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Application Number: 18645205 Document Date: 04/24/2024

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Paragon 28 v. Treace Medical Concepts
PGR2026-00017
Paragon Ex. 1004

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Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

The application data sheet is part of the provisional or nonprovisional application for which it is being submitted. The following form contains the bibliographic data arranged in a format specified by the United States Patent and Trademark Office as outlined in 37 CFR 1.76.
This document may be completed electronically and submitted to the Office in electronic format using the Electronic Filing System (EFS) or the document may be printed and included in a paper filed application.

Secrecy Order 37 CFR 5.2:

☐ Portions or all of the application associated with this Application Data Sheet may fall under a Secrecy Order pursuant to 37 CFR 5.2 (Paper filers only. Applications that fall under Secrecy Order may not be filed electronically.)

Inventor Information:

Inventor 1 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Paul		Dayton	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Ankeny	State/Province	IA	Country of Residence	US

Mailing Address of Inventor:

Address 1	3006 NW Sharmin Dr		
Address 2			
City	Ankeny	State/Province	IA
Postal Code	50021	Country	US

Inventor 2 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Robert	D.	Santrock	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

City	Morgantown	State/Province	WV	Country of Residence	US

Mailing Address of Inventor:

Address 1	2036 Lakeside Estates		
Address 2			
City	Morgantown	State/Province	WV
Postal Code	26508	Country	US

Inventor 3 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Daniel	J.	Hatch	

Residence Information (Select One) ◉ US Residency ○ Non US Residency ○ Active US Military Service

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

City	Greeley	State/Province	CO	Country of Residence	US

Mailing Address of Inventor:

Address 1	533 North Brisbane Avenue		
Address 2			
City	Greeley	State/Province	CO
Postal Code	80634	Country	

Inventor 4 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	W.	Bret	Smith	

Residence Information (Select One) (•) US Residency ( ) Non US Residency ( ) Active US Military Service

City	Lexington	State/Province	SC	Country of Residence	US

Mailing Address of Inventor:

Address 1	462 River Club Road		
Address 2			
City	Lexington	State/Province	SC
Postal Code	29072	Country	US

Inventor 5 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Carlos	Eduardo	Gil	

Residence Information (Select One) (•) US Residency ( ) Non US Residency ( ) Active US Military Service

City	Memphis	State/Province	TN	Country of Residence	US

Mailing Address of Inventor:

Address 1	222 Grove Dale Street		
Address 2			
City	Memphis	State/Province	TN
Postal Code	38120	Country	US

Inventor 6 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Sean	F.	Scanlan	

Residence Information (Select One) (•) US Residency ( ) Non US Residency ( ) Active US Military Service

City	Jacksonville	State/Province	FL	Country of Residence	US

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

Mailing Address of Inventor:

Address 1	2051 Spoonbill Street		
Address 2			
City	Jacksonville	**State/Province**	FL
Postal Code	32224	**Country**	US

Inventor 7 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	Joe	William	Ferguson	

Residence Information (Select One) (•) US Residency ( ) Non US Residency ( ) Active US Military Service

City	Ponte Vedra Beach	**State/Province**	FL	**Country of Residence**	US

Mailing Address of Inventor:

Address 1	201 Duckwood Lane		
Address 2			
City	Ponte Vedra Beach	**State/Province**	FL
Postal Code	32082	**Country**	US

Inventor 8 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	F.	Barry	Bays	

Residence Information (Select One) (•) US Residency ( ) Non US Residency ( ) Active US Military Service

City	Collierville	**State/Province**	TN	**Country of Residence**	US

Mailing Address of Inventor:

Address 1	3044 Shea Road		
Address 2			
City	Collierville	**State/Province**	TN
Postal Code	38017	**Country**	US

Inventor 9 Remove

Legal Name

Prefix	Given Name	Middle Name	Family Name	Suffix
	John	T.	Treace	

Residence Information (Select One) (•) US Residency ( ) Non US Residency ( ) Active US Military Service

City	Ponte Vedra Beach	**State/Province**	FL	**Country of Residence**	US

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

Mailing Address of Inventor:			
Address 1	4 Ocean Ridge Court		
Address 2			
City	Ponte Vedra Beach	**State/Province**	FL
Postal Code	32082	**Country**	US

All Inventors Must Be Listed - Additional Inventor Information blocks may be generated within this form by selecting the **Add** button. Add

Correspondence Information:

Enter either Customer Number or complete the Correspondence Information section below.
For further information see 37 CFR 1.33(a).

☐ **An Address is being provided for the correspondence Information of this application.**

Customer Number	22859		
Email Address	IP@fredlaw.com	Add Email	Remove Email

Application Information:

Title of the Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS		
Attorney Docket Number	71212.4.2.USC6	**Small Entity Status Claimed**	☐
Application Type	Nonprovisional		
Subject Matter	Utility		
Total Number of Drawing Sheets (if any)	18	**Suggested Figure for Publication (if any)**	8

Filing By Reference:

Only complete this section when filing an application by reference under 35 U.S.C. 111(c) and 37 CFR 1.57(a). Do not complete this section if application papers including a specification and any drawings are being filed. Any domestic benefit or foreign priority information must be provided in the appropriate section(s) below (i.e., "Domestic Benefit/National Stage Information" and "Foreign Priority Information").

For the purposes of a filing date under 37 CFR 1.53(b), the description and any drawings of the present application are replaced by this reference to the previously filed application, subject to conditions and requirements of 37 CFR 1.57(a).

Application number of the previously filed application	Filing date (YYYY-MM-DD)	Intellectual Property Authority or Country

Publication Information:

☐ Request Early Publication (Fee required at time of Request 37 CFR 1.219)

☐ **Request Not to Publish.** I hereby request that the attached application not be published under 35 U.S.C. 122(b) and certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

Representative Information:

Representative information should be provided for all practitioners having a power of attorney in the application. Providing this information in the Application Data Sheet does not constitute a power of attorney in the application (see 37 CFR 1.32).
Either enter Customer Number or complete the Representative Name section below. If both sections are completed the customer Number will be used for the Representative Information during processing.

Please Select One:	◉ Customer Number	○ US Patent Practitioner	○ Limited Recognition (37 CFR 11.9)
Customer Number	22859		

Domestic Benefit/National Stage Information:

This section allows for the applicant to either claim benefit under 35 U.S.C. 119(e), 120, 121, 365(c), or 386(c) or indicate National Stage entry from a PCT application. Providing benefit claim information in the Application Data Sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and 37 CFR 1.78.
When referring to the current application, please leave the "Application Number" field blank.

Prior Application Status	Pending		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
	Continuation of	18487548	2023-10-16

Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
18487548	Continuation of	17118597	2020-12-10	11786257	2023-10-17
Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
17118597	Continuation of	16792880	2020-02-17	10888335	2021-01-12
Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
16792880	Continuation of	16593153	2019-10-04	10561426	2020-02-18
Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
16593153	Continuation of	15603056	2017-05-23	10603046	2020-03-31
Prior Application Status	Patented				Remove
Application Number	Continuity Type	Prior Application Number	Filing Date (YYYY-MM-DD)	Patent Number	Issue Date (YYYY-MM-DD)
15603056	Continuation of	14990574	2016-01-07	9687250	2017-06-27

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

Prior Application Status	Expired		Remove
Application Number	Continuity Type	Prior Application Number	Filing or 371(c) Date (YYYY-MM-DD)
14990574	Claims benefit of provisional	62100641	2015-01-07
Additional Domestic Benefit/National Stage Data may be generated within this form by selecting the **Add** button.			Add

Foreign Priority Information:

This section allows for the applicant to claim priority to a foreign application. Providing this information in the application data sheet constitutes the claim for priority as required by 35 U.S.C. 119(b) and 37 CFR 1.55. When priority is claimed to a foreign application that is eligible for retrieval under the priority document exchange program (PDX)[i] the information will be used by the Office to automatically attempt retrieval pursuant to 37 CFR 1.55(i)(1) and (2). Under the PDX program, applicant bears the ultimate responsibility for ensuring that a copy of the foreign application is received by the Office from the participating foreign intellectual property office, or a certified copy of the foreign priority application is filed, within the time period specified in 37 CFR 1.55(g)(1).

			Remove
Application Number	Country[i]	Filing Date (YYYY-MM-DD)	Access Code[i] (if applicable)
Additional Foreign Priority Data may be generated within this form by selecting the **Add** button.			Add

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications

☐ This application (1) claims priority to or the benefit of an application filed before March 16, 2013 and (2) also contains, or contained at any time, a claim to a claimed invention that has an effective filing date on or after March 16, 2013.
NOTE: By providing this statement under 37 CFR 1.55 or 1.78, this application, with a filing date on or after March 16, 2013, will be examined under the first inventor to file provisions of the AIA.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

Authorization or Opt-Out of Authorization to Permit Access:

When this Application Data Sheet is properly signed and filed with the application, applicant has provided written authority to permit a participating foreign intellectual property (IP) office access to the instant application-as-filed (see paragraph A in subsection 1 below) and the European Patent Office (EPO) access to any search results from the instant application (see paragraph B in subsection 1 below).

Should applicant choose not to provide an authorization identified in subsection 1 below, applicant **must opt-out** of the authorization by checking the corresponding box A or B or both in subsection 2 below.

NOTE: This section of the Application Data Sheet is **ONLY** reviewed and processed with the **INITIAL** filing of an application. After the initial filing of an application, an Application Data Sheet cannot be used to provide or rescind authorization for access by a foreign IP office(s). Instead, Form PTO/SB/39 or PTO/SB/69 must be used as appropriate.

1. Authorization to Permit Access by a Foreign Intellectual Property Office(s)

A. Priority Document Exchange (PDX) - Unless box A in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the European Patent Office (EPO), the Japan Patent Office (JPO), the Korean Intellectual Property Office (KIPO), the State Intellectual Property Office of the People's Republic of China (SIPO), the World Intellectual Property Organization (WIPO), and any other foreign intellectual property office participating with the USPTO in a bilateral or multilateral priority document exchange agreement in which a foreign application claiming priority to the instant patent application is filed, access to: (1) the instant patent application-as-filed and its related bibliographic data, (2) any foreign or domestic application to which priority or benefit is claimed by the instant application and its related bibliographic data, and (3) the date of filing of this Authorization. See 37 CFR 1.14(h)(1).

B. Search Results from U.S. Application to EPO - Unless box B in subsection 2 (opt-out of authorization) is checked, the undersigned hereby **grants the USPTO authority** to provide the EPO access to the bibliographic data and search results from the instant patent application when a European patent application claiming priority to the instant patent application is filed. See 37 CFR 1.14(h)(2).

The applicant is reminded that the EPO's Rule 141(1) EPC (European Patent Convention) requires applicants to submit a copy of search results from the instant application without delay in a European patent application that claims priority to the instant application.

2. Opt-Out of Authorizations to Permit Access by a Foreign Intellectual Property Office(s)

☐ A. Applicant **DOES NOT** authorize the USPTO to permit a participating foreign IP office access to the instant application-as-filed. If this box is checked, the USPTO will not be providing a participating foreign IP office with any documents and information identified in subsection 1A above.

☐ B. Applicant **DOES NOT** authorize the USPTO to transmit to the EPO any search results from the instant patent application. If this box is checked, the USPTO will not be providing the EPO with search results from the instant application.

NOTE: Once the application has published or is otherwise publicly available, the USPTO may provide access to the application in accordance with 37 CFR 1.14.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

Applicant Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Applicant 1 Remove

If the applicant is the inventor (or the remaining joint inventor or inventors under 37 CFR 1.45), this section should not be completed. The information to be provided in this section is the name and address of the legal representative who is the applicant under 37 CFR 1.43; or the name and address of the assignee, person to whom the inventor is under an obligation to assign the invention, or person who otherwise shows sufficient proprietary interest in the matter who is the applicant under 37 CFR 1.46. If the applicant is an applicant under 37 CFR 1.46 (assignee, person to whom the inventor is obligated to assign, or person who otherwise shows sufficient proprietary interest) together with one or more joint inventors, then the joint inventor or inventors who are also the applicant should be identified in this section.

Clear

◉ Assignee	○ Legal Representative under 35 U.S.C. 117	○ Joint Inventor
○ Person to whom the inventor is obligated to assign.	○ Person who shows sufficient proprietary interest	

If applicant is the legal representative, indicate the authority to file the patent application, the inventor is:

Name of the Deceased or Legally Incapacitated Inventor:

If the Applicant is an Organization check here. ☒

Organization Name	Treace Medical Concepts, Inc.		
Mailing Address Information For Applicant:			
Address 1	100 Palmetto Park Place		
Address 2			
City	Ponte Vedra Beach	**State/Province**	FL
Country	US	Postal Code	32081
Phone Number		Fax Number	
Email Address			

Additional Applicant Data may be generated within this form by selecting the Add button. Add

Assignee Information including Non-Applicant Assignee Information:

Providing assignment information in this section does not substitute for compliance with any requirement of part 3 of Title 37 of CFR to have an assignment recorded by the Office.

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

Assignee 1

Complete this section if assignee information, including non-applicant assignee information, is desired to be included on the patent application publication. An assignee-applicant identified in the "Applicant Information" section will appear on the patent application publication as an applicant. For an assignee-applicant, complete this section only if identification as an assignee is also desired on the patent application publication.

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If the Assignee or Non-Applicant Assignee is an Organization check here. ☐

Prefix	**Given Name**	Middle Name	**Family Name**	Suffix

Mailing Address Information For Assignee including Non-Applicant Assignee:

Address 1			
Address 2			
City		**State/Province**	
Country		Postal Code	
Phone Number		Fax Number	
Email Address			

Additional Assignee or Non-Applicant Assignee Data may be generated within this form by selecting the Add button. Add

Signature:

Remove

NOTE: This Application Data Sheet must be signed in accordance with 37 CFR 1.33(b). **However, if this Application Data Sheet is submitted with the INITIAL filing of the application and either box A or B is not checked in subsection 2 of the "Authorization or Opt-Out of Authorization to Permit Access" section, then this form must also be signed in accordance with 37 CFR 1.14(c).**

This Application Data Sheet **must** be signed by a patent practitioner if one or more of the applicants is a **juristic entity** (e.g., corporation or association). If the applicant is two or more joint inventors, this form must be signed by a patent practitioner, **all** joint inventors who are the applicant, or one or more joint inventor-applicants who have been given power of attorney (e.g., see USPTO Form PTO/AIA/81) on behalf of **all** joint inventor-applicants.

See 37 CFR 1.4(d) for the manner of making signatures and certifications.

Signature	/Paul J. LaVanway, Jr./			Date (YYYY-MM-DD)	2024-04-24
First Name	Paul J.	Last Name	LaVanway, Jr.	Registration Number	64610

Additional Signature may be generated within this form by selecting the Add button. Add

Application Data Sheet 37 CFR 1.76	Attorney Docket Number	71212.4.2.USC6
	Application Number	
Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS	

This collection of information is required by 37 CFR 1.76. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 23 minutes to complete, including gathering, preparing, and submitting the completed application data sheet form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1 The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3 A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent CooperationTreaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	
	Filing Date	
	First Named Inventor	Paul Dayton
	Art Unit	
	Examiner Name	
	Attorney Docket Number	71212.4.2.USC6

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Paul Dayton
	Art Unit	
	Examiner Name	
	Attorney Docket Number	71212.4.2.USC6

	1	DAYTON et al., "Dorsal Suspension Stitch: An Alternative Stabilization After Flexor Tenotomy for Flexible Hammer Digit Syndrome," The Journal of Foot and Ankle Surgery, Vol. 48, No. 5, September/October 2009, pp. 602-605.	☐
	2	DAYTON et al., "The Extended Knee Hemilithotomy Position for Gastrocnemius Recession," The Journal of Foot and Ankle Surgery, Vol. 49, 2010, pp. 214-216.	☐
	3	WIENKE et al., "Bone Stimulation For Nonunions: What the Evidence Reveals," Podiatry Today, Vol. 24, No. 9, September 2011, pp. 52-57.	☐
	4	DAYTON et al., "Hallux Varus as Complication of Foot Compartment Syndrome," The Journal of Foot and Ankle Surgery, Vol. 50, 2011, pp. 504-506.	☐
	5	DAYTON et al., "Measurement of Mid-Calcaneal Length on Plain Radiographs: Reliability of a New Method," Foot and Ankle Specialist, Vol. 4, No. 5, October 2011, pp. 280-283.	☐
	6	DAYTON et al., "A User-Friendly Method of Pin Site Management for External Fixators," Foot and Ankle Specialist, September 16, 2011, 4 pages.	☐
	7	DAYTON et al., "Effectiveness of a Locking Plate in Preserving Midcalcaneal Length and Positional Outcome after Evans Calcaneal Osteotomy: A Retrospective Pilot Study," The Journal of Foot and Ankle Surgery, Vol. 52, 2013, pp. 710-713.	☐
	8	DAYTON et al., "Does Postoperative Showering or Bathing of a Surgical Site Increase the Incidence of Infection? A Systematic Review of the Literature," The Journal of Foot and Ankle Surgery, Vol. 52, 2013, pp. 612-614.	☐
	9	DAYTON et al., "Technique for Minimally Invasive Reduction of Calcaneal Fractures Using Small Bilateral External Fixation," The Journal of Foot and Ankle Surgery, Article in Press, 2014, 7 pages.	☐
	10	DAYTON et al., "Clarification of the Anatomic Definition of the Bunion Deformity," The Journal of Foot and Ankle Surgery, Vol. 53, 2014, pp. 160-163.	☐
	11	DAYTON et al., "Observed Changes in Radiographic Measurements of the First Ray after Frontal Plane Rotation of the First Metatarsal in a Cadaveric Foot Model," The Journal of Foot and Ankle Surgery, Article in Press, 2014, 5 pages.	☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Paul Dayton
	Art Unit	
	Examiner Name	
	Attorney Docket Number	71212.4.2.USC6

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-04-24
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64610

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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Document Description: TrackOne Request

PTO/AIA/424 (11-23)

CERTIFICATION AND REQUEST FOR PRIORITIZED EXAMINATION UNDER 37 CFR 1.102(e) (Page 1 of 1)

First Named Inventor:	Paul Dayton	Nonprovisional Application Number (if known):	To be assigned
Title of Invention:	BONE CUTTING GUIDE SYSTEMS AND METHODS		

APPLICANT HEREBY CERTIFIES THE FOLLOWING AND REQUESTS PRIORITIZED EXAMINATION FOR THE ABOVE-IDENTIFIED APPLICATION.

1. The processing fee set forth in 37 CFR 1.17(i)(1) and the prioritized examination fee set forth in 37 CFR 1.17(c) have been filed with the request. The publication fee requirement is met because that fee, set forth in 37 CFR 1.18(d), is currently $0. The basic filing fee, search fee, and examination fee are filed with the request or have been already been paid. I understand that any required excess claims fees or application size fee must be paid for the application.

2. I understand that the application may not contain, or be amended to contain, more than four independent claims, more than thirty total claims, or any multiple dependent claims, and that any request for an extension of time will cause an outstanding Track I request to be dismissed.

3. The applicable box is checked below:

I. ☑ Original Application (Track One) - Prioritized Examination under § 1.102(e)(1)

i. (a) The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a). This certification and request is being filed with the utility application via USPTO patent electronic filing system.

---OR---

(b) The application is an original nonprovisional plant application filed under 35 U.S.C. 111(a). This certification and request is being filed with the plant application in paper.

ii. An executed inventor's oath or declaration under 37 CFR 1.63 or 37 CFR 1.64 for each inventor, **or** the application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is filed with the application.

II. ☐ Request for Continued Examination - Prioritized Examination under § 1.102(e)(2)

i. A request for continued examination has been filed with, or prior to, this form.
ii. If the application is a utility application, this certification and request is being filed via USPTO patent electronic filing system.
iii. The application is an original nonprovisional utility application filed under 35 U.S.C. 111(a), or is a national stage entry under 35 U.S.C. 371.
iv. This certification and request is being filed prior to the mailing of a first Office action responsive to the request for continued examination.
v. No prior request for continued examination has been granted prioritized examination status under 37 CFR 1.102(e)(2).

Signature /Paul J. LaVanway, Jr./	Date April 24, 2024
Name (Print/Typed) Paul J. LaVanway, Jr.	Practitioner Registration Number 64610

Note: *This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.**

☑ *Total of 1 forms are submitted.

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6) a court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel in the course of settlement negotiations;

7) the Administrator, General Services Administration (GSA), or their designee, during an inspection of records conducted by GSA under authority of 44 U.S.C. 2904 and 2906, in accordance with the GSA regulations and any other relevant (i.e., GSA or Commerce) directive, where such disclosure shall not be used to make determinations about individuals;

8) another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c));

9) the Office of Personnel Management (OPM) for personnel research purposes; and

10) the Office of Management and Budget (OMB) for legislative coordination and clearance.

If you do not furnish the information requested on this form, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings, abandonment of the application, and/or expiration of the patent.

