

UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/815,356	Confirmation:	8274
Filing Date:	03-31-2004	Docket Number:	END5008USCIP2
Application Type:	Utility	Class / Subclass:	606/108
Examiner:	YABUT, DIANE D	Inventor:	Mark S. Zeiner
Group Art Unit:	3734		
Title:	TROCAR SEAL ASSEMBLY		

APPEAL BRIEF

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Commissioner for Patents
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This paper is Applicant's Appeal Brief supporting the Notice of Appeal filed on 01-05-2012. The application is currently under final rejection. Applicant believes the Office has failed to establish a *prima facie* case of obviousness, and now seek a review of the last rejection by The Board of Patent Appeals and Interferences. This paper is filed within one month of the Pre-Brief Appeal Conference Decision dated 05-10-2012, therefore this filing is believed to be timely and no extension fees are due.

Respectfully submitted,

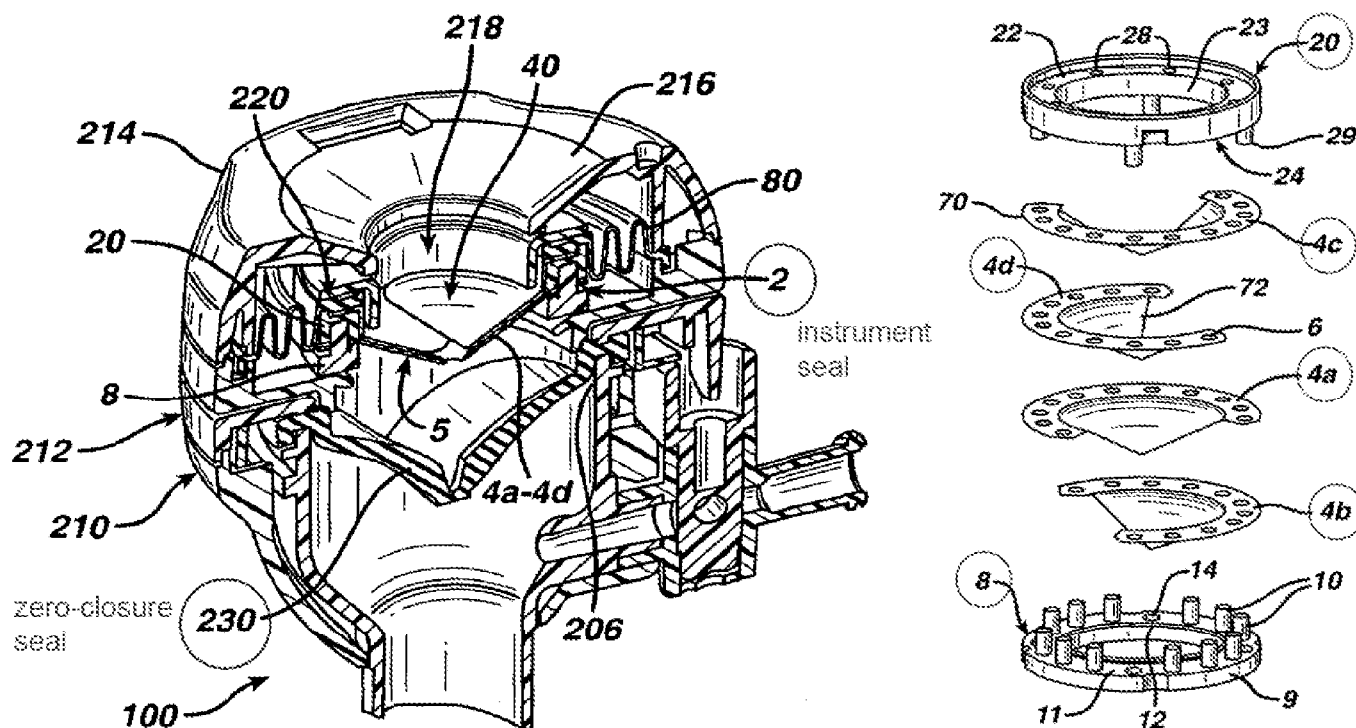
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(V) SUMMARY OF CLAIMED SUBJECT MATTER

Trocars are used during minimally invasive endoscopic surgery. Surgical instruments with long shafts are inserted through the trocars to perform various surgical tasks. Trocars typically have two distinct types of seals to prevent the escape of fluid or gas during the surgical procedure: (i) a zero-closure seal intended seal the trocar when there is no instrument in the trocar, and (ii) an instrument seal intended to seal the trocar while instruments are inserted through the trocar.

The present claims are directed a novel instrument seal. One embodiment of the claimed invention is depicted in Figs. 7 and 2, portions of which are reproduced below with notations:



As shown in this embodiment, the instrument seal (2) is positioned proximal of the zero-closure seal (230). The instrument seal (2) shown in the exploded view comprises a first substantially rigid ring (8) and a second substantially rigid ring (20). A plurality of separate semicircular seal segments (4a-4d) are compressed between the rings (8, 20). Each seal segment (4a-4d) has a circumference greater than 180 degrees.