449	8/1995	Mapes et al 604/164
5,439,464	8/1995	Shapiro 606/83
5,441,041	8/1995	Sauer et al 600/106
5,445,142	8/1995	Hassler, Jr 600/105
5,472,426	12/1995	Bonati et al 604/164
5,534,009	7/1996	Lander 606/185
5,551,947	9/1996	Kaali 606/264
5,562,696	10/1996	Nobles et al 606/185
5,569,290	10/1996	McAfee 606/185

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**Fig.** 1

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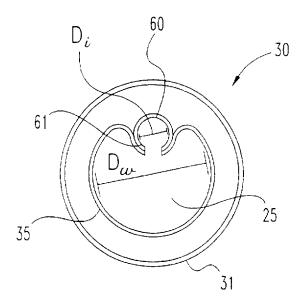
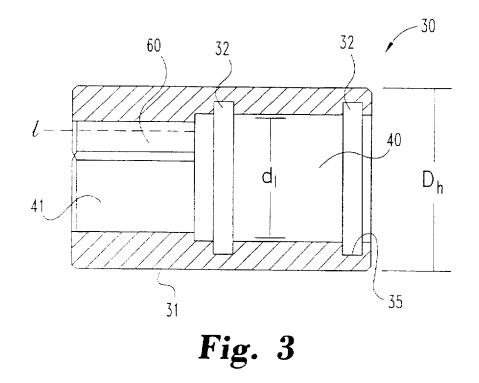
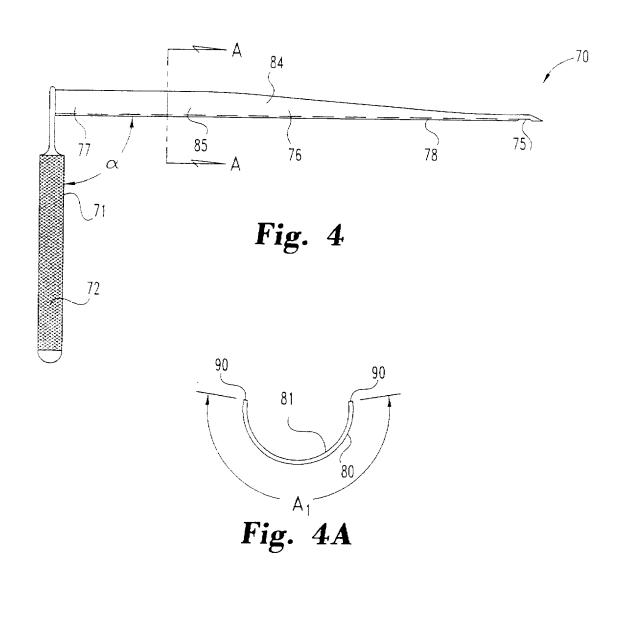
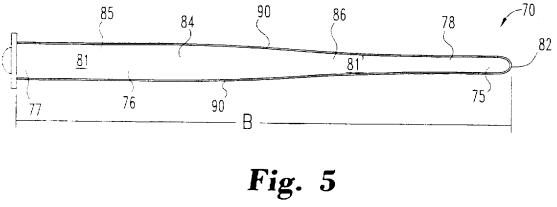


Fig. 2



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