PTO/SB/08a (02-18)
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U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

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☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-04-24
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64610

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	1	Defendant Fusion Orthopedics LLC's Invalidity Contentions, No. CV-22-00490-PHX-SRB, US District Court for the District of Arizona, August 27, 2022, 41 pages.	☐
	2	Prior Art Publications, Exhibit A of Defendant Fusion Orthopedics LLC's Invalidity Contentions, No. CV-22-00490-PHX-SRB, US District Court for the District of Arizona, August 27, 2022, 3 pages.	☐
	3	Claim Chart for Fishco, "Making the Lapidus Easy," The Podiatry Institute (April 2014), Exhibit B1 of Defendant Fusion Orthopedics LLC's Invalidity Contentions, No. CV-22-00490-PHX-SRB, US District Court for the District of Arizona, August 27, 2022, 97 pages.	☐

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	36	KILMARTIN et al., "Combined rotation scarf and Akin osteotomies for hallux valgus: a patient focused 9 year follow up of 50 patients," Journal of Foot and Ankle Research, Vol. 3, No. 2, 2010, 12 pages.	☐

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	
	Filing Date	
	First Named Inventor	Paul Dayton
	Art Unit	
	Examiner Name	
	Attorney Docket Number	71212.4.2.USC6

	37	LEE et al., "Technique Tip: Lateral Soft-Tissue Release for Correction of Hallux Valgus Through a Medial Incision Using A Dorsal Flap Over the First Metatarsal," Foot & Ankle International, Vol. 28, No. 8, August 2007, pp. 949–951.	☐
	38	MOTE et al., "First Metatarsal-Cuneiform Arthrodesis for the Treatment of First Ray Pathology: A Technical Guide," JFAS Techniques Guide, Vol. 48, No. 5, September/October 2009, pp. 593–601.	☐
	39	MYERSON, "Cuneiform-Metatarsal Arthrodesis," The Foot and Ankle, Chapter 9, 1997, pp. 107–117.	☐
	40	SAMMARCO, "Surgical Strategies: Mau Osteotomy for Correction of Moderate and Severe Hallux Valgus Deformity," Foot & Ankle International, Vol. 28, No. 7, July 2007, pp. 857–864.	☐
	41	SCHON et al., "Cuneiform-Metatarsal Arthrodesis for Hallux Valgus,"The Foot and Ankle, Second Edition, Chapter 8, 2002, pp. 99–117.	☐
	42	SOKOLOFF, "Lapidus Procedure," Textbook of Bunion Surgery, Chapter 15, 1981, pp. 277–287.	☐
	43	STAMATIS et al., "Mini Locking Plate as “Medial Buttress” for Oblique Osteotomy for Hallux Valgus," Foot & Ankle International, Vol. 31, No. 10, October 2010, pp. 920–922.	☐
	44	STEWART, "Use for BME Speed Nitinol Staple Fixation for the Lapidus Procedure," date unknown, 1 page.	☐
	45	WUKICH et al., "Hypermobility of the First Tarsometatarsal Joint," Foot and Ankle Clinics, Vol. 10, No. 1, March 2005, pp. 157–166.	☐
	46	DAYTON et al., "Biwinged Excision for Round Pedal Lesions," The Journal of Foot and Ankle Surgery, Vol. 35, No. 3, 1996, pp. 244-249.	☐
	47	DAYTON et al., "Medial Incision Approach to the First Metatarsophalangeal Joint," The Journal of Foot and Ankle Surgery, Vol. 40, No. 6, November/December 2001, pp. 414-417.	☐

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	48	DAYTON et al., "Reduction of the Intermetatarsal Angle after First Metatarsophalangeal Joint Arthrodesis in Patients with Moderate and Severe Metatarsus Primus Adductus," The Journal of Foot and Ankle Surgery, Vol. 41, No. 5, September/October 2002, pp. 316-319.	☐
	49	DAYTON et al., "Use of the Z Osteotomy for Tailor Bunionectomy," The Journal of Foot and Ankle Surgery, Vol. 42, No. 3, May/June 2003, pp. 167-169.	☐
	50	DAYTON et al., "Early Weightbearing After First Metatarsophalangeal Joint Arthrodesis: A Retrospective Observational Case Analysis," The Journal of Foot and Ankle Surgery, Vol. 43, No. 3, May/June 2004, pp. 156-159.	☐

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

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CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-04-24
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64610

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

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8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Paul Dayton		
Application No.:	To be assigned	Group Art Unit:	To be assigned
Filed:	Herewith	Examiner:	To be assigned
Title:	BONE CUTTING GUIDE SYSTEMS AND METHODS		

INFORMATION DISCLOSURE STATEMENT

Dear Commissioner:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO/SB/08a. Copies of references not enclosed with the application can be found in Application No. 17/118,597, filed December 10, 2020, Application No. 16/792,880, filed February 17, 2020, Application No. 15/603,056, filed May 23, 2017, or Application No. 14/990,574, filed January 7, 2016, from which the present application derives priority. In accordance with 37 C.F.R. § 1.98(d), Applicant is not enclosing additional copies of these references. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

By submitting these references, Applicant does not admit that the references are prior art to or material to this application, and reserves the right to establish that any reference is not prior art. Applicant does not represent that the references have been reviewed in detail; there may be details in the references of which Applicant is unaware.

Dated: April 24, 2024

Respectfully submitted,

FREDRIKSON & BYRON, P.A.
60 South Sixth Street, Suite 1500
Minneapolis, MN 55402-4400 USA
Telephone: 612.492.7387

/Paul J. LaVanway, Jr./

Paul J. LaVanway, Jr.
Registration No. 64,610

Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 06-1910.

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☒ United States application or PCT international application number 16/593,153

filed on 2019-10-04

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

WARNING:

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LEGAL NAME OF INVENTOR

Inventor: Paul Dayton Date (Optional): 10/15/19

Signature:

Note. An application data sheet (PTO/SB/14 or equivalent), including naming the entire inventive entity, must accompany this form or must have been previously filed. Use an additional PTO/AIA/01 form for each additional inventor.

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LEGAL NAME OF INVENTOR

Inventor: Robert D. Santrock Date (Optional): 10/4/19

Signature:

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LEGAL NAME OF INVENTOR

Inventor: Daniel J. Hatch Date (Optional): 10/4/19

Signature: [signature]

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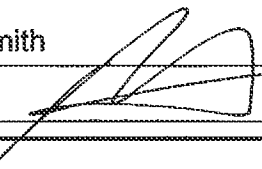
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LEGAL NAME OF INVENTOR

Inventor: W. Bret Smith Date (Optional): 10/30/19

Signature: 

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LEGAL NAME OF INVENTOR

Inventor: Carlos Eduardo Gil Date (Optional): 10/17/19

Signature:

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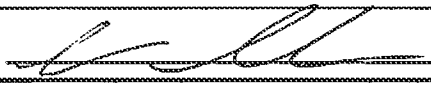
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LEGAL NAME OF INVENTOR

Inventor: Sean F. Scanlan Date (Optional): 10/18/2019

Signature: 

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention	BONE CUTTING GUIDE SYSTEMS AND METHODS

As the below named inventor, I hereby declare that:

This declaration is directed to:

☐ The attached application, or

☒ United States application or PCT international application number 16/593,153

filed on 2019-10-04.

The above-identified application was made or authorized to be made by me.

I believe that I am the original inventor or an original joint inventor of a claimed invention in the application.

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LEGAL NAME OF INVENTOR

Inventor: Joe William Ferguson Date (Optional): 10/16/19

Signature: Joe W F

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LEGAL NAME OF INVENTOR

Inventor: F. Barry Bays Date (Optional): 10/30/2019

Signature: F. Barry Bays

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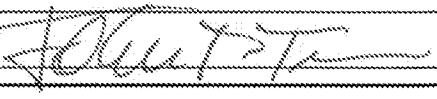
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LEGAL NAME OF INVENTOR

Inventor: John T. Treace Date (Optional): _____

Signature: 

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APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	**04/24/2024 07:18:12 PM Z ET**	**71212.4.2.USC6**

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Paul LaVanway
PATENT CENTER #	65233940	FILING DATE	-
CUSTOMER #	22859	FIRST NAMED INVENTOR	Paul Dayton
CORRESPONDENCE ADDRESS	-	AUTHORIZED BY	Paul LaVanway

Documents

TOTAL DOCUMENTS: 12

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
71212_4_2_USC6_ADS_04242024.pdf	11	Application Data Sheet	2175 KB
71212_4_2_USC6_TrackOne_Request_04242024.pdf	2	Track One Request	174 KB
71212.4.2.USC6 Application_04242024-APP.TEXT.docx	22	Application body structured text document	37 KB
Warning: The abstract contains more than one paragraph. Please review and revise if necessary.			
71212_4_2_USC6_Applicatio	22	Auxiliary PDF of Application	192 KB

n_04242024.pdf			
71212_4_2_USC6_Figures_04242024.pdf	18	Drawings-other than black and white line drawings	286 KB
71212_4_2_USC6_POA_04242024.pdf	3	Power of Attorney	2057 KB
71212_4_2_USC6_Declarations_04242024.pdf	9	Oath or Declaration filed	9224 KB
71212_4_2_USC6_IDS Comm_04242024.pdf	1	Transmittal Letter	154 KB
71212_4_2_USC6_IDS2_04242024.pdf	19	Information Disclosure Statement (IDS) Form (SB08)	1017 KB
71212_4_2_USC6_IDS4_04242024.pdf	6	Information Disclosure Statement (IDS) Form (SB08)	1236 KB
71212_4_2_USC6_IDS1_04242024.pdf	40	Information Disclosure Statement (IDS) Form (SB08)	1022 KB
71212_4_2_USC6_IDS3_04242024.pdf	10	Information Disclosure Statement (IDS) Form (SB08)	1238 KB

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DOCUMENT	MESSAGE DIGEST(SHA-512)
71212_4_2_USC6_ADS_04242024.pdf	2966208A6F8F073AE97F87DBDBE3D8E71C5BB29BFD42D16F3D4AF3DCC311BD4CDAA955E2E26E245249D56328CD11BCE3A226E185FB669446F6D6C1D48C714ABB
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71212.4.2.USC6 Application_04242024-APP.TEXT.docx	2B704F53F90819D2023DBD57848D743095DF4086789289F094D4097A03BCA496D6F6C53ECB98FB8F8670C186BAEA84731DACB045746B56F4EF841B1BF78D1FEC
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71212_4_2_USC6_Figures_04242024.pdf	6EFFABF298A4C335B2AA203F2582C325F513F721F01CD4B6CDD04D659DC3E2E7966A63E7139EFCC79CC64218A539D38506F221DA037D88E46696D879CD2164C7
71212_4_2_USC6_POA_04242024.pdf	7ACF6B50D03BAFC8A189699919601AC59267A6A0106D39E33DBC2FED71606486D4FD25EA0D402EDF2AA86BDE42463D7FF5B97005 9942DD7A5074129A9E108B47
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71212_4_2_USC6_IDS3_04242024.pdf	7BD54764037A5198526D0AE3CA42603E3A2CA1DDE6574EE68CD352825D3B764FE4837F5CA3CFF2C2749923F78915DBAB98EC70B97796CDDB232C665B70699E7C

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National Stage of an International Application under 35 U.S.C. 371

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New International Application Filed with the USPTO as a Receiving Office

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	Filing Date	
	First Named Inventor	Paul Dayton
	Art Unit	
	Examiner Name	
	Attorney Docket Number	71212.4.2.USC6

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	H001706	H1	1998-01-06	MASON	
	2	5374271	A	1994-12-20	Hwang	
	3	3664022	A	1972-05-23	SMALL	
	4	9522023	B2	2016-12-20	HADDAD et al.	
	5	4736737	A	1988-04-12	FARGIE et al.	
	6	4959066	A	1990-09-25	DUNN et al.	
	7	8545508	B2	2013-10-01	COLLAZO	
	8	10470779	B2	2019-11-12	FALLIN et al.	

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	Examiner Name	
	Attorney Docket Number	71212.4.2.USC6

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Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20140039561	A1	2014-02-06	Weiner et al.	
	2	20140039501	A1	2014-02-06	Schickendantz et al.	
	3	20140046387	A1	2014-02-13	Waizenegger	
	4	20140074101	A1	2014-03-13	Collazo	
	5	20140074099	A1	2014-03-13	Vigneron et al.	
	6	20140094924	A1	2014-04-03	Hacking et al.	
	7	20140094861	A1	2014-04-03	Fallin	
	8	20140135775	A1	2014-05-15	MAXSON et al.	
	9	20140163563	A1	2014-06-12	Reynolds et al.	

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	10	20140171953	A1	2014-06-19	GONZALVEZ et al.	
	11	20140180342	A1	2014-06-26	Lowery et al.	
	12	20140188139	A1	2014-07-03	Fallin et al.	
	13	20140194999	A1	2014-07-10	ORBAY et al.	
	14	20140194884	A1	2014-07-10	Martin et al.	
	15	20140207144	A1	2014-07-24	LEE et al.	
	16	20140249537	A1	2014-09-04	WONG et al.	
	17	20140257509	A1	2014-09-11	Dacosta et al.	
	18	20140257308	A1	2014-09-11	Johannaber	
	19	20140277214	A1	2014-09-18	Helenbolt et al.	
	20	20140277176	A1	2014-09-18	Buchanan et al.	

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	Attorney Docket Number	71212.4.2.USC6

	21	20140276853	A1	2014-09-18	Long et al.	
	22	20140276815	A1	2014-09-18	Riccione	
	23	20140288562	A1	2014-09-25	Von Zabern et al.	
	24	20140296995	A1	2014-10-02	Reiley et al.	
	25	20140303621	A1	2014-10-09	Gerold et al.	
	26	20140336658	A1	2014-11-13	Luna et al.	
	27	20140343555	A1	2014-11-20	Russi et al.	
	28	20150032168	A1	2015-01-29	Orsak et al.	
	29	20150045839	A1	2015-02-12	DACOSTA et al.	
	30	20150045801	A1	2015-02-12	Axelson, JR. et al.	
	31	20150051650	A1	2015-02-19	VERSTREKEN et al.	

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	32	20150057667	A1	2015-02-26	Ammann et al.	
	33	20150066094	A1	2015-03-05	Prandi et al.	
	34	20150112446	A1	2015-04-23	Melamed et al.	
	35	20150119944	A1	2015-04-30	Geldwert	
	36	20150142064	A1	2015-05-21	Perez et al.	
	37	20150150608	A1	2015-06-04	Sammarco	
	38	20150182273	A1	2015-07-02	Stemniski et al.	
	39	20150223851	A1	2015-08-13	Hill et al.	
	40	20150245858	A1	2015-09-03	Weiner et al.	
	41	20160015426	A1	2016-01-21	Dayton	
	42	20160022315	A1	2016-01-28	SOFFIATTI et al.	

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	Attorney Docket Number	71212.4.2.USC6

	43	20160151165	A1	2016-06-02	Fallin et al.	
	44	20160175089	A1	2016-06-23	Fallin et al.	
	45	20160192950	A1	2016-07-07	Dayton et al.	
	46	20160199076	A1	2016-07-14	Fallin et al.	
	47	20160213384	A1	2016-07-28	Fallin et al.	
	48	20160235414	A1	2016-08-18	Hatch et al.	
	49	20160242791	A1	2016-08-25	Fallin et al.	
	50	20160256204	A1	2016-09-08	PATEL et al.	
	51	20160324532	A1	2016-11-10	MONTOYA et al.	
	52	20160354127	A1	2016-12-08	Lundquist et al.	
	53	20170042598	A1	2017-02-16	Santrock et al.	

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	54	20170143511	A1	2017-05-25	Cachia	
	55	20170164989	A1	2017-06-15	WEINER et al.	
	56	20180344334	A1	2018-12-06	Kim et al.	
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	2	100904142	KR	B1	2009-06-15	Warburton, et al.		☐
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	4	2195892	RU	C2	2003-01-10	Kotel, et al.		☐
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	12	03075775	WO	A1	2003-09-18	KUPA PRAEZ SMASCHINEN GES M B		☐
	13	2004089227	WO	A2	2004-10-21	KUHN		☐
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	24	2014035991	WO	A1	2014-03-06	Lang		☐
	25	2014085882	WO	A1	2014-06-12	Angeli		☐
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	30	2014200017	WO	A1	2014-12-18	Tanji		☐
	31	2015094409	WO	A1	2015-06-25	PARAGON 28, INC.		☐
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	34	2016134160	WO	A1	2016-08-25	TREACE MEDICAL CONCEPTS INC		☐
	35	2004/KOLNP/2013	IN	P2	2013-11-01	Stemniski, et al.		☐
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☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-04-24
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64610

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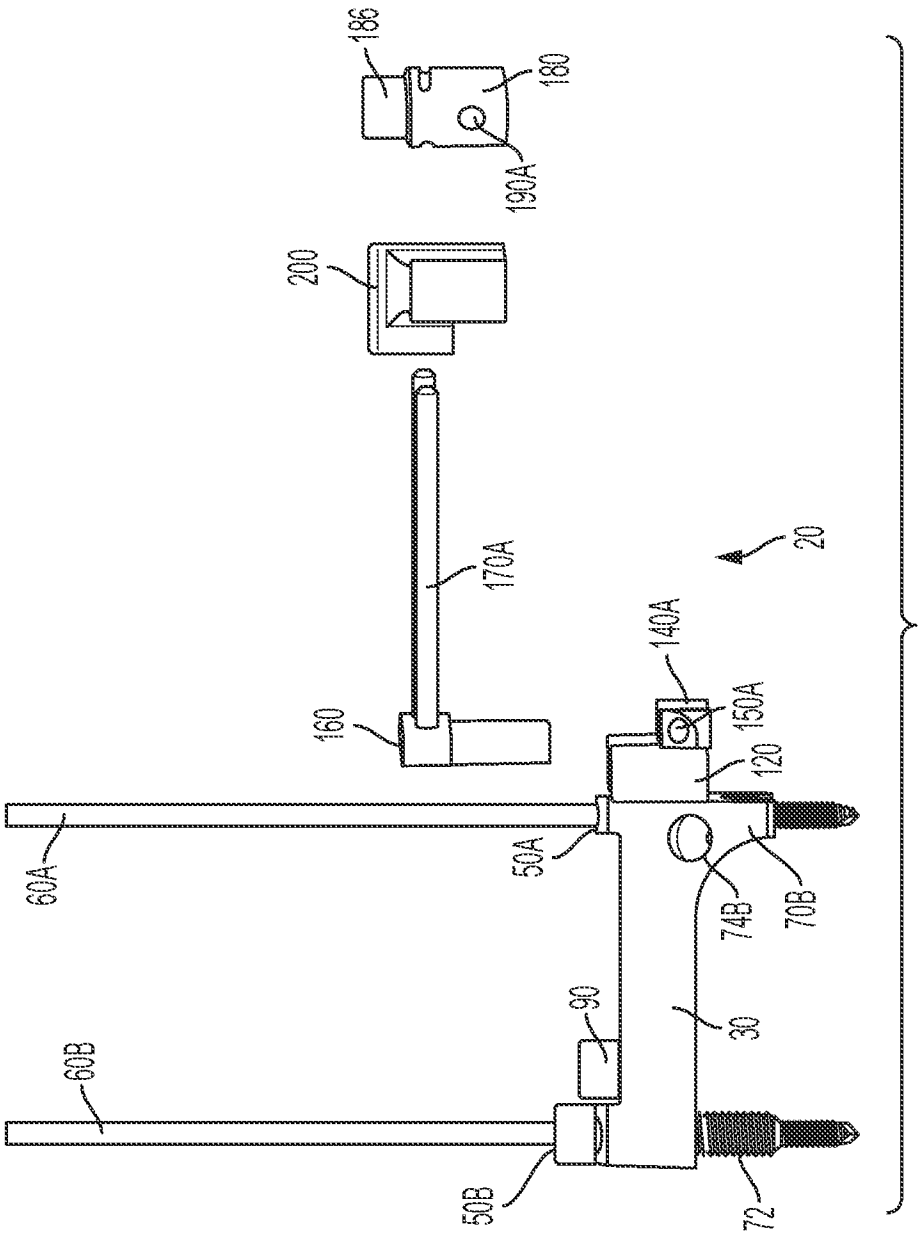

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FIG. 1

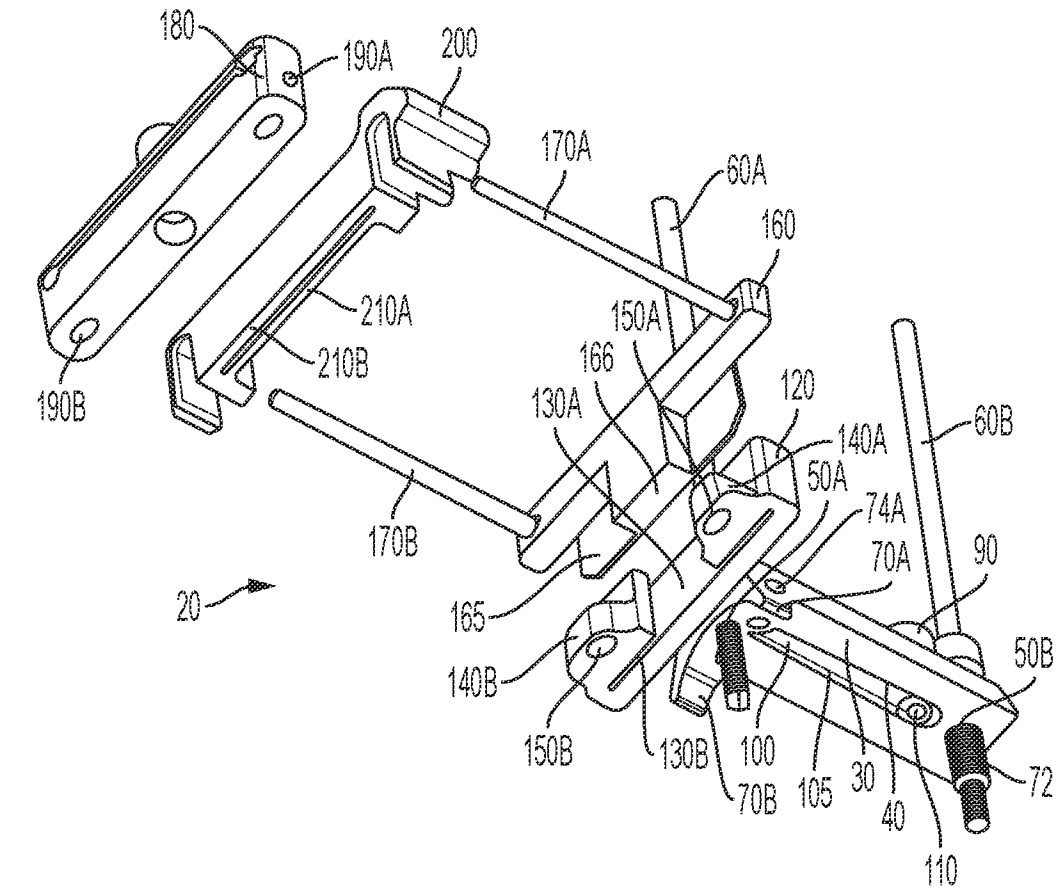

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FIG. 2

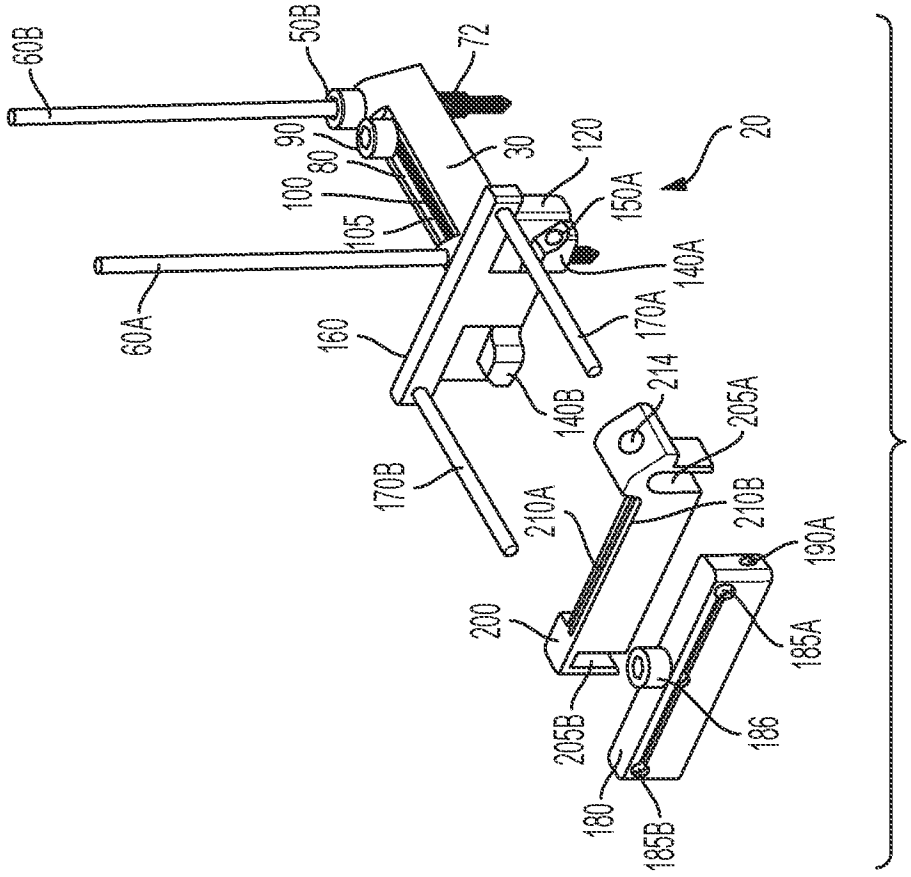

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FIG. 3A

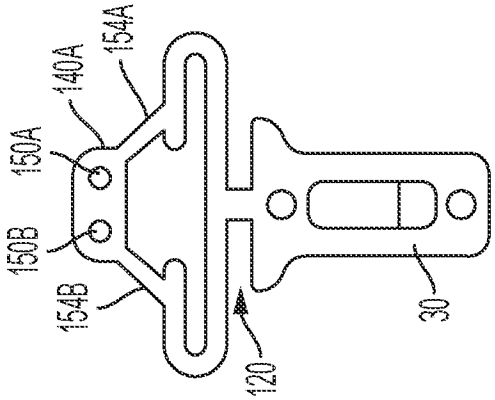


FIG. 3B

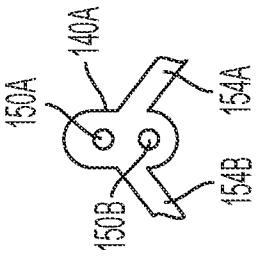


FIG. 3C

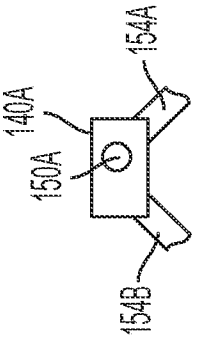


FIG. 3D

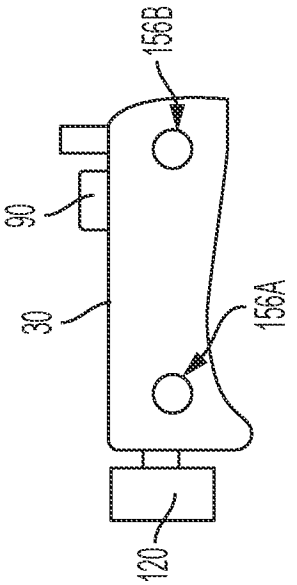


FIG. 3E

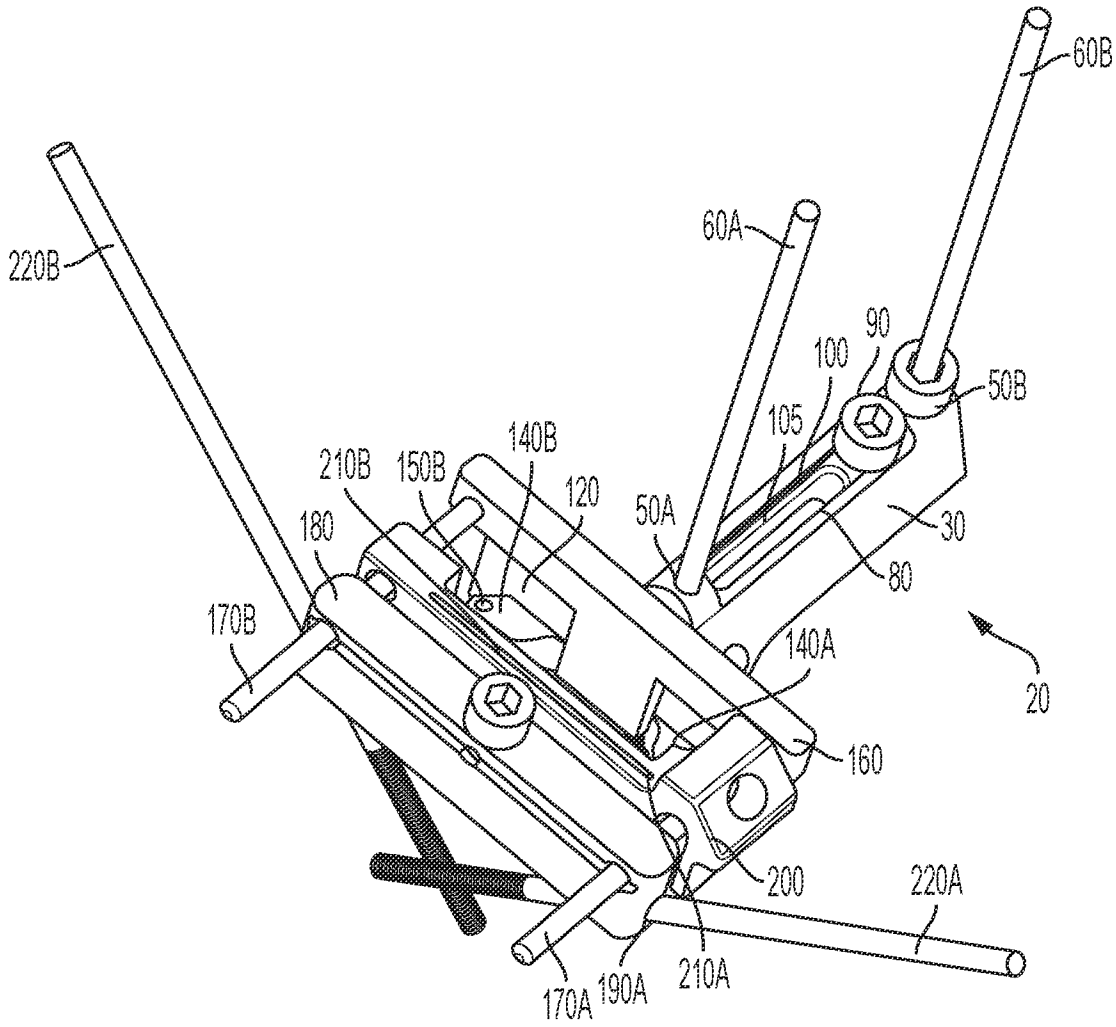

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140B
210B
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FIG. 4

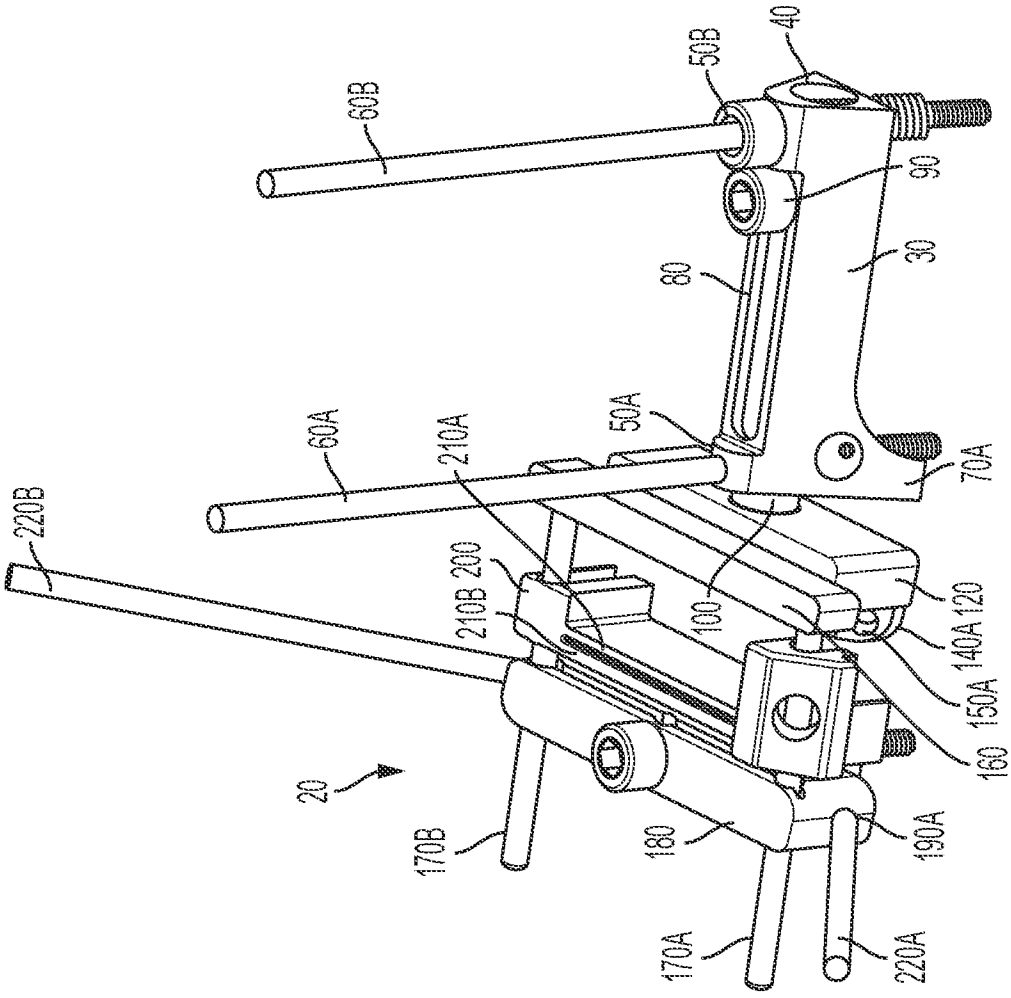

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FIG. 5

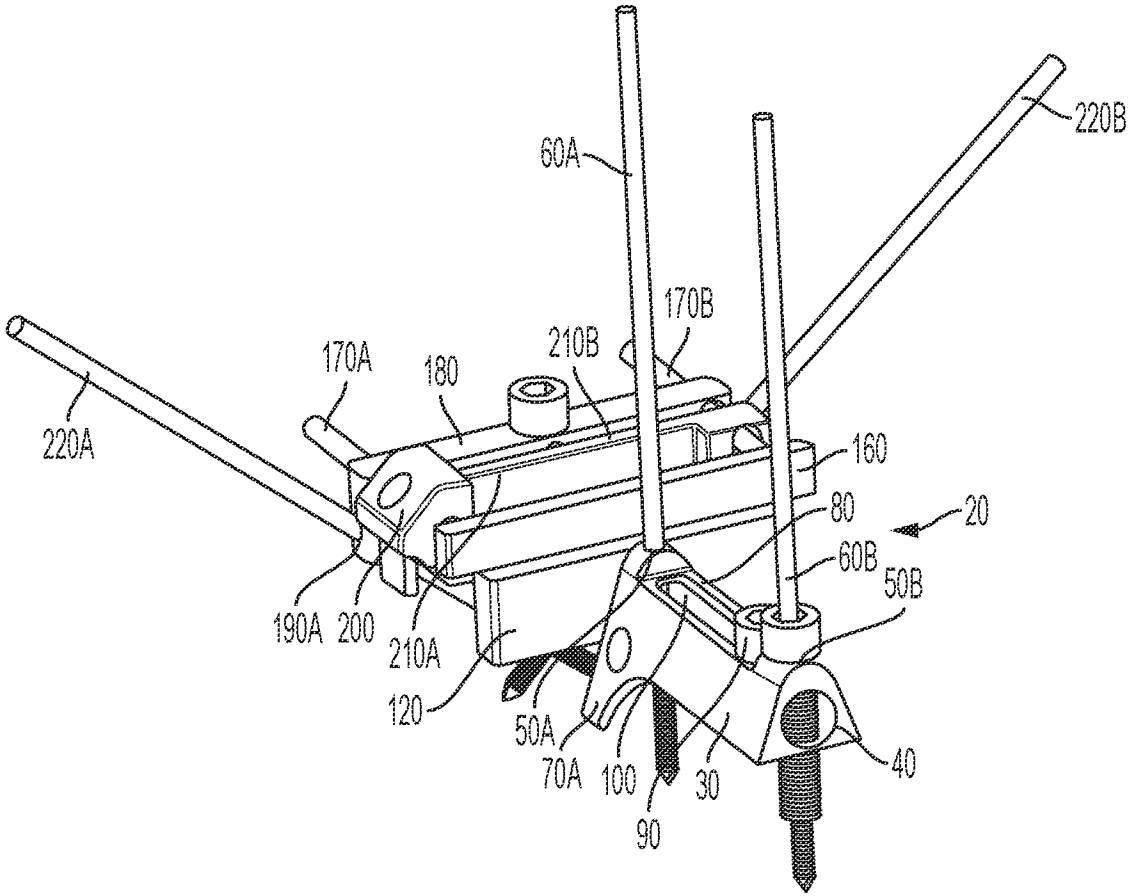

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FIG. 6

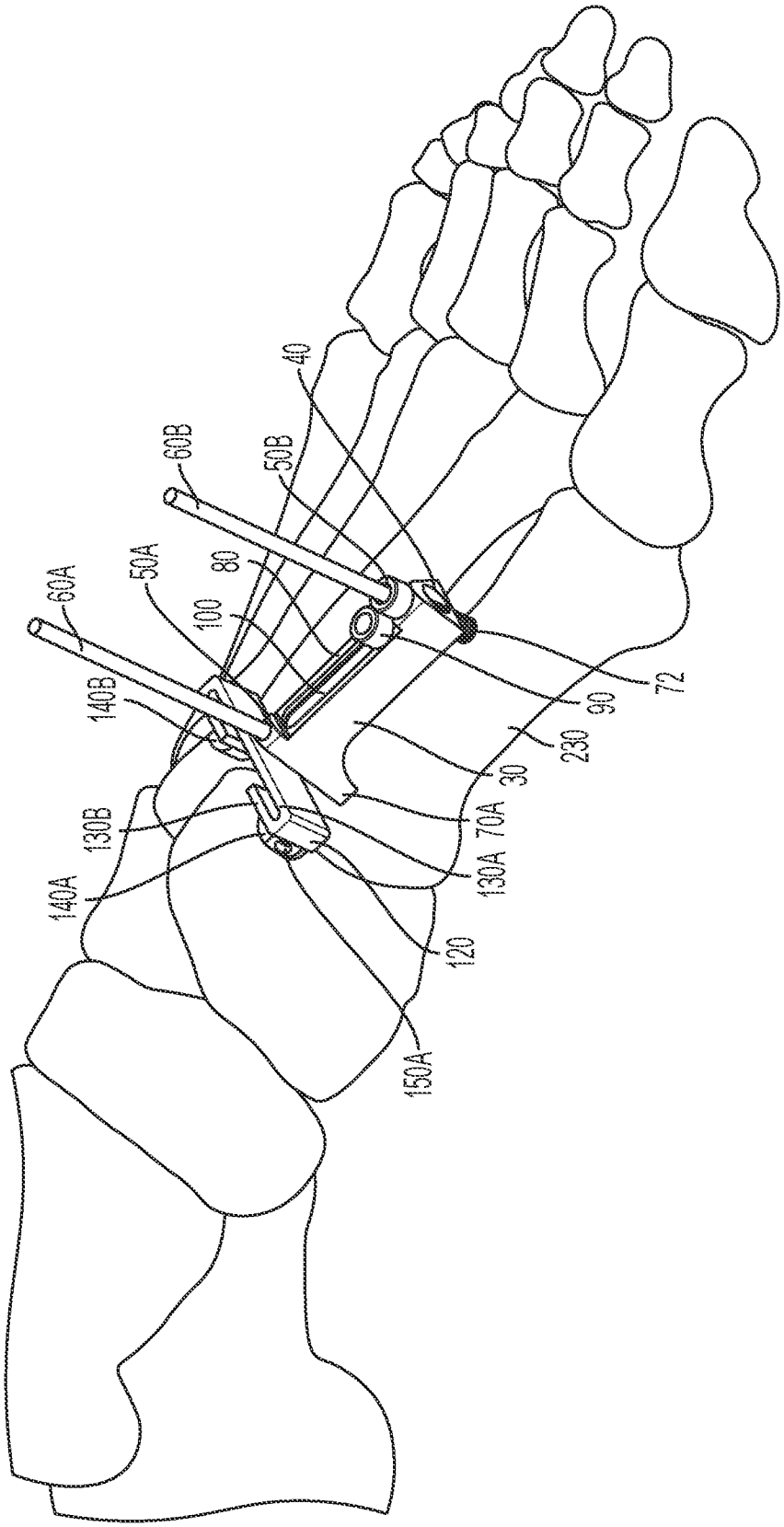

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FIG. 7

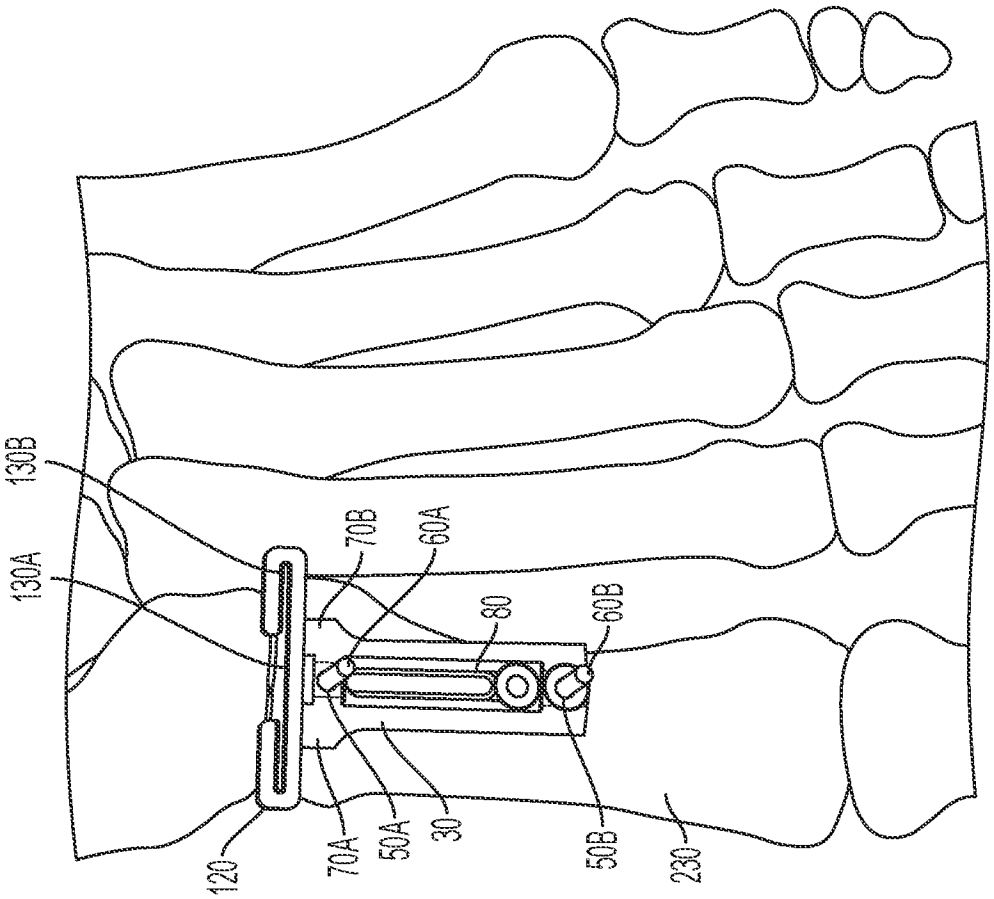


FIG. 8

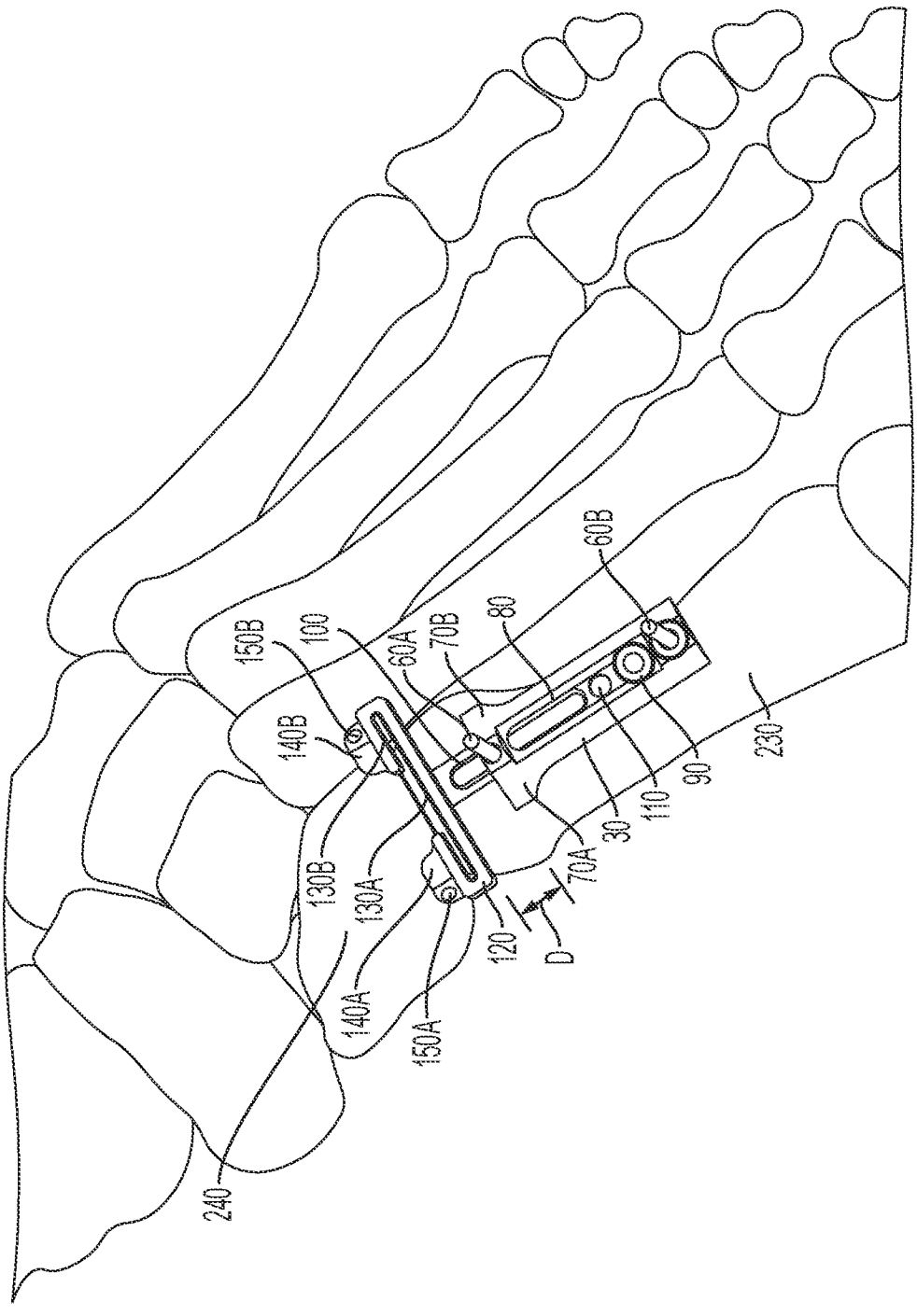

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FIG. 9

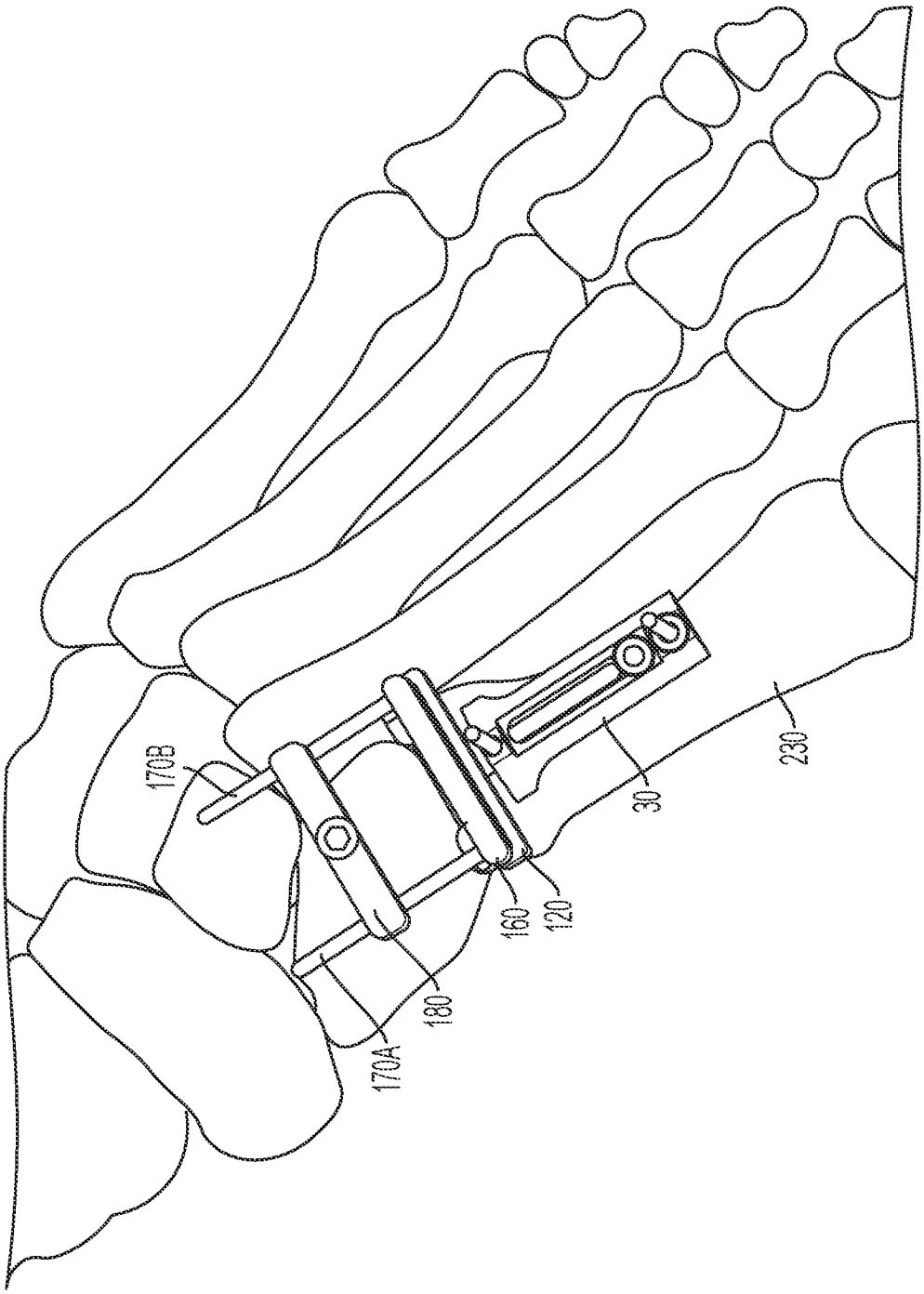


FIG. 10

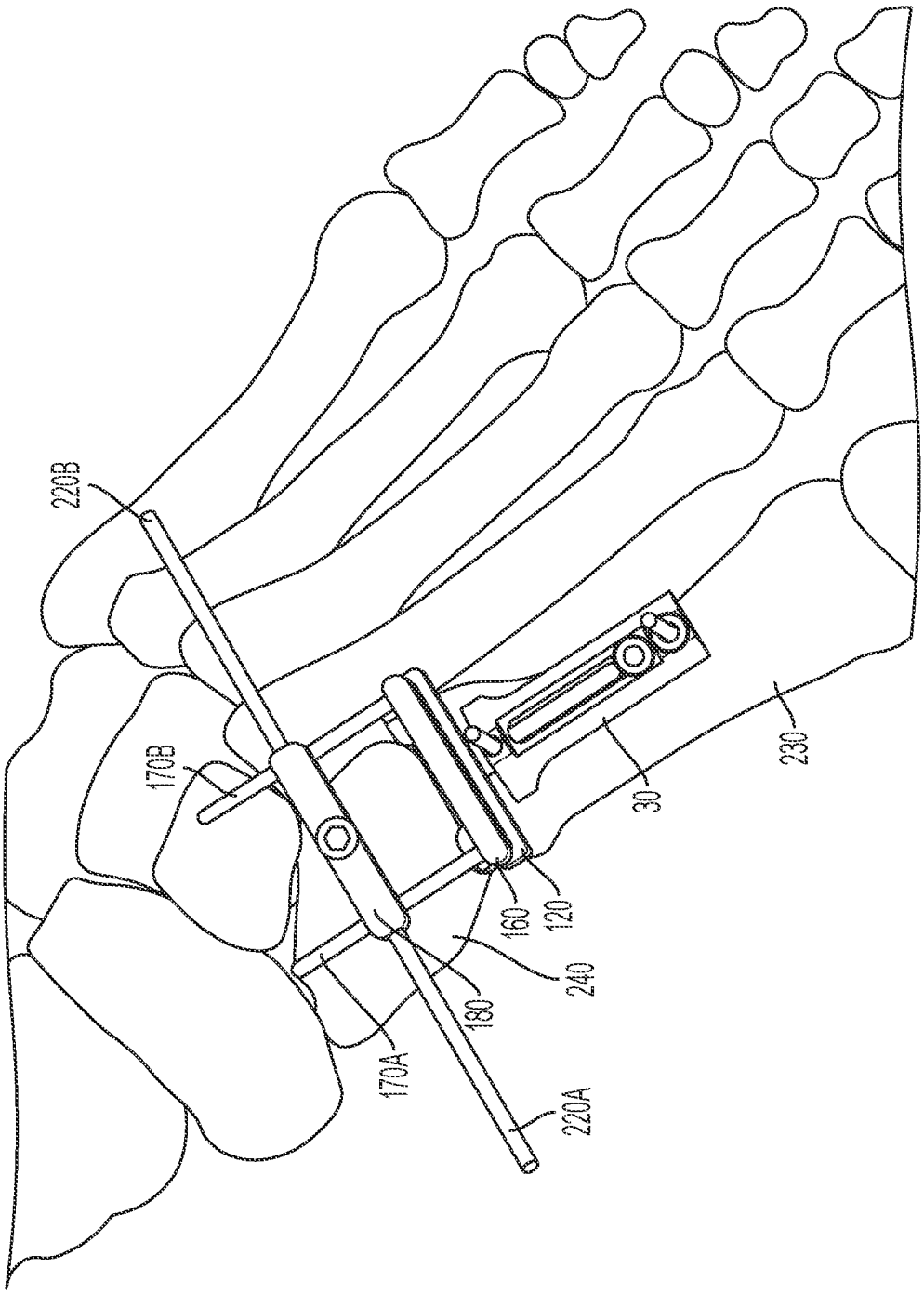


FIG. 11

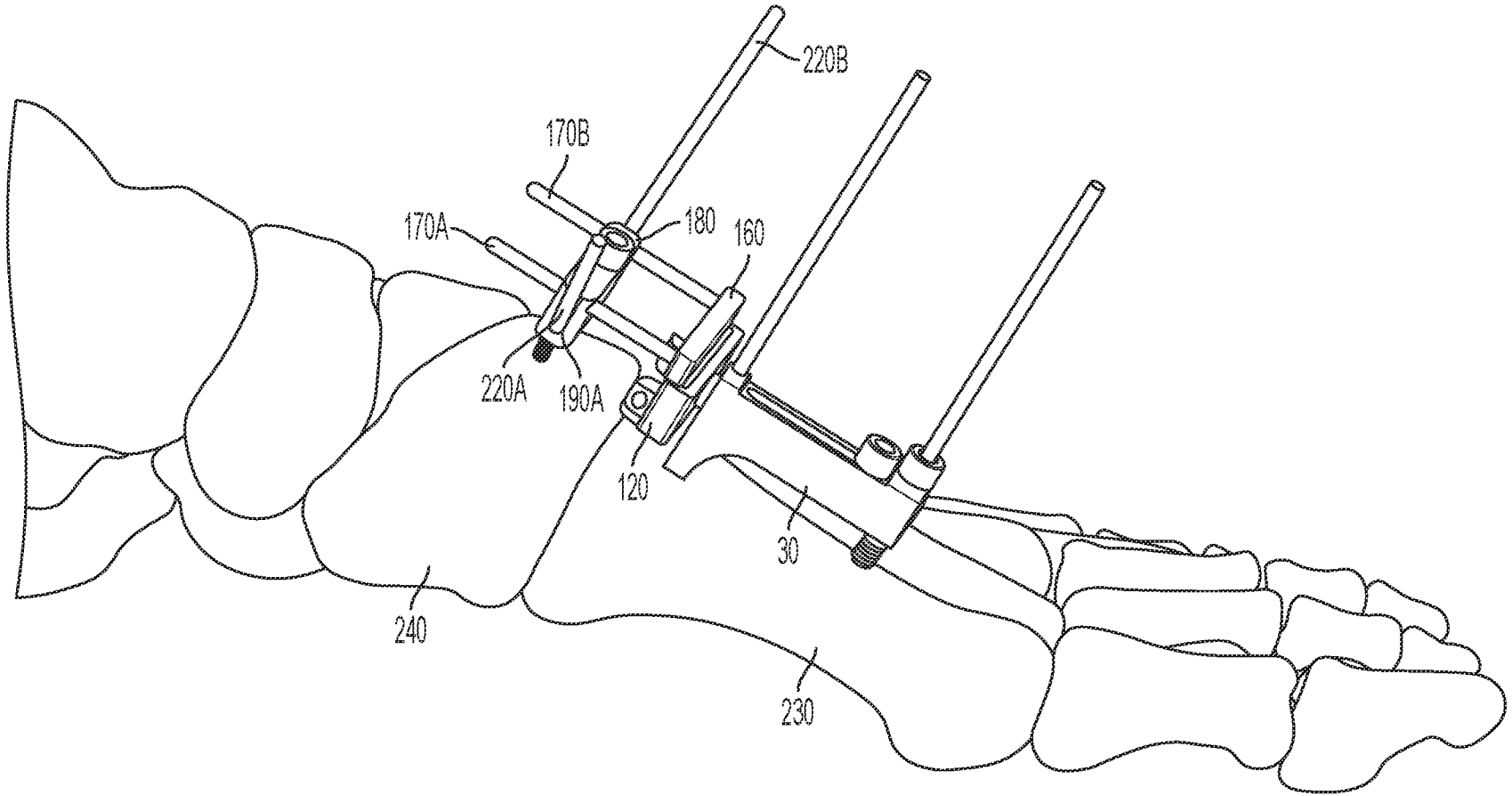


FIG. 12

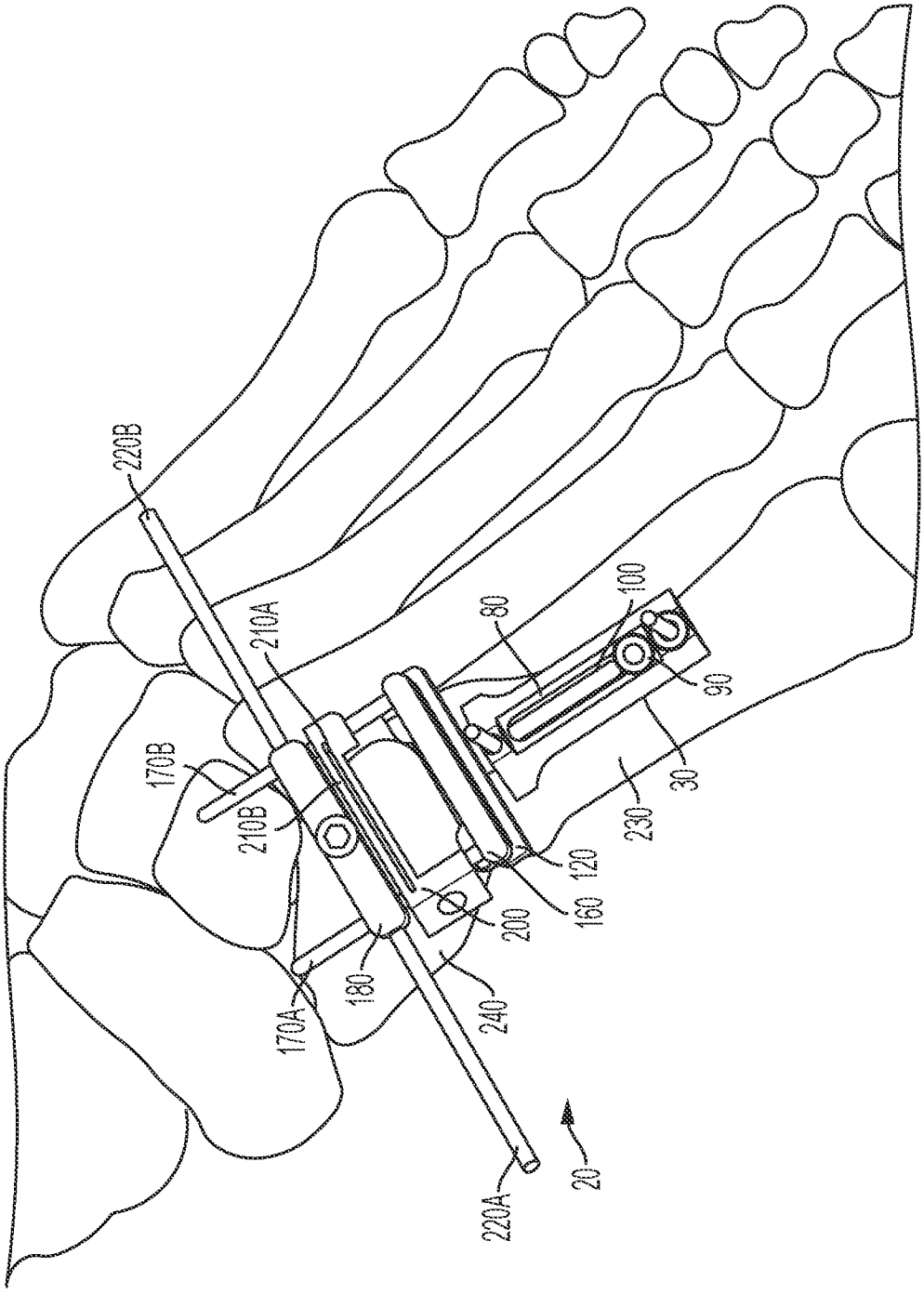

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FIG. 13

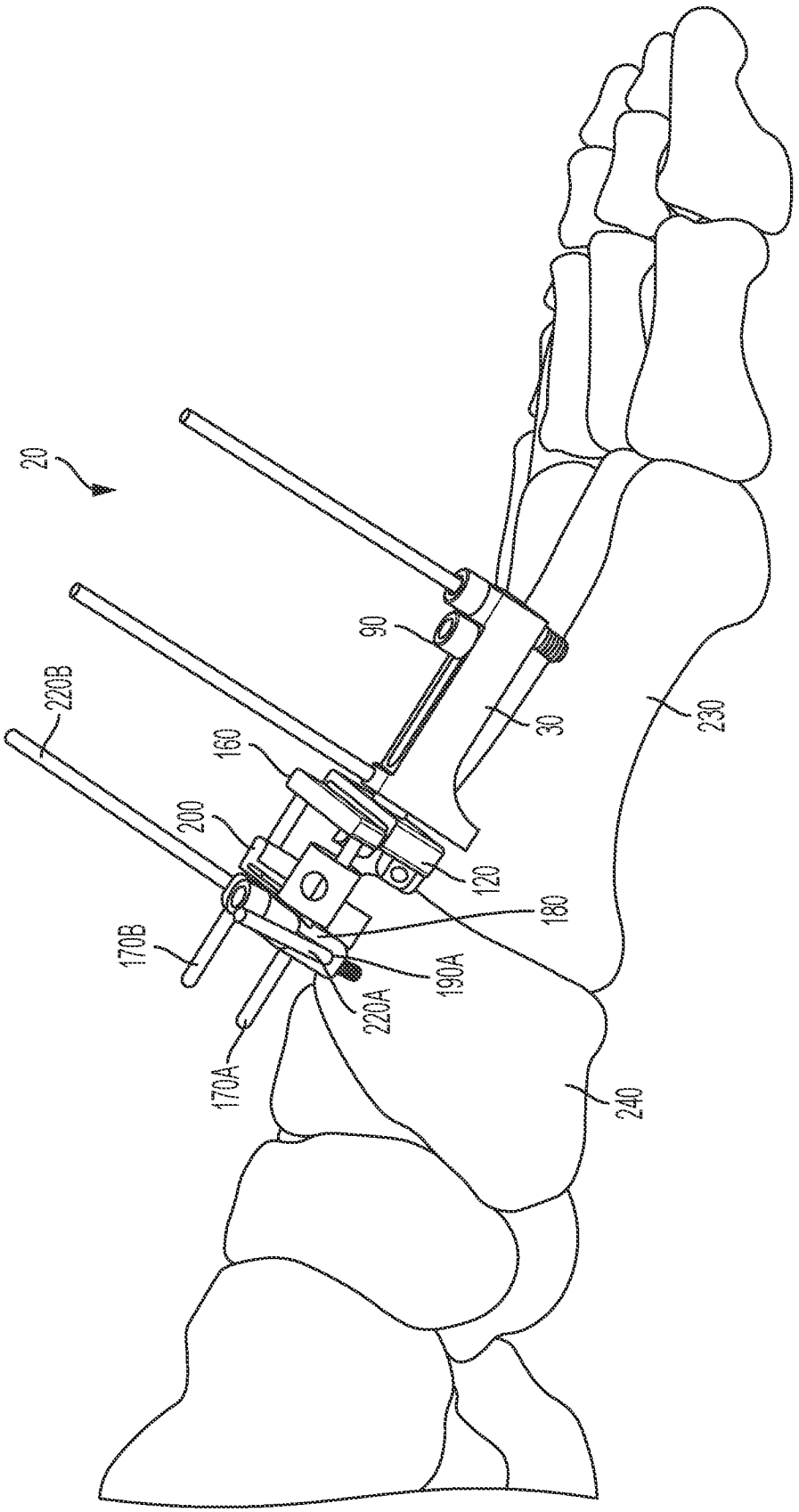


FIG. 14

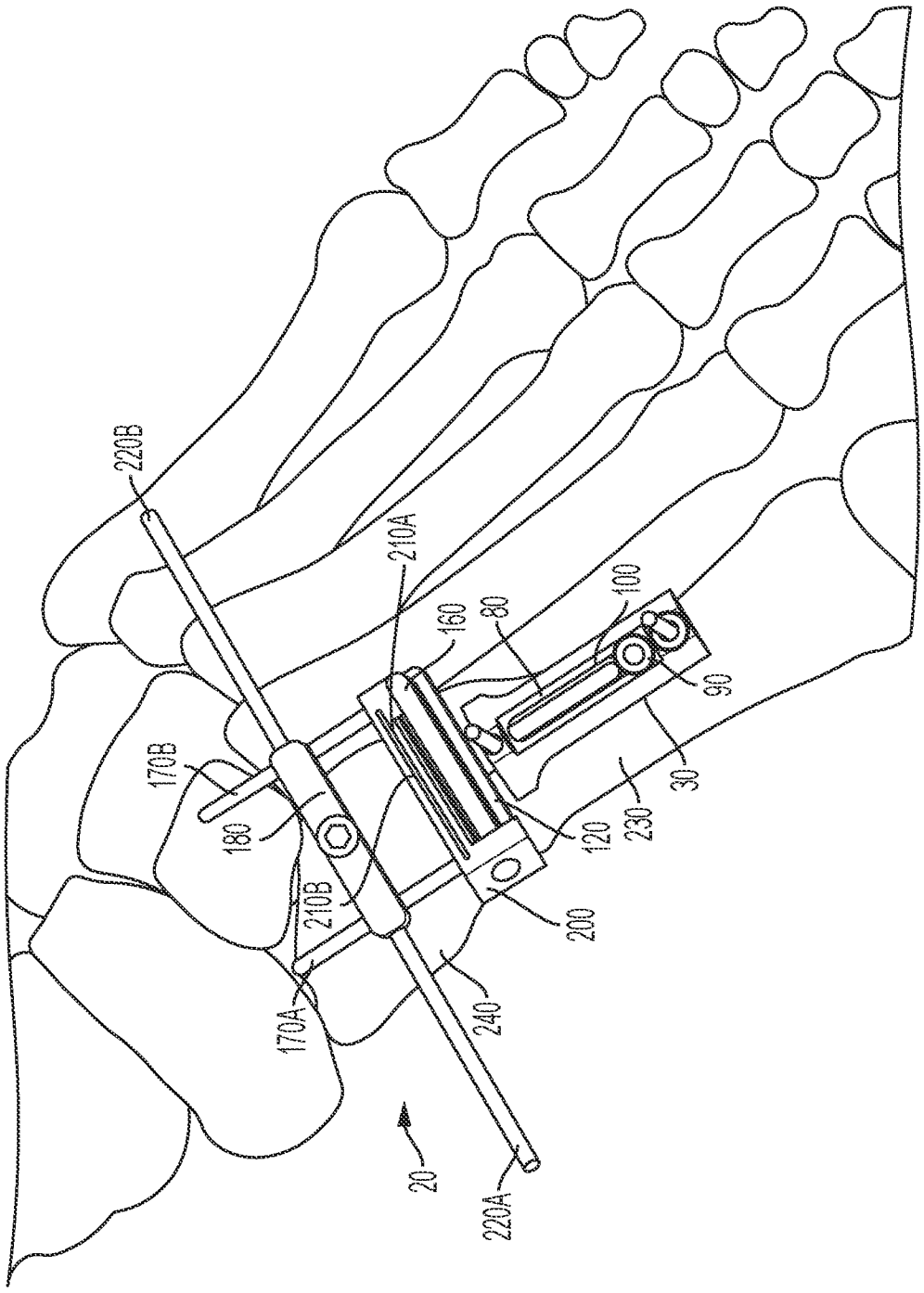

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FIG. 15

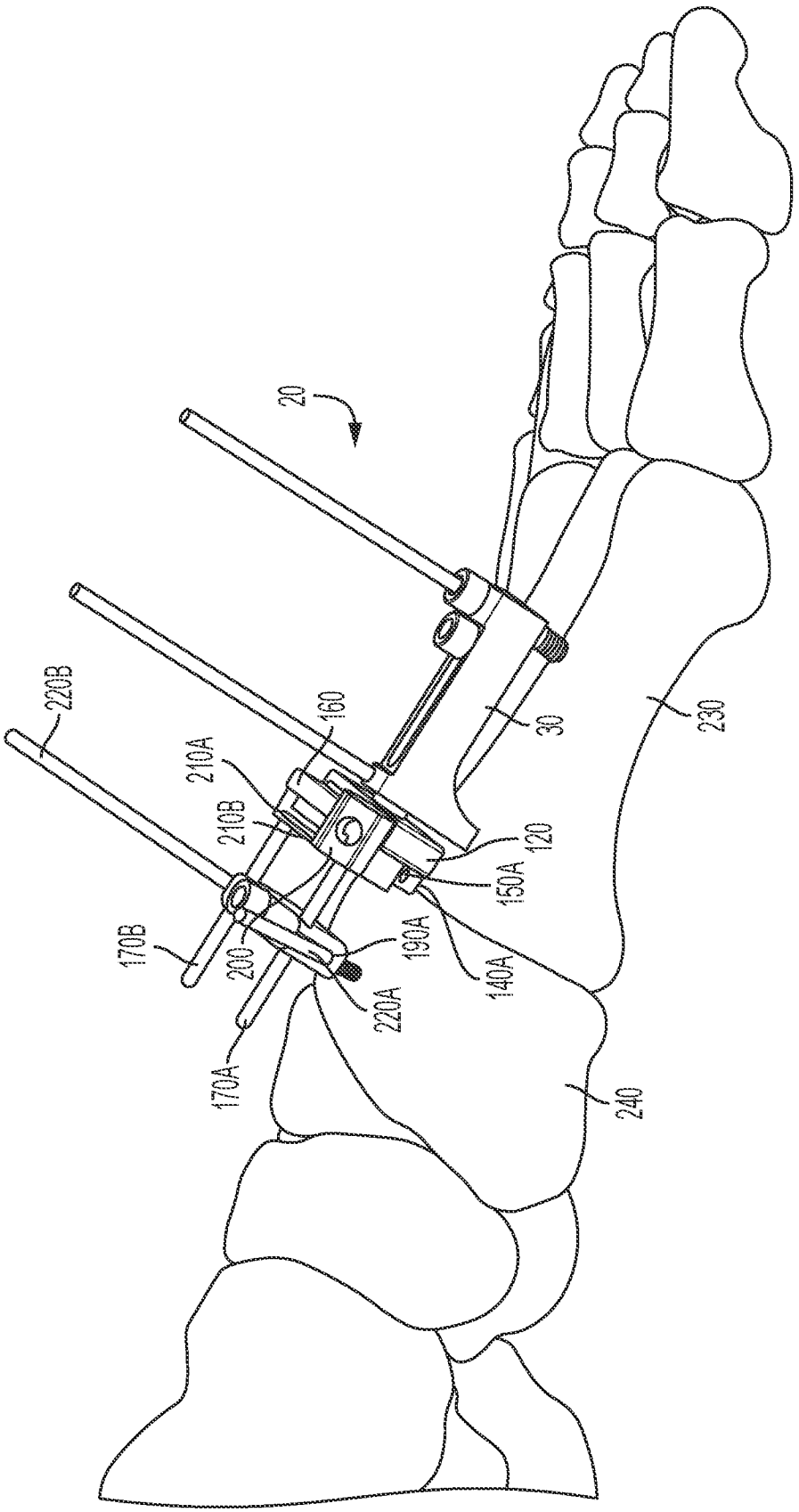

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170A
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FIG. 16

PTO/AIA/82A (07-13)
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Application Number	Not Yet Assigned
Filing Date	Filed Herewith
First Named Inventor	Paul Dayton
Title	BONE CUTTING GUIDE SYSTEMS AND METHODS
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	71212.4.2.USC6

SIGNATURE of Applicant or Patent Practitioner

Signature	/Paul J. LaVanway, Jr./	Date (Optional)	April 24, 2024
Name	Paul J. LaVanway, Jr.	Registration Number	64610
Title (if Applicant is a juristic entity)	Attorney		
Applicant Name (if Applicant is a juristic entity)	Treace Medical Concepts, Inc.		

NOTE: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. If more than one applicant, use multiple forms.

☑ *Total of 1 forms are submitted.

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Doc Code: PA..
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Application Number	Filing Date

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☑ I hereby appoint the Patent Practitioner(s) associated with the following Customer Number as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above: 22859

OR

☐ I hereby appoint Practitioner(s) named in the attached list (form PTO/AIA/82C) as my/our attorney(s) or agent(s), and to transact all business in the United States Patent and Trademark Office connected therewith for the patent application referenced in the attached transmittal letter (form PTO/AIA/82A) or identified above. (Note: Complete form PTO/AIA/82C.)

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OR

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OR

Firm or Individual Name					
Address					
City		State		Zip	
Country					
Telephone		Email			

I am the Applicant (if the Applicant is a juristic entity, list the Applicant name in the box):

Treace Medical Concepts, Inc.

☐ Inventor or Joint Inventor (title not required below)

☐ Legal Representative of a Deceased or Legally Incapacitated Inventor (title not required below)

☑ Assignee or Person to Whom the Inventor is Under an Obligation to Assign (provide signer's title if applicant is a juristic entity)

☐ Person Who Otherwise Shows Sufficient Proprietary Interest (e.g., a petition under 37 CFR 1.46(b)(2) was granted in the application or is concurrently being filed with this document) (provide signer's title if applicant is a juristic entity)

SIGNATURE of Applicant for Patent

The undersigned (whose title is supplied below) is authorized to act on behalf of the applicant (e.g., where the applicant is a juristic entity).

Signature	/John T. Treace/	Date (Optional)	10/19/16
Name	John T. Treace		
Title	Chief Executive Officer		

NOTE: Signature - This form must be signed by the applicant in accordance with 37 CFR 1.33. See 37 CFR 1.4 for signature requirements and certifications. If more than one applicant, use multiple forms.

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

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ELECTRONIC PAYMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	04/24/2024 07:18:12 PM Z ET	71212.4.2.USC6

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Paul LaVanway
PATENT CENTER #	65233940	AUTHORIZED BY	Paul LaVanway
CUSTOMER #	22859	FILING DATE	-
CORRESPONDENCE ADDRESS	-	FIRST NAMED INVENTOR	Paul Dayton

Payment Information

PAYMENT METHOD	PAYMENT TRANSACTION ID	PAYMENT AUTHORIZED BY
CARD / 9797	E20244NJ18408200	Paul LaVanway

FEE CODE	DESCRIPTION	ITEM PRICE($)	QUANTITY	ITEM TOTAL($)
1817	REQUEST FOR PRIORITIZED EXAMINATION	4200.00	1	4200.00
1111	UTILITY PATENT APPL. SEARCH FEE	700.00	1	700.00
1011	BASIC FILING FEE - UTILITY (PAPER FILING ALSO REQUIRES NON-ELECTRONIC FILING FEE UNDER 1.16(T))	320.00	1	320.00
1311	PATENT APPL. EXAMINATION FEE	800.00	1	800.00
1202	EACH CLAIM IN EXCESS OF 20	100.00	10	1000.00

TOTAL AMOUNT:	$7,020.00

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National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

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BONE CUTTING GUIDE SYSTEMS AND METHODS

RELATED APPLICATION

[0001] This application is a continuation of US Patent Application Serial No. 18/487,548, filed October 16, 2023, which is continuation of US Patent Application Serial No. 17/118,597, filed December 10, 2020 and issued as US Patent No. 11,786,257 on October 17, 2023, which is a continuation of US Patent Application Serial No. 16/792,880, filed February 17, 2020 and issued as US Patent No. 10,888,335 on January 12, 2021, which is a continuation of US Patent Application Serial No. 16/593,153, filed October 4, 2019 and issued as US Patent No. 10,561,426 on February 18, 2020, which is a continuation of US Patent Application Serial No. 15/603,056, filed May 23, 2017 and issued as US Patent No. 10,603,046 on March 31, 2020, which is a continuation of US Patent Application Serial No. 14/990,574, filed January 7, 2016 and issued as US Patent No. 9,687,250 on June 27, 2017, which in turn claims the benefit of US Provisional Application Serial No. 62/100,641, filed January 7, 2015. The entire contents of each of these applications are hereby incorporated by reference.

TECHNICAL FIELD

[0002] This disclosure relates generally to devices and methods for positioning and cutting bones.

BACKGROUND

[0003] Bones, such as the bones of a foot, may be anatomically misaligned. In certain circumstances, surgical intervention is required to correctly align the bones to reduce patient discomfort and improve patient quality of life.

SUMMARY

[0004] In general, this disclosure is directed to bone cutting guide systems and techniques for cutting bones. In some examples, a bone cutting guide includes a main body, or support, that houses a shaft that can translate relative to the main body. The shaft may have a main guide member positioned on the end of the shaft. The main guide member may define opposed guide surfaces configured to receive a cutting member. For example, the cutting member may be

inserted between the opposed guide surfaces and bounded within a range of movement by the guide surfaces, causing the cutting member to be directed at a cutting location under the guide surfaces. Additionally or alternatively, the main guide member may define a single cutting surface/plane. The cutting surface/plane may be a surface against which a clinician can position a cutting member and then guide the cutting member along the cutting surface/plane to perform a cutting operation.

[0005] The main body of the bone cutting guide can include fixation members, such as fixation pins or apertures, that allow the main body to be fixated on or adjacent a bone to be cut. For example, in use, a clinician may fixate the main body to a bone (e.g., a first metatarsal). Thereafter, the clinician may translate the main guide member having at least one cutting guide surface (e.g., opposed cutting guide surfaces) relative to the fixed main body. The clinician can translate the main guide member by sliding or rotating the shaft housed within the main body, e.g., causing the distal end of the shaft and main guide member carried thereon away from or towards the main body. Once suitably positioned, the clinician may or may not lock the location of the shaft and perform one or more cuts through the guide surfaces of the main guide member.

[0006] In some configurations, the bone cutting guide also includes a bridge component that can form a bridge over a section of bone, such as a joint between adjacent bones (e.g., first metatarsal-medial cuneiform joint). For example, the bridge component may have a proximal end that is attachable to the main guide member carried on the shaft attached to the main body and a distal end separated by one or more rails. The proximal end may be insertable between the opposed cutting guide surfaces of the main guide member, e.g., such that the proximal end of the bridge can be inserted between the guide surfaces after performing a cut through the guide surfaces. The distal end of the bridging member can include fixation members, such as fixation pins or apertures, that allow the distal end of the bridging member to be fixated to bone. In one application, the distal end of the bridging member is fixated to a different bone than the bone the main body is fixated to such that the bridging member spans a joint. In such applications, joint spacing may be expanded or contracted by translating the shaft carried by the main body.

[0007] In addition to or in lieu of providing a bridging member, in some additional configurations, the bone cutting guide may include a secondary guide member. The secondary guide member can be positioned distally of the main guide member and may also include guide surfaces, such as opposed guide surfaces forming a channel sized and shaped to receive a cutting

member. The secondary guide member may facilitate making a second bone cut distal of a location where a first bone cut is made using the main guide member.

[0008] In one example, a bone cutting guide is described that includes a support defining an inner cavity and a shaft disposed at least partially within the inner cavity, where the shaft is translatable within the inner cavity relative to the support. The bone cutting guide also includes a main guide member located on an end of the shaft, where the main guide member includes a first guide surface defining a first plane and a second guide surface defining a second plane, and where the first plane is parallel to the second plane.

[0009] In another example, a method for cutting bones is described. The method includes fixing a support to a bone and aligning a main guide member to be positioned at a location to be cut. The method further includes making a first cut at the location to be cut by inserting a cutting member through a space defined between a first guide surface of the main guide member and a second guide surface of the main guide member.

[0010] The details of one or more examples are set forth in the accompanying drawings and the description below. Other features, objects, and advantages will be apparent from the description and drawings, and from the claims.

BRIEF DESCRIPTION OF THE DRAWINGS

[0011] FIG. 1 is a side view of an embodiment of a bone cutting guide, with some components shown in an exploded view.

[0012] FIG. 2 is a perspective view of the bone cutting guide of FIG. 1.

[0013] FIG. 3A is a perspective view of the bone cutting guide of FIG. 1 with a bridge component attached to a main guide member.

[0014] FIGS. 3B–3D are top plan view illustrations of a bone cutting guide with different example connecting blocks.

[0015] FIG. 3E is a side plan view of a bone cutting guide and an exemplary support.

[0016] FIG. 4 is a perspective view of the bone cutting guide of FIG. 1 assembled.

[0017] FIG. 5 is another perspective view of the bone cutting guide of FIG. 4.

[0018] FIG. 6 is a further perspective view of the bone cutting guide of FIG. 4.

[0019] FIG. 7 is a perspective view of a bone cutting guide support fixed to a bone.

[0020] FIG. 8 is a top view of the bone cutting guide support fixed to the bone of FIG. 7.

[0021] FIG. 9 is a perspective view of the bone cutting guide support fixed to the bone of FIG. 7 with a location of the main guide member adjusted.

[0022] FIG. 10 is a perspective view of a bridge component attached to the main guide member of the support of FIG. 7 with a fixation structure attached to the bridge component.

[0023] FIG. 11 is a perspective view of the fixation structure pinned across a bone.

[0024] FIG. 12 is another perspective view of the pinned fixation structure of FIG. 11.

[0025] FIG. 13 is a perspective view of the assembled bone cutting guide fixed to bones.

[0026] FIG. 14 is a further perspective view of the assembled bone cutting guide of FIG. 13.

[0027] FIG. 15 shows a perspective view of the assembled bone cutting guide of FIG. 13 with a secondary guide member translated along rails of the bridge component.

[0028] FIG. 16 is an additional perspective view of the assembled bone cutting guide of FIG. 15.

DETAILED DESCRIPTION

[0029] The following detailed description is exemplary in nature and is not intended to limit the scope, applicability, or configuration of the invention in any way. Rather, the following description provides some practical illustrations for implementing exemplary embodiments of the present invention. Examples of constructions, materials, and dimensions are provided for selected elements, and all other elements employ that which is known to those of ordinary skill in the field of the invention. Those skilled in the art will recognize that many of the noted examples have a variety of suitable alternatives.

[0030] Embodiments of the present invention include a bone cutting guide. In an exemplary application, the bone cutting guide can be useful during a surgical procedure, such as a bone alignment, osteotomy, fusion procedure, and/or other procedures where one or more bones are to be cut. Such a procedure can be performed, for example, on bones (e.g., adjacent bones separated by a joint or different portions of a single bone) in the foot or hand, where bones are relatively smaller compared to bones in other parts of the human anatomy. In one example, a procedure utilizing the bone cutting guide can be performed to correct an alignment between a metatarsal (e.g. a first metatarsal) and a cuneiform (e.g., a first cuneiform), such as a bunion correction. An example of such a procedure is a lapidus procedure. In another example, the procedure can be performed by modifying an alignment of a metatarsal (e.g. a first metatarsal). An example of such a procedure is a basilar metatarsal osteotomy procedure.

[0031] FIGS. 1, 2, and 3A show an embodiment of a bone cutting guide 20 with some components of the bone cutting guide 20 shown in an exploded view. FIG. 1 is a side view of the bone cutting guide 20, while FIGS. 2 and 3A are perspective views of the bone cutting guide 20. The bone cutting guide 20 can include a support 30 which defines an inner cavity 40 (FIG. 2). In one embodiment, the support 30 can include a first fixation aperture 50A and a second fixation aperture 50B, each of which can extend through the support 30 and receive fixation pins 60A and 60B, respectively, such that the fixation pins 60A and 60B extend through the support 30 via the fixation apertures 50A and 50B. In the embodiment shown, the fixation pins 60A and 60B have a threaded first end adapted to threadingly engage with a bone, and allow the support 30 to be translated along a longitudinal axis of both pins 60A and 60B. In the illustrated embodiments, the fixation apertures 50A and 50B are located on opposite longitudinal ends of the support 30, but in other embodiments the fixation apertures 50A and 50B can be located at various positions on the support 30.

[0032] The support 30 can further include one or more extensions 70A and/or 70B protruding generally radially out from the support 30, which may define a concave surface configured to receive a generally cylindrical bone portion. In the embodiment shown, fixation aperture 50B is provided with an extension member 72 which can be threadingly coupled to the support 30. Such an extension member 72 can be adjusted relative to the support 30 to allow the support to become parallel with a longitudinal axis of a bone, if desired. In such embodiments, the support 30 can rest on a bone via the extensions70 A/B and extension member 72 in a position generally parallel to the bone. Fixation pin 60B may be received within an internal aperture of the extension member 72. As shown, apertures 74A and B, such as tapered apertures, may be provided proximal to extensions 70 A and B. Such apertures may extend through the support at a skewed angle relative to the longitudinal axis of the support, and may be used to engage a clamping instrument or receive fixation pins.

[0033] The support 30 can also include a slot 80 formed on at least a portion of a surface of the support 30. As illustrated in the embodiment of the cutting guide 20 shown in FIG. 3A, the slot 80 can extend in a surface of the support 30 between fixation apertures 50A and 50B. A securing component 90 can be configured to translate along the slot 80 relative to the support 30. For example, the securing component 90 can have a first end with a diameter greater than a diameter of a second opposite end, such that the first end of the securing component 90 is

supported by the slot 80 (e.g., the first end has a diameter greater than a radial width of the slot 80) while the second end of the securing component 90 is positioned within the slot 80 (e.g., the second end has a diameter less than a radial width of the slot 80).

[0034] The inner cavity 40 of the support 30 can have a shaft 100 positioned at least partially within the inner cavity 40. The shaft 100 can be configured to translate within the inner cavity 40 relative to the support 30, such that an end of the shaft 100 can be made to project out from the inner cavity 40. The shaft 100 may define a slot 105 which may be aligned with the slot 80 defined by the support 30. This slot 105 may receive the pin 60A to reduce interference when the shaft 100 translates. Furthermore, the shaft 100 can include a securing aperture 110 which can be configured to receive at least a portion of the securing component 90. In one embodiment, both the second end of the securing component 90, within the slot 80, and the securing aperture 110 can be threaded to allow the securing component 90 to mate with the securing aperture 110. Such a configuration can allow the shaft 100 to be fixed, such as by compressing a surface of the support 30 that defines the slot 80, and thus prevented from translating within the inner cavity 40, relative to the support 30. In another embodiment, the securing component 90 can be threadingly engaged with the support 30 to act against the shaft 100 to prevent the shaft 100 from traveling with the cavity 40 when desired.

[0035] On an end of the shaft 100, a main guide member 120 can be disposed. In some embodiments the main guide member 120 can be integral with the shaft 100, or in other embodiments the main guide member 120 and the shaft 100 can be separate components coupled together. The main guide member 120 can have a first guide surface 130A and a second guide surface 130B, and in some embodiments the main guide member 120 can include blocks 140A and/or 140B. The first and second guide surfaces 130A and 130B can be adjacent surfaces facing one another with a space defined between the first and second guide surfaces 130A and 130B. For example, the first guide surface 130A can be a surface of the main guide member 120 immediately opposite a surface of the main guide member 120 that interfaces with the shaft 100, and the second guide surface 130B can be a surface of the main guide member 120 immediately opposite a surface of the main guide member 120 that includes blocks 140A and 140B.

[0036] In the illustrated embodiment, the second guide surface 130B contains a gap, such that the second guide surface 130B is not a single, continuous surface. In other embodiments, the second guide surface 130B can be a single, continuous surface lacking any such gap. The first

guide surface 130A defines a first plane, while the second guide surface 130B defines a second plane. As shown, the first guide surface 130A and the second guide surface 130B can be configured such that the first plane is parallel to the second plane, with the space between. In further embodiments (not illustrated), the guide surfaces 130A and 130B can be configured such that the first and/or second planes are skewed.

[0037] As previously noted, a surface of the main guide member 120 can include one or more blocks 140A and 140B, either integral with the main guide member 120 or as separate components attached to the main guide member 120. As shown, the blocks 140A and 140B can be on a surface on a side of the main guide member 120 furthest from the interface with the shaft 100. In other applications, the blocks 140A and 140B can be located at various other positions on the main guide member 120. The blocks 140A and 140B can include fixation apertures 150A and 150B respectively. The fixation apertures 150A and 150B extend through the blocks 140A and 140B and provide a location for configuring additional fixation pins to, for example, position a bone or bones.

[0038] As shown in FIGS 3B-3D, the main guide member 120 and at least one block 140A can assume other configurations. In FIG. 3B, the block 140A includes fixation apertures 150A and B and is spaced from the guide surfaces a distance via connecting flanges 154A and 154B. In the embodiment of FIG. 3B, the fixation apertures 150A and B are positioned in a line substantially parallel to the guide surfaces. In FIG. 3C, the orientation of the fixation apertures 150A and B is substantially perpendicular to the guide surfaces. In FIG. 3D, only one fixation aperture 150A is provided.

[0039] Another embodiment of a support 30 is depicted in FIG. 3E. In FIG. 3E, the support 30 has at least one (e.g., two) fixation aperture 156A and 156B formed in its side to receive fixation pins. Such apertures can also be included on the opposite side of the support (not shown). In some embodiments, the fixation apertures 156A and 156B can be positioned in a line substantially parallel with a longitudinal axis of the support, and can extend in a direction substantially perpendicular to the longitudinal axis of the support. In certain embodiments, the apertures extend at an angle, such as about 20 degrees, from vertical. In such embodiments, the support 30 can be placed on a dorsal surface and after a first cut or cuts, can be rotated about a pin extending though one of the fixation apertures 156A and 156B to rotate the support relative

to the bone and first cut or cuts. The support can then be further pinned to the bone and an additional cut or cuts can be made at a desired angle relative to the first cut or cuts.

[0040] In addition to the support 30, the bone cutting guide 20 can include a bridge component 160. As shown in FIG. 3A, the bridge component 160 can attach to the main guide member 120. In particular, in some applications of the bone cutting guide 20, the bridge component 160 can have a geometry that allows the bridge component 160 to attach to the main guide member 120 between the first and second guide surfaces 130A and 130B through an interference fit. Optionally, a locking mechanism can be provided to lock the bridge component to the main guide member, such as a locking tab, screw, pin, cam, etc. For example, the bridge component 160 may have a planar member 165 (shown in FIG. 2) that is received within the gap between the surfaces 130A and 130B and an extending block 166 (shown in FIG. 2) adapted to extend into the surface gap of 130B. In other applications, the bridge component 160 can be coupled to the main guide member 120 by any attachment mechanism, such as screws or clamps. The bridge component 160 can include rails 170A and 170B, each extending out from the bridge component 160 in a same general direction. In other embodiments, the rails 170A and 170B can extend out from the bridge component 160 at different angles.

[0041] The bone cutting guide 20 can also include in some embodiments a fixating structure 180. The fixating structure 180 can be supported on the rails 170A and 170B. For example, the fixating structure 180 can include apertures 185A and 185B to receive the rails 170A and 170B, respectively. The fixating structure 180 can be secured to the rails 170A and 170B, such that the fixating structure 180 is obstructed from translating along the rails 170A and 170B, by turning or otherwise actuating an actuator 186 of the fixating structure 180, which moves a lock (not shown) to act against the rails. Furthermore, the fixating structure 180 can also include one or more fixation apertures 190A and/or 190B. Fixation apertures 190A and 190B extend through fixating structure 180 and can be located on opposite ends of the fixating structure 180, at a skewed angle, and serve to receive fixation pins or other means for stabilizing the bone cutting guide 20 across a targeted anatomy and/or positioning a bone or bones.

[0042] Additionally, the bone cutting guide 20 can have a secondary guide member 200. The secondary guide member 200 can be supported on the rails 170A and 170B. For example, the secondary guide member 200 may include slots 205A and 205B to receive the rails 170A and 170B such that the secondary guide member 200 is supported thereon. The secondary guide

member 200 can also have a third guide surface 210A and a fourth guide surface 210B. The third and fourth guide surfaces 210A and 210B can be adjacent surfaces facing one another with a space defined between the third and fourth guide surfaces 210A and 210B. In the illustrated embodiments, third and fourth guide surfaces 210A and 210B are single, continuous surfaces that do not include a gap, but in other embodiments third and/or fourth guide surfaces 210A and 210B can include a gap. The third guide surface 210A defines a third plane, while the fourth guide surface 210B defines a fourth plane. As shown, the third guide surface 210A and fourth guide surface 210B can be configured such that the third plane is parallel to the fourth plane, with the space between. In further embodiments (not illustrated), the guide surfaces 210A and 210B can be configured such that the third and/or fourth planes are skewed. Further, the third and/or fourth guide surfaces may be parallel to or skewed with respect to the first and/or second guide surfaces, such that the cutting guide can be adapted to make parallel cuts or angular cuts or cut shapes (e.g. a chevron shape). In some embodiments, the secondary guide member 200 can be locked to the rails 170A and/or 170B with a locking screw, cam, pin, etc. In the embodiment shown in FIG. 3A, an aperture 214 is provided to receive a locking mechanism and/or an accessory, such as a handle.

[0043] FIGS. 4–6 illustrate perspective views of the embodiment of the bone cutting guide 20, described with respect to FIGS. 1–3, as assembled. In the embodiment illustrated in FIGS. 4–6, the bridge component 160 is attached to the main guide member 120 and both the fixating structure 180 and secondary guide member 200 are supported along the rails 170A and 170B of the bridge component. In one application, the secondary guide member 200 can be supported on the rails 170A and 170B at a location along the rails 170A and 170B between the fixating structure 180 and the main guide member 120. Additionally shown in FIGS. 4–6 are fixation pins 220A and 220B received within fixation apertures 190A and 190B such that the fixation pins 220A and 220B extend through the fixating structure 180. In some applications of the bone cutting guide 20, it may be desirable to provide the fixation pins 220A and 220B at an angle other than 90 degrees relative to a top surface of the fixating structure 180 by configuring the fixation apertures 190A and 190B to extend through the fixating structure 180 at a skewed angle to guide the fixating pins 220A and 220B. Fixation pins 220A and 220B can be used, for example, for stabilizing the bone cutting guide 20 across a targeted anatomy and/or positioning a bone or bones.

[0044] Embodiments of the bone cutting guide 20 can be useful in operation for temporarily positioning a bone or bones and guiding a cutting of a bone or bones at a targeted anatomy. Bone cutting can be useful, for instance, to facilitate contact between leading edges of adjacent bones, separated by a joint, or different portions of a single bone, separated by a fracture, such as in a bone alignment and/or fusion procedure. As such, embodiments of the present invention include methods for temporarily fixing an orientation of a bone or bones, such as during a surgical procedure, and guiding cutting at desired bone locations. In the embodiments described, cuts are made to bone with respect to the cutting guide, and the bones can be positioned for an additional surgical step, such as bone plating, after the cuts have been made.

[0045] FIGS. 7–16 illustrate steps of an embodiment of a method for temporarily positioning and cutting a bone or bones using the bone cutting guide 20. Specifically, FIGS. 7 and 8 show a perspective and top view, respectively, of the support 30 fixed to a bone 230 (e.g. a first metatarsal). The support 30 is placed on the bone 230. For embodiments of the bone cutting guide 20 that include the extensions 70A and 70B, the extensions 70A and 70B can be used to at least partially straddle the bone 230 and consequently provide both greater stability to the support 30 on the bone 230 and anatomical alignment of the support 30 on a longitudinal axis of the bone 230 (e.g., the slot 80 is generally parallel to the longitudinal axis of the bone 230). Extension member 72 can be adjusted to a desired distance from support 30. Further, in some embodiments it can be desirable to align and fix the support 30 along the longitudinal axis of the bone 230 using the fixation pins 60A and 60B. The pin 60A can be inserted through the fixation aperture 50A such that an end of the pin 60A protrudes out from the fixation aperture 50A adjacent the bone 230. The pin 60A can then be fixed to the bone 230. Similarly, the pin 60B can be inserted through fixation aperture 50B and fixed on an end to the bone 230. In this manner, the support 30 can be fixed in place to and aligned along the longitudinal axis of the bone 230.

[0046] In addition to fixing the support 30 to the bone 230, the main guide member 120 can be aligned such that the main guide member 120 is positioned at a location where a bone (e.g., the bone 230) is to be cut. In one embodiment, the main guide member 120 can be positioned at the location where a bone is to be cut by appropriately positioning and fixing the support 30, e.g., such that the support 30 is fixed to the bone 230 at a location along bone 230 that results in the main guide member 120 being positioned at the location where a bone is to be cut. In some

embodiments, a joint alignment blade (not shown) is inserted though the main guide member and into a joint space to help align the main guide member in a desired position. Further, in certain embodiments, a provisional fixation pin (not shown) can be inserted through a bone of interest and into an adjacent bone (e.g., though a first metatarsal and into a second metatarsal) to provide additional stability during the procedure.

[0047] In some applications, a location of the main guide member 120 relative to the longitudinal axis of the bone 230 can be adjusted without necessitating movement of the support 30. To accomplish this, the shaft 100 at least partially within the inner cavity 40 can be translated relative to the support 30 as shown in the perspective view of FIG. 9. As shown, the main guide member 120 has been translated along the longitudinal axis of the bone 230 a distance D as a result of the shaft 100 being moved the same distance D. Once the main guide member 120 is positioned at the location to be cut, the securing component 90 can be translated along the slot 80 such that the securing component 90 is aligned with securing aperture 110. The securing component 90 can then be fixed within the securing aperture 110 such that the shaft 100 is fixed relative to the support 30.

[0048] After the main guide member 120 has been positioned at the location to be cut, a cutting member (e.g. a saw blade) can be inserted through the space defined between the first guide surface 130A and the second guide surface 130B to cut, for example, the bone 230. The guide surfaces 130A and 130B can serve to direct the cutting member to the location of the bone 230 to be cut, which in many applications can be a precise location. The break or window defined in the second guide surface 130B can assist in visualizing the portion of the bone 230 being cut.

[0049] In some embodiments, the main guide member 120 can be used to make additional cuts. In such embodiments, the securing component 90 can be loosened and the shaft 100 can be translated within the cavity to a desired position. The securing component 90 can be then be fixed within the securing aperture so the shaft is again fixed relative to the support 30. In some embodiments, fixation pins may be inserted through fixation aperture 150A and/or 150B and into the bone 230 to further stabilize the main guide member. After the main guide member 120 has been repositioned at the location to be cut, a cutting member (e.g. a saw blade) can be inserted through the space defined between the first guide surface 130A and the second guide surface 130B to cut, for example, the bone 240. The guide surfaces 130A and 130B can serve to direct the cutting member to the location of the bone 240 to be cut.

[0050] In some applications, it may be desirable to provide additional, temporary fixation of the bone 230 to allow for more accurate cutting. As best seen again in FIG. 9, blocks 140A and 140B can provide a means for additionally positioning the bone 230. Fixation pins can be inserted through the fixation aperture 150A and/or 150B and into the bone 230 to temporarily position the bone 230 and/or adjacent bone 240 for cutting. In other applications, blocks 140A and 140B may not be necessary.

[0051] As shown in the perspective view of FIG. 10, once the bone 230 has been cut the bridge component 160 can optionally be attached to the main guide member 120. In one embodiment, the bridge component 160 can have a geometry that allows the bridge component 160 to attach to the main guide member 120 between the first and second guide surfaces 130A and 130B through an interference fit, while in other embodiments the bridge component 160 can attach to the main guide member 120 by other attachment means. The rails 170A and 170B of the bridge component 160 can be arranged such that the rails 170A and 170B extend out from the bridge component 160 on a side of the bridge component 160 opposite the support 30. The rails 170A and 170B can serve to support additional components of the bone cutting guide 20.

[0052] One such component of the bone cutting guide 20 that can be supported on the rails 170A and 170B is the fixating structure 180. FIG. 10 shows the fixating structure 180 attached to the rails 170A and 170B. In one embodiment, the fixating structure 180 can have holes or slots for receiving the rails 170A and 170B such that the fixating structure 180 can translate along the rails 170A and 170B to a desired position. The fixating structure 180, for example, can also be secured to the rails 170A and 170B in a manner that prevents translation of the fixating structure 180 when desired by actuating the actuator 186.

[0053] FIGS. 11 and 12 illustrate perspective views of the fixating structure 180 with the fixation pins 220A and 220B received through the fixation apertures 190A and 190B (190 B is shown in, e.g., FIG. 2). Fixation apertures 190A and 190B can be on opposite ends of the fixating structure 180 as shown. Fixation pins 220A and 220B can be fixed to a bone 240 (e.g. a first cuneiform as illustrated) to provide stability for the bone cutting guide 20 and/or to position the bone 240. After the pins 220A and 220B are set, the fixating structure 180 can be translated with respect to the rails 170A and 170B and the support 30 to a desired position to compress or expand the space between the bones 230 and 240 as needed. The position of the bones can be locked by securing the fixating structure 180 against the rails 170A and 170B. In other

embodiments, such compression or expansion can be achieved by moving the shaft 100 relative to the support 30 and reengaging the securing component 90 at the new desired position.

[0054] FIGS. 13 and 14 show perspective views of the bone cutting guide 20 assembled to include the secondary guide member 200. The secondary guide member 200 can be supported on the rails 170A and 170B. In one embodiment, the slots 205A and 205B of the secondary guide member 200 can receive the rails 170A and 170B such that the secondary guide member 200 can translate along the rails 170A and 170B to a desired position. As illustrated, the secondary guide member 200 can be located along the rails 170A and 170B between the fixating structure 180 and the bridge component 160.

[0055] The secondary guide member 200 can be positioned at a location where a second bone cut is to be made. A cutting member (e.g. a saw blade) can be inserted through the space defined between the third and fourth guide surfaces 210A and 210B to cut, for example, the bone 240. The guide surfaces 210A and 210B can serve to direct the cutting member to the location of the bone 240 to be cut, which in many applications can be a precise location. As illustrated, the cut made using the secondary guide member 200 (e.g. to bone 240) will be a cut that is generally parallel to the cut made using the main guide member 120. However, in other embodiments components of the bone cutting guide 20 (e.g. rails 170A and 170B) can be configured such that the cut made using the secondary guide member 200 is an angular cut (i.e. not parallel) relative to the cut made using the main guide member 120.

[0056] FIGS. 15 and 16 illustrate the bone cutting guide 20 as described previously, with the secondary guide member 200 translated along the rails 170A and 170B. The secondary guide member 200 can be translated along the rails 170A and 170B to precisely locate the secondary guide member 200 at the location to be cut (e.g. on bone 240). In the embodiment illustrated, the secondary guide member 200 can be shaped such that a portion of the secondary guide member 200 can overlap, or sit on top of, the bridge component 160. Such a configuration can be useful, for example, where the second cut made using the secondary guide member 200 is desired to be close to the first cut made using the main guide member 120 (e.g. portions of bones 230 and 240 interfacing at a joint).

[0057] When the bone 230 and/or bone 240 have been cut and positioned as desired, the bone cutting guide 20 can be removed. In some embodiments, the cutting guide 20 is temporarily removed from the fixation pins and cut bone is removed from the area. In certain embodiments,

an autograft or other compound is delivered to the area of the bone cuts. Optionally, the guide may then be reset on the bones over the fixation pins and the shaft 100 can be translated within the cavity to adjust the relative position of the bones (e.g., to compress them together). The securing component 90 can be then be fixed within the securing aperture so the shaft is again fixed relative to the support 30. A bone plate may optionally be applied across the joint while the bones are held in the longitudinally fixed position by the cutting guide. After the plate is applied, the bone cutting guide and the fixation pins may be removed. Removing the bone cutting guide 20 can include removing all fixation pins and the support, and, in some embodiments, can include removing the bridge component, along with the fixation structure and secondary guide member 200. In certain embodiments, a second bone plate may optionally be applied across the joint. In a specific embodiment, the two bone plates are applied about 90 degrees from each other around the circumferences of the bones (e.g., at a dorsal side and a medial side).

[0058] Thus, embodiments of the invention are disclosed. Although the present invention has been described with reference to certain disclosed embodiments, the disclosed embodiments are presented for purposes of illustration, and not limitation, and other embodiments of the invention are possible. One skilled in the art will appreciate that various changes, adaptations, and modifications may be made without departing from the spirit of the invention.

CLAIMS:

1. A bunion correction method comprising:

positioning a first bone cutting guide slot over a portion of a metatarsal to be cut;

attaching the first bone cutting guide slot to the metatarsal with a first fixation pin inserted into the metatarsal and a second fixation pin inserted into the metatarsal, the first fixation pin and the second fixation pin being positioned distally of the first bone cutting guide slot;

inserting a cutting member through the first bone cutting guide slot to cut the portion of the metatarsal;

adjusting an alignment of the metatarsal relative to a cuneiform separated from the metatarsal by a joint to establish a moved position of the metatarsal;

positioning a second bone cutting guide slot over a portion of the cuneiform to be cut, the second bone cutting guide slot being attached to the metatarsal by at least the first fixation pin inserted into the metatarsal and the second fixation pin inserted into the metatarsal, the first fixation pin and the second fixation pin being positioned distally of the second bone cutting guide slot;

inserting the cutting member through the second cutting slot to cut the portion of the cuneiform; and

causing the metatarsal to fuse to the cuneiform in the moved position.

2. The method of claim 1, further comprising, after adjusting the alignment of the metatarsal relative to the cuneiform to establish the moved position of the metatarsal, lifting the first bone cutting guide slot off the first fixation pin and the second fixation pin.

3. The method of claim 1, wherein:

inserting the cutting member through the first bone cutting guide slot to cut the portion of the metatarsal comprises inserting the cutting member through the first bone cutting guide slot to cut the portion of the metatarsal without the second bone cutting guide slot being positioned over the portion of the cuneiform to be cut; and

inserting the cutting member through the second bone cutting guide slot to cut the portion of the cuneiform comprises inserting the cutting member through the second bone cutting guide slot to cut the portion of the cuneiform without the first bone cutting guide slot being positioned over the portion of the metatarsal to be cut and configured to receive the cutting instrument therethrough.

4. The method of claim 1, wherein positioning the first bone cutting guide slot over the portion of the metatarsal to be cut comprises positioning a support extending perpendicularly from the first bone cutting guide slot over a dorsal surface of the metatarsal with the support extending substantially parallel to a longitudinal axis of the metatarsal.

5. The method of claim 4, wherein attaching the bone cutting guide slot to the metatarsal with the first fixation pin inserted into the metatarsal and the second fixation pin inserted into the metatarsal comprises inserting the first fixation pin through a first fixation aperture of the support into the metatarsal and inserting the second fixation pin through a second fixation aperture of the support into the metatarsal.

6. The method of claim 1, wherein positioning the second bone cutting guide slot over the portion of the cuneiform to be cut comprises positioning a support extending perpendicularly from the second bone cutting guide slot over a dorsal surface of the metatarsal with the support extending substantially parallel to a longitudinal axis of the metatarsal.

7. The method of claim 6, wherein, when the second bone cutting guide slot is positioned over the portion of the cuneiform to be cut, the first fixation pin extends from the metatarsal through a first fixation aperture of the support and the second fixation pin extends from the metatarsal through a second fixation aperture of the support.

8. The method of claim 1, wherein attaching the first bone cutting guide slot to the metatarsal with the first fixation pin and the second fixation pin comprises:

inserting the first fixation pin extending substantially perpendicular to a dorsal surface of the metatarsal; and

inserting the second fixation pin extending substantially perpendicular to the dorsal surface of the metatarsal with the second fixation pin being substantially parallel to the first fixation pin.

9. The method of claim 1, further comprising, after positioning the second bone cutting guide slot over the portion of the cuneiform to be cut, attaching the second bone cutting guide slot to the cuneiform with a third fixation pin inserted into the cuneiform.

10. The method of claim 1, wherein the first bone cutting guide slot and the second bone cutting guide slot are configured to result in a cut end of the metatarsal being substantially parallel to a cut end of the cuneiform.

11. The method of claim 1, wherein the first bone cutting guide slot and the second bone cutting guide slot are configured to result in a cut end of the metatarsal being angled relative to a cut end of the cuneiform.

12. The method of claim 1, wherein the cutting member is a saw blade.

13. The method of claim 1, wherein inserting the cutting member through the first bone cutting guide slot and inserting the cutting member through the second bone cutting guide slot comprises inserting the cutting member through the first bone cutting guide slot to cut the portion of the metatarsal prior to inserting the cutting member through the bone cutting guide slot to cut the portion of the cuneiform.

14. The method of claim 1, wherein inserting the cutting member through the bone cutting guide slot and inserting the cutting member through the second bone cutting guide slot comprises inserting the cutting member through the first bone cutting guide slot to cut the portion of the metatarsal after inserting the cutting member through the second bone cutting guide slot to cut the portion of the cuneiform.

15. The method of claim 1, wherein:

the first bone cutting guide slot is provided between a first guide surface defining a first plane and a second guide surface defining a second plane; and

the second bone cutting guide slot is provided between a third guide surface defining a third plane and a fourth guide surface defining a fourth plane.

16. The method of claim 1, comprising:

a first guide defining the first bone cutting guide slot; and

a second guide defining the second bone cutting guide slot.

17. The method of claim 1, wherein causing the metatarsal to fuse to the cuneiform in the moved position comprises applying a bone plate across the joint.

18. The method of claim 1, further comprising compressing the metatarsal and the cuneiform together.

19. The method of claim 1, wherein the metatarsal is a first metatarsal and the cuneiform is a first cuneiform.

20. A bunion correction method comprising:

positioning a first bone cutting guide slot defined by a first guide over a portion of a metatarsal to be cut;

attaching the first guide to a dorsal surface of the metatarsal by inserting a first fixation pin through a first fixation aperture connected to the first guide and inserting a second fixation pin through a second fixation aperture connected to the first guide, wherein the first fixation aperture is offset along a length of the metatarsal from the second fixation aperture, and inserting the first fixation pin and inserting the second fixation pin comprises inserting the first fixation pin and inserting the second fixation pin extending substantially parallel to each other;

inserting a saw blade through the first bone cutting guide slot to cut the portion of the metatarsal;

adjusting an alignment of the metatarsal relative to a cuneiform separated from the metatarsal by a joint to establish a moved position of the metatarsal;

lifting the first guide off the first fixation pin and the second fixation pin;

positioning a second bone cutting guide slot defined by a second guide over a portion of the cuneiform to be cut, the second guide being attached to the metatarsal by at least the first fixation pin inserted into the metatarsal and the second fixation pin inserted into the metatarsal, and the second guide being attached to the cuneiform by at least a third fixation pin inserted into the cuneiform;

inserting the saw blade through the second cutting slot to cut the portion of the cuneiform; and

causing the metatarsal to fuse to the cuneiform in the moved position.

21. The method of claim 20, wherein:

inserting the saw blade through the first bone cutting guide slot to cut the portion of the metatarsal comprises inserting the saw blade through the first bone cutting guide slot to cut the portion of the metatarsal without the second bone cutting guide slot being positioned over the portion of the cuneiform to be cut; and

inserting the saw blade through the second bone cutting guide slot to cut the portion of the cuneiform comprises inserting the saw blade through the second bone cutting guide slot to cut the portion of the cuneiform without the first bone cutting guide slot being positioned over the portion of the metatarsal to be cut and configured to receive the saw blade therethrough.

22. The method of claim 20, wherein a support extends substantially perpendicularly from the first guide and defines the first fixation aperture and the second fixation aperture.

23. The method of claim 20, wherein inserting the first fixation pin and inserting the second fixation pin extending substantially parallel to each other comprises:

inserting the first fixation pin extending substantially perpendicular to the dorsal surface of the metatarsal; and

inserting the second fixation pin extending substantially perpendicular to the dorsal surface of the metatarsal.

24. The method of claim 20, wherein the first bone cutting guide slot and the second bone cutting guide slot are configured to result in a cut end of the metatarsal being substantially parallel to a cut end of the cuneiform.

25. The method of claim 20, wherein inserting the saw blade through the first bone cutting guide slot and inserting the saw blade through the second bone cutting guide slot comprises inserting the saw blade through the first bone cutting guide slot to cut the portion of the metatarsal prior to inserting the saw blade through the bone cutting guide slot to cut the portion of the cuneiform.

26. The method of claim 20, wherein the third fixation pin is at a skewed angle relative to the first fixation pin and the second fixation pin.

27. The method of claim 20, wherein causing the metatarsal to fuse to the cuneiform in the moved position comprises applying a bone plate across the joint.

28. The method of claim 20, further comprising compressing the metatarsal and the cuneiform together.

29. A bunion correction method comprising:

positioning a first bone cutting guide slot defined by a first guide over a portion of a first metatarsal to be cut;

attaching the first guide to a dorsal surface of the first metatarsal by inserting a first fixation pin through a first fixation aperture connected to the first guide and inserting a second fixation pin through a second fixation aperture connected to the first guide, wherein the first fixation aperture is offset along a length of the first metatarsal from the second fixation aperture, and inserting the first fixation pin and inserting the second fixation pin comprises inserting the first fixation pin and inserting the second fixation pin extending substantially parallel to each other and substantially perpendicular to the dorsal surface of the first metatarsal;

inserting a saw blade through the first bone cutting guide slot to cut the portion of the first metatarsal;

adjusting an alignment of the metatarsal relative to a first cuneiform separated from the metatarsal by a joint to establish a moved position of the first metatarsal;

lifting the first guide off the first fixation pin and the second fixation pin;

positioning a second bone cutting guide slot defined by a second guide over a portion of the first cuneiform to be cut, the second guide being attached to the first metatarsal by at least the first fixation pin and the second fixation pin, and second guide being attached to the first cuneiform by at least a third fixation pin inserted into the first cuneiform at a skewed angle relative to the first fixation pin and the second fixation pin;

inserting the saw blade through the second cutting slot to cut the portion of the first cuneiform;

compressing the first metatarsal and the first cuneiform together; and

causing the first metatarsal to fuse to the first cuneiform in the moved position.

30. The method of claim 29, wherein causing the metatarsal to fuse to the cuneiform in the moved position comprises applying a bone plate across the joint.

ABSTRACT

A bone cutting guide may include a support that contains a shaft movable relative to the support. The shaft may carry a guide member having one or more cut guides through which a clinician inserts a cutting member to cut bone positioned under the guide cut guides. In operation, a clinician may fixate the support of the bone cutting guide to a bone and translate the guide member until the one or more cut guides are positioned at a desired cut location. The clinician may then perform a cut through the cut guide. In some examples, the bone cutting guide includes additional components, such as bridging member or secondary cut guide, to provide additional functionality.

82068417v1

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number: 18/645,205

APPLICATION AS FILED - PART I

FOR	(Column 1) NUMBER FILED	(Column 2) NUMBER EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY FEE($)
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A			N/A	320
SEARCH FEE (37 CFR 1.16(k), (i), or (m))	N/A	N/A	N/A			N/A	700
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A			N/A	800
TOTAL CLAIMS (37 CFR 1.16(i))	30 minus 20 =	* 10			OR	x 100 =	1000
INDEPENDENT CLAIMS (37 CFR 1.16(h))	3 minus 3 =	*				x =	0
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is $310 ($155 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						0
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))							0
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL			TOTAL	2820

APPLICATION AS AMENDED - PART II

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT A	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

		(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA	SMALL ENTITY RATE($)	SMALL ENTITY ADDITIONAL FEE($)	OR	OTHER THAN SMALL ENTITY RATE($)	OTHER THAN SMALL ENTITY ADDITIONAL FEE($)
AMENDMENT B	Total (37 CFR 1.16(i))	*	Minus	**	=	x =		OR	x =	
	Independent (37 CFR 1.16(h))	*	Minus	***	=	x =		OR	x =	
	Application Size Fee (37 CFR 1.16(s))									
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))							OR		
						TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest found in the appropriate box in column 1.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
18/645,205	04/24/2024		2820	71212.4.2.USC6	30	3

CONFIRMATION NO. 5838

FILING RECEIPT

22859
FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

Date Mailed: 05/09/2024

Receipt is acknowledged of this non-provisional utility patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF FIRST INVENTOR, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection.

Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a corrected Filing Receipt, including a properly marked-up ADS showing the changes with strike-through for deletions and underlining for additions. If you received a "Notice to File Missing Parts" or other Notice requiring a response for this application, please submit any request for correction to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections provided that the request is grantable.

Inventor(s)

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Applicant(s)

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Power of Attorney: The patent practitioners associated with Customer Number 22859

Domestic Priority data as claimed by applicant

This application is a CON of 18/487,548 10/16/2023
which is a CON of 17/118,597 12/10/2020 PAT 11,786,257
which is a CON of 16/792,880 02/17/2020 PAT 10,888,335
which is a CON of 16/593,153 10/04/2019 PAT 10,561,426
which is a CON of 15/603,056 05/23/2017 PAT 10,603,046
which is a CON of 14/990,574 01/07/2016 PAT 9,687,250
which claims benefit of 62/100,641 01/07/2015

Foreign Applications for which priority is claimed (You may be eligible to benefit from the Patent Prosecution Highway program at the USPTO. Please see http://www.uspto.gov for more information.) - None.
Foreign application information must be provided in an Application Data Sheet in order to constitute a claim to foreign priority. See 37 CFR 1.55 and 1.76.

Permission to Access Application via Priority Document Exchange: Yes

Permission to Access Search Results: Yes

Applicant may provide or rescind an authorization for access using Form PTO/SB/39 or Form PTO/SB/69 as appropriate.

If Required, Foreign Filing License Granted: 05/08/2024
The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 18/645,205**
Projected Publication Date: 08/15/2024
Non-Publication Request: No
Early Publication Request: No
Title

BONE CUTTING GUIDE SYSTEMS AND METHODS

Preliminary Class

Statement under 37 CFR 1.55 or 1.78 for AIA (First Inventor to File) Transition Applications: No

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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Kathi Vidal

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Under Secretary of Commerce for Intellectual Property and
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Derrick Brent
Deputy Under Secretary of Commerce for Intellectual Property and
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

22859 7590 06/24/2024

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INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

EXAMINER
CENTRAL, DOCKET

ART UNIT	PAPER NUMBER
3775	

NOTIFICATION DATE	DELIVERY MODE
06/24/2024	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

IP@FREDLAW.COM

Decision Dismissing Request for Prioritized Examination (Track I)	Application No. 18/645,205	Applicant(s) Dayton et al.	
	Examiner IRVIN DINGLE	Art Unit OPET	AIA (FITF) Status Yes

1. THE REQUEST FILED 24 April 2024 IS **DISMISSED** BECAUSE:

A. ☐ The application is not a utility application under 35 U.S.C. 111(a) filed by Patent Electronic System or a plant application under 35 U.S.C. 111(a):
   i. ☐ The application is a utility application that was not filed by Patent Electronic System.
   ii. ☐ The application is neither a utility application nor a plant application, but rather is a _____ , which is excluded from the Track I program.

B. ☐ The request was not filed with the application or on the same date of the application.

C. ☑ One or more of the following fees were not filed with the application:
   i. ☐ Basic filing fee, as set forth in 37 CFR 1.16(a), or for a plant application, 37 CFR 1.16(c).
   ii. ☐ Search fee, as set forth in 37 CFR 1.16(k), or for a plant application, 37 CFR 1.16(m).
   iii. ☐ Examination fee, as set forth in 37 CFR 1.16(o), or for a plant application, 37 CFR 1.16(q).
   iv. ☐ Publication fee, as set forth in 37 CFR 1.18(d).
   v. ☑ Track I processing fee, as set forth in 37 CFR 1.17(i).
   vi. ☐ Track I prioritized examination fee, as set forth in 37 CFR 1.17(c).
   vii. ☐ Application size fee, due because the specification and drawings exceed 100 sheets of paper, as set forth in 37 CFR 1.16(s).
   viii. ☐ Excess independent claim fee, due because the number of independent claims exceeds three, as set forth in 37 CFR 1.16(h).
   ix. ☐ Excess claim fee, due because the number of claims exceeds twenty, as set forth in 37 CFR 1.16(i).

D. ☐ The executed inventor's oath or declaration, or an application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) was not filed with the application or on the same date the application was filed.

E. ☐ The application contains or has been amended to contain:
   i. ☐ More than four independent claims.
   ii. ☐ More than thirty total claims.
   iii. ☐ One or more multiple dependent claims.

F. ☐ The Track I program has exceeded its limit of 15,000 requests for the current fiscal year.

G. ☐ Other: _____

2. CONCLUSION

☐ **ALL of the above defect(s) consist only of one or more of items E (i-iii). Applicant is hereby accorded a non-extendable ONE MONTH time period from the mailing date of this Decision to (1) correct the subject defect(s) and (2) file a petition under 37 CFR 1.181 requesting reconsideration of prioritized examination. If no such petition is timely filed, the application will not undergo prioritized examination.**

- OR -

☑ **The application will not undergo prioritized examination, because the request was not accompanied by all of the required items.**

Telephone inquiries with regard to this decision should be directed to IRVIN DINGLE at (571)272-3210. In his/her absence, calls may be directed to Petition Help Desk at (571) 272-3282.

/IRVIN DINGLE/ Lead Paralegal Specialist, OPET	

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ELECTRONIC PAYMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	07/24/2024 05:57:40 PM Z ET	71212.4.2.USC6

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Zachary Anderson
PATENT CENTER #	66505041	AUTHORIZED BY	Paul LaVanway
CUSTOMER #	22859	FILING DATE	04/24/2024
CORRESPONDENCE ADDRESS	-	FIRST NAMED INVENTOR	Paul Dayton

Payment Information

PAYMENT METHOD	PAYMENT TRANSACTION ID	PAYMENT AUTHORIZED BY
CARD / 9797	E20247NI06135165	Zachary Anderson

FEE CODE	DESCRIPTION	ITEM PRICE($)	QUANTITY	ITEM TOTAL($)
1830	PROCESSING FEE, EXCEPT IN PROVISIONAL APPLICATIONS	140.00	1	140.00
			TOTAL AMOUNT:	$140.00

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

22859
Customer Number

PATENT
Attorney Docket No.: 71212.4.2.USC6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Paul Dayton		
Application No.:	18/645,205	Group Art Unit:	3775
Filed:	April 24, 2024	Examiner:	DOCKET CENTRAL
Title:	BONE CUTTING GUIDE SYSTEMS AND METHODS		

PETITION UNDER 37 CFR 1.181 REQUESTING RECONSIDERATION OF PRIORITIZED EXAMINATION

Dear Commissioner:

In response to the Decision Dismissing Request for Prioritized Examination ("the Decision") mailed June 24, 2024 for the above-referenced patent application, Applicant files this petition under 37 C.F.R. § 1.181 requesting reconsideration of the Decision. The Decision denied Applicant's request for prioritized examination on the grounds that the Track I processing fee set forth in 37 C.F.R. § 1.17(i) was not include with the original request.

Applicant's omission of the Track I processing fee set forth in 37 C.F.R. § 1.17(i) was inadvertent. Applicant encloses with this request the required Track I processing fee set forth in 37 C.F.R. § 1.17(i). Applicant therefore respectfully requests the Patent Office reconsider and accept Applicant's request for prioritized examination. The fees are being made at the time of submission via EFS-web.

The Commissioner is hereby authorized to charge any fees that may be required, including those under 37 C.F.R. §§ 1.16 and 1.17, during the entire pendency of this application to Deposit Account No. 06-1910. The Petitions Office is invited to telephone the undersigned if it would be useful to advance consideration of the petition.

Dated: July 24, 2024

Respectfully submitted,

FREDRIKSON & BYRON, P.A.
60 South Sixth Street, Suite 1500
Minneapolis, MN 55402-4400 USA
Telephone: 612.492.7387

/Paul J. LaVanway, Jr./

Paul J. LaVanway, Jr.
Registration No. 64,610

Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 06-1910.

82946729v1

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ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	**07/24/2024 05:57:40 PM Z ET**	**71212.4.2.USC6**

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Zachary Anderson
PATENT CENTER #	66505041	FILING DATE	04/24/2024
CUSTOMER #	22859	FIRST NAMED INVENTOR	Paul Dayton
CORRESPONDENCE ADDRESS	-	AUTHORIZED BY	Paul LaVanway

Documents

TOTAL DOCUMENTS: 1

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
71212.4.2.USC6_Request_for_Reconsideration_of_Prioritized_Examination.pdf	1	Petition for review by the Office of Petitions	112 KB

Digest

DOCUMENT	MESSAGE DIGEST(SHA-512)
71212.4.2.USC6_Request_for_Reconsideration_of_Prioritized_Examination.pdf	3AC8D9D2CF7A997FCD7123BA50DFD534DA26C9C6EDB63A42C04E03334E93AC0287839548567A368CD39C98ED7C7C595BF49AB47E865EDE974AE03C31AD3BBE3A

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New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6

CONFIRMATION NO. 5838

22859
FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

PUBLICATION NOTICE

OC000000076565596

Date Mailed: 08/15/2024

Title:BONE CUTTING GUIDE SYSTEMS AND METHODS

Publication No.US-2024-0268836-A1
Publication Date:08/15/2024

NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be viewed using the USPTO's publicly available Searchable Databases via the Patent Public Search tool at www.uspto.gov. The direct link to access the Patent Public Search tool is currently https://ppubs.uspto.gov/pubwebapp/static/pages/ppubsbasic.html.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Public Records Division. The Public Records Division can be reached by telephone at (571) 272-3150 or (800) 972-6382, by facsimile at (571) 273-3250, by mail addressed to the United States Patent and Trademark Office, Public Records Division, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through Patent Center, the USPTO's electronic patent application filing and management system. The direct link to access this status information is currently https://patentcenter.uspto.gov/. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of Patent Center.

Further assistance in electronically accessing the publication, or about Patent Center, is available by calling the Patent Electronic Business Center at 1-866-217-9197.

Office of Data Managment, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

22859 7590 09/09/2024

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MINNEAPOLIS, MN 55402

EXAMINER
CENTRAL, DOCKET

ART UNIT	PAPER NUMBER
3775	

NOTIFICATION DATE	DELIVERY MODE
09/09/2024	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

IP@FREDLAW.COM

Decision Granting Request for Prioritized Examination (Track I)	**Application No.** 18/645,205	**Applicant(s)** Dayton et al.	
	Examiner IRVIN DINGLE	**Art Unit** OPET	**AIA (FITF) Status** Yes

1. THE REQUEST FILED 24 July 2024 IS **GRANTED** .

   The above-identified application has met the requirements for prioritized examination
   - A. ☑ for an original nonprovisional application (Track I).
   - B. ☐ for an application undergoing continued examination (RCE).

2. **The above-identified application will undergo prioritized examination**. The application will be accorded special status throughout its entire course of prosecution until one of the following occurs:
   - A. filing a **petition for extension of time** to extend the time period for filing a reply;
   - B. filing an **amendment to amend the application to contain more than four independent claims, more than thirty total claims** , or a multiple dependent claim;
   - C. filing a **request for continued examination** ;
   - D. filing a notice of appeal;
   - E. filing a request for suspension of action;
   - F. mailing of a notice of allowance;
   - G. mailing of a final Office action;
   - H. completion of examination as defined in 37 CFR 41.102; or
   - I. abandonment of the application.

Telephone inquiries with regard to this decision should be directed to IRVIN DINGLE at (571)272-3210. In his/her absence, calls may be directed to Petition Help Desk at (571) 272-3282.

/IRVIN DINGLE/ Lead Paralegal Specialist, OPET	

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	**Art Unit**
	ANDREW YANG	3775

CPC						
Symbol					**Type**	**Version**
A61B	/	17	/	151	F	2013-01-01
A61B	/	17	/	15	I	2013-01-01
A61B	/	17	/	1682	I	2013-01-01

CPC Combination Sets								
Symbol					**Type**	**Set**	**Ranking**	**Version**
	/		/					

Use images from artifact folder? (•) Yes ( ) No

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	30	
/ANDREW YANG/ Primary Examiner, Art Unit 3775	16 September 2024	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	8

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	**Art Unit**
	ANDREW YANG	3775

INTERNATIONAL CLASSIFICATION				
CLAIMED				
A61B	/	17	/	15

NON-CLAIMED				
	/		/	

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**

CROSS REFERENCES(S)						
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**					

Use images from artifact folder? (•) Yes ( ) No

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	30	
/ANDREW YANG/ Primary Examiner, Art Unit 3775	16 September 2024	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	8

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	**Art Unit**
	ANDREW YANG	3775

☑ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
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	2		11		20		29								
	3		12		21		30								
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Use images from artifact folder? ◉ Yes ○ No

NONE (Assistant Examiner)	(Date)	**Total Claims Allowed:** 30	
/ANDREW YANG/ Primary Examiner, Art Unit 3775 (Primary Examiner)	16 September 2024 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 8

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	Art Unit
	ANDREW YANG	3775

CPC - Searched*		
Symbol	**Date**	**Examiner**
A61B 17/15	09/16/2024	AY
A61B 17/151	09/16/2024	AY
A61B 17/1682	09/16/2024	AY

CPC Combination Sets - Searched*		
Symbol	**Date**	**Examiner**

US Classification - Searched*			
Class	**Subclass**	**Date**	**Examiner**

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	**Date**	**Examiner**
East Search (attached hereto)	09/16/2024	AY
Inventor Name Search	09/16/2024	AY

Interference Search			
US Class/CPC Symbol	**US Subclass/CPC Group**	**Date**	**Examiner**
	see attached: (first SAME second SAME cutting SAME slot SAME fixation SAME pin SAME distal$4 SAME bunion).clm.	09/16/2024	AY

/ANDREW YANG/ Primary Examiner, Art Unit 3775	

PE2E SEARCH - Search History (Prior Art)

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Ref #	Hits	Search Query	DBs	Default Operator	Plurals	British Equivalents	Time Stamp
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Examiner Signature	/ANDREW YANG/	Date Considered	09/16/2024

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CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-04-24
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64610

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
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Examiner Signature	/ANDREW YANG/	Date Considered	09/16/2024

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Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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☐ See attached certification statement.

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-04-24
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64610

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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	2	5586564	A	1996-12-24	BARRETT et al.	
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	1	Defendant Fusion Orthopedics LLC's Invalidity Contentions, No. CV-22-00490-PHX-SRB, US District Court for the District of Arizona, August 27, 2022, 41 pages.	☐
	2	Prior Art Publications, Exhibit A of Defendant Fusion Orthopedics LLC's Invalidity Contentions, No. CV-22-00490-PHX-SRB, US District Court for the District of Arizona, August 27, 2022, 3 pages.	☐
	3	Claim Chart for Fishco, "Making the Lapidus Easy," The Podiatry Institute (April 2014), Exhibit B1 of Defendant Fusion Orthopedics LLC's Invalidity Contentions, No. CV-22-00490-PHX-SRB, US District Court for the District of Arizona, August 27, 2022, 97 pages.	☐

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	Application Number	
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	First Named Inventor	Paul Dayton
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	Attorney Docket Number	71212.4.2.USC6

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CERTIFICATION STATEMENT

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☐ See attached certification statement.

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☒ A certification statement is not submitted herewith.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-04-24
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64610

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Bibliographic Data

Application No: 18/645,205

Foreign Priority claimed: ○ Yes ◉ No

35 USC 119 (a-d) conditions met: ☐ Yes ☐ No ☐ Met After Allowance

Verified and Acknowledged: /ANDREW YANG/ Examiner's Signature | Initials

Title: BONE CUTTING GUIDE SYSTEMS AND METHODS

FILING or 371(c) DATE	CLASS	GROUP ART UNIT	ATTORNEY DOCKET NO.
04/24/2024	606	3775	71212.4.2.USC6
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CONTINUING DATA

This application is a CON of 18487548 10/16/2023

18487548 is a CON of 17118597 12/10/2020 PAT 11786257

17118597 is a CON of 16792880 02/17/2020 PAT 10888335

16792880 is a CON of 16593153 10/04/2019 PAT 10561426

16593153 is a CON of 15603056 05/23/2017 PAT 10603046

15603056 is a CON of 14990574 01/07/2016 PAT 9687250

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	11	DAYTON et al., "Observed Changes in Radiographic Measurements of the First Ray after Frontal Plane Rotation of the First Metatarsal in a Cadaveric Foot Model," The Journal of Foot and Ankle Surgery, Article in Press, 2014, 5 pages.	☐

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	16	DAYTON et al., "Observed Changes in Radiographic Measurements of the First Ray after Frontal and Transverse Plane Rotation of the Hallux: Does the Hallux Drive the Metatarsal in a Bunion Deformity?," The Journal of Foot and Ankle Surgery, Article in Press, 2014, 4 pages.	☐
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	25	DeCARBO et al., "Resurfacing Interpositional Arthroplasty for Degenerative Joint Diseas of the First Metatarsalphalangeal Joint," Podiatry Management, January 2013, pp. 137-142.	☐
	26	DeCARBO et al., "Locking Plates: Do They Prevent Complications?," Podiatry Today, April 2014, 7 pages.	☐

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.Y/

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

22859 7590 09/23/2024

FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

EXAMINER
YANG, ANDREW

ART UNIT	PAPER NUMBER
3775	

DATE MAILED: 09/23/2024

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

TITLE OF INVENTION: BONE CUTTING GUIDE SYSTEMS AND METHODS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1200	$0.00	$0.00	$1200	12/23/2024

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 40% the amount of undiscounted fees, and micro entity fees are 20% the amount of undiscounted fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via the USPTO patent electronic filing system.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications. **Because electronic patent issuance may occur shortly after issue fee payment, any desired continuing application should preferably be filed prior to payment of this issue fee in order not to jeopardize copendency.**

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22859 7590 09/23/2024
FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via the USPTO patent electronic filing system or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

TITLE OF INVENTION: BONE CUTTING GUIDE SYSTEMS AND METHODS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1200	$0.00	$0.00	$1200	12/23/2024

EXAMINER	ART UNIT	CLASS-SUBCLASS
YANG, ANDREW	3775	606-087000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/AIA/122 or PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. Fees submitted: ❑ Issue Fee ❑ Publication Fee (if required)

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

❑ Electronic Payment via the USPTO patent electronic filing system ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

❑ Applicant asserting small entity status. See 37 CFR 1.27

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

❑ Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

22859 7590 09/23/2024

FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

EXAMINER	
YANG, ANDREW	
ART UNIT	**PAPER NUMBER**
3775	

DATE MAILED: 09/23/2024

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. The United States Patent and Trademark Office (USPTO) collects the information in this record under authority of 35 U.S.C. 2. The USPTO's system of records is used to manage all applicant and owner information including name, citizenship, residence, post office address, and other information with respect to inventors and their legal representatives pertaining to the applicant's/owner's activities in connection with the invention for which a patent is sought or has been granted. The applicable Privacy Act System of Records Notice for the information collected in this form is COMMERCE/PAT-TM-7 Patent Application Files, available in the Federal Register at 78 FR 19243 (March 29, 2013).
https://www.govinfo.gov/content/pkg/FR-2013-03-29/pdf/2013-07341.pdf

Routine uses of the information in this record may include disclosure to:

1) law enforcement, in the event that the system of records indicates a violation or potential violation of law;
2) a federal, state, local, or international agency, in response to its request;
3) a contractor of the USPTO having need for the information in order to perform a contract;
4) the Department of Justice for determination of whether the Freedom of Information Act (FOIA) requires disclosure of the record;
5) a Member of Congress submitting a request involving an individual to whom the record pertains, when the individual has requested the Member's assistance with respect to the subject matter of the record;
6) a court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel in the course of settlement negotiations;
7) the Administrator, General Services Administration (GSA), or their designee, during an inspection of records conducted by GSA under authority of 44 U.S.C. 2904 and 2906, in accordance with the GSA regulations and any other relevant (i.e., GSA or Commerce) directive, where such disclosure shall not be used to make determinations about individuals;
8) another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c));
9) the Office of Personnel Management (OPM) for personnel research purposes; and
10) the Office of Management and Budget (OMB) for legislative coordination and clearance.

If you do not furnish the information requested on this form, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings, abandonment of the application, and/or expiration of the patent.

Notice of Allowability	Application No. 18/645,205	Applicant(s) Dayton et al.	
	Examiner ANDREW YANG	Art Unit 3775	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☑ This communication is responsive to Applicant's application filed 24 April 2024.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☑ The allowed claim(s) is/are 1-30 . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see **http://www.uspto.gov/patents/init_events/pph/index.jsp** or send an inquiry to **PPHfeedback@uspto.gov.**

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐ All b) ☐ Some* c) ☐ None of the:

   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 4/24/2024.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date. _____.
5. ☐ Examiner's Amendment/Comment
6. ☑ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/ANDREW YANG/
Primary Examiner, Art Unit 3775

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The prior art alone or in combination fails to disclose a method of bunion correction comprising attaching a first cut guide over a metatarsal with a first and second fixation pin that are located distal of the cutting guide and cutting the bone. Positioning a second cut guide over a cuneiform and attached to the metatarsal by the first and second fixation pins which are also located distal of the second cutting guide cutting the bone and fusing the cuneiform and metatarsal to fuse.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW YANG whose telephone number is (571)272-3472. The examiner can normally be reached 9:00 - 9:00 M-F.

Examiner interviews are available via telephone, in-person, and video conferencing using a USPTO supplied web-based collaboration tool. To schedule an interview, applicant is encouraged to use the USPTO Automated Interview Request (AIR) at http://www.uspto.gov/interviewpractice.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Truong can be reached on 571-272-4705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of published or unpublished applications may be obtained from Patent Center. Unpublished application information in Patent Center is available to registered users. To file and manage patent submissions in Patent Center, visit: https://patentcenter.uspto.gov. Visit https://www.uspto.gov/patents/apply/patent-center for more information about Patent Center and https://www.uspto.gov/patents/docx for information about filing in DOCX format. For additional questions, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ANDREW YANG/
Primary Examiner, Art Unit 3775

UNITED STATES
PATENT AND TRADEMARK OFFICE

P.O. Box 1450
Alexandria, VA 22313 - 1450
www.uspto.gov

ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	**11/25/2024 10:10:24 PM Z ET**	**71212.4.2.USC6**

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Ethan Dolentz
PATENT CENTER #	68113252	FILING DATE	04/24/2024
CUSTOMER #	22859	FIRST NAMED INVENTOR	Paul Dayton
CORRESPONDENCE ADDRESS	-	AUTHORIZED BY	Paul LaVanway

Documents

TOTAL DOCUMENTS: 2

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
71212.4.2.USC6 IDS 5.pdf	4	Information Disclosure Statement (IDS) Form (SB08)	1313 KB
71212.4.2.USC6 RCE.pdf	3	Request for Continued Examination (RCE)	1642 KB

Digest

DOCUMENT	MESSAGE DIGEST(SHA-512)
71212.4.2.USC6 IDS 5.pdf	42D9C53A90E4D459790B5F0653B6FDFD93127BA763877C97669DBA2BA30385DDC9A742EEED6892437919569D8E8B4EA75A57F1070DA9F2AA30588F01BC6E7FA2
71212.4.2.USC6 RCE.pdf	12F7010DC93A623F46E70EB9EC8A5113858D70B89E77147DF

8D1F3D37A3009656FED0942E07C9346E9608A3CAA83E9B6CB
45F3A08AE0121D0FCD31FACE5413B1

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/SB/30EFS (01-22)
Approved for use through 05/31/2024. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL
(Submitted Only via EFS-Web)

Application Number	18/645,205	Filing Date	2024-04-24	Docket Number (if applicable)	71212.4.2.USC6	Art Unit	3775
First Named Inventor	Dayton, Paul			Examiner Name	Andrew Yang		

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV

SUBMISSION REQUIRED UNDER 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other _____

☒ Enclosed

- ☐ Amendment/Reply
- ☒ Information Disclosure Statement (IDS)
- ☐ Affidavit(s)/ Declaration(s)
- ☐ Other _____

MISCELLANEOUS

☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____
(Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

☐ Other _____

FEES

☒ **The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.**
The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 061910

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

☒ Patent Practitioner Signature

☐ Applicant Signature

PTO/SB/30EFS (01-22)
Approved for use through 05/31/2024. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Signature of Registered U.S. Patent Practitioner			
Signature	/Paul J. LaVanway, Jr./	Date (YYYY-MM-DD)	2024-11-25
Name	Paul J. LaVanway, Jr.	Registration Number	64,610

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these records.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES
PATENT AND TRADEMARK OFFICE

P.O. Box 1450
Alexandria, VA 22313 - 1450
www.uspto.gov

ELECTRONIC PAYMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	**11/25/2024 10:10:24 PM Z ET**	**71212.4.2.USC6**

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Ethan Dolentz
PATENT CENTER #	68113252	AUTHORIZED BY	Paul LaVanway
CUSTOMER #	22859	FILING DATE	04/24/2024
CORRESPONDENCE ADDRESS	-	FIRST NAMED INVENTOR	Paul Dayton

Payment Information

PAYMENT METHOD	PAYMENT TRANSACTION ID	PAYMENT AUTHORIZED BY
CARD / 9797	**E2024AOM11358714**	**Zachary Anderson**

FEE CODE	DESCRIPTION	ITEM PRICE($)	QUANTITY	ITEM TOTAL($)
1801	REQUEST FOR CONTINUED EXAMINATION (RCE) - 1ST REQUEST (SEE 37 CFR 1.114)	1360.00	1	1360.00
			TOTAL AMOUNT:	**$1,360.00**

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C.

371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PTO/SB/08a (01-22)
Approved for use through 05/31/2024. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	18645205
Filing Date	2024-04-24
First Named Inventor	Paul Dayton
Art Unit	3775
Examiner Name	Andrew Yang
Attorney Docket Number	71212.4.2.USC6

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	4364381	A	1982-12-21	Sher et al.	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20060036257	A1	2006-02-16	Steffensmeier	
	2	20020058944	A1	2002-05-16	Michelson	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2]	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

If you wish to add additional Foreign Patent Document citation information please click the Add button Add

NON-PATENT LITERATURE DOCUMENTS Remove

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (**Not for submission under 37 CFR 1.99)**		
	Application Number	18645205
	Filing Date	2024-04-24
	First Named Inventor	Paul Dayton
	Art Unit	3775
	Examiner Name	Andrew Yang
	Attorney Docket Number	71212.4.2.USC6

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)		
	Application Number	18645205
	Filing Date	2024-04-24
	First Named Inventor	Paul Dayton
	Art Unit	3775
	Examiner Name	Andrew Yang
	Attorney Docket Number	71212.4.2.USC6

CERTIFICATION STATEMENT

Please see 37 CFR 1.97(e) to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ A certification statement is not submitted herewith.

FEE

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

COPIES

☐ An identification of an earlier application pursuant to 37 CFR 1.98 (d) (1) is attached.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr/	Date (YYYY-MM-DD)	2024-11-25
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64,610

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

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9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

22859 7590 12/12/2024

FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

EXAMINER	
YANG, ANDREW	
ART UNIT	PAPER NUMBER
3775	

DATE MAILED: 12/12/2024

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

TITLE OF INVENTION: BONE CUTTING GUIDE SYSTEMS AND METHODS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1200	$0.00	$0.00	$1200	03/12/2025

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the ENTITY STATUS shown above. If the ENTITY STATUS is shown as SMALL or MICRO, verify whether entitlement to that entity status still applies.

If the ENTITY STATUS is the same as shown above, pay the TOTAL FEE(S) DUE shown above.

If the ENTITY STATUS is changed from that shown above, on PART B - FEE(S) TRANSMITTAL, complete section number 5 titled "Change in Entity Status (from status indicated above)".

For purposes of this notice, small entity fees are 40% the amount of undiscounted fees, and micro entity fees are 20% the amount of undiscounted fees.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Maintenance fees are due in utility patents issuing on applications filed on or after Dec. 12, 1980. It is patentee's responsibility to ensure timely payment of maintenance fees when due. More information is available at www.uspto.gov/PatentMaintenanceFees.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via the USPTO patent electronic filing system.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications. **Because electronic patent issuance may occur shortly after issue fee payment, any desired continuing application should preferably be filed prior to payment of this issue fee in order not to jeopardize copendency.**

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22859 7590 12/12/2024
FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via the USPTO patent electronic filing system or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

TITLE OF INVENTION: BONE CUTTING GUIDE SYSTEMS AND METHODS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	UNDISCOUNTED	$1200	$0.00	$0.00	$1200	03/12/2025

EXAMINER	ART UNIT	CLASS-SUBCLASS
YANG, ANDREW	3775	606-087000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/AIA/122 or PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. Fees submitted: ❑ Issue Fee ❑ Publication Fee (if required)

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

❑ Electronic Payment via the USPTO patent electronic filing system ❑ Enclosed check ❑ Non-electronic payment by credit card (Attach form PTO-2038)

❑ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. _____

5. **Change in Entity Status** (from status indicated above)

❑ Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

❑ Applicant asserting small entity status. See 37 CFR 1.27

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

❑ Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

22859 7590 12/12/2024

FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

EXAMINER	
YANG, ANDREW	
ART UNIT	PAPER NUMBER
3775	

DATE MAILED: 12/12/2024

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(Applications filed on or after May 29, 2000)

The Office has discontinued providing a Patent Term Adjustment (PTA) calculation with the Notice of Allowance.

Section 1(h)(2) of the AIA Technical Corrections Act amended 35 U.S.C. 154(b)(3)(B)(i) to eliminate the requirement that the Office provide a patent term adjustment determination with the notice of allowance. See Revisions to Patent Term Adjustment, 78 Fed. Reg. 19416, 19417 (Apr. 1, 2013). Therefore, the Office is no longer providing an initial patent term adjustment determination with the notice of allowance. The Office will continue to provide a patent term adjustment determination with the Issue Notification Letter that is mailed to applicant approximately three weeks prior to the issue date of the patent, and will include the patent term adjustment on the patent. Any request for reconsideration of the patent term adjustment determination (or reinstatement of patent term adjustment) should follow the process outlined in 37 CFR 1.705.

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

OMB Clearance and PRA Burden Statement for PTOL-85 Part B

The Paperwork Reduction Act (PRA) of 1995 requires Federal agencies to obtain Office of Management and Budget approval before requesting most types of information from the public. When OMB approves an agency request to collect information from the public, OMB (i) provides a valid OMB Control Number and expiration date for the agency to display on the instrument that will be used to collect the information and (ii) requires the agency to inform the public about the OMB Control Number's legal significance in accordance with 5 CFR 1320.5(b).

The information collected by PTOL-85 Part B is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. The United States Patent and Trademark Office (USPTO) collects the information in this record under authority of 35 U.S.C. 2. The USPTO's system of records is used to manage all applicant and owner information including name, citizenship, residence, post office address, and other information with respect to inventors and their legal representatives pertaining to the applicant's/owner's activities in connection with the invention for which a patent is sought or has been granted. The applicable Privacy Act System of Records Notice for the information collected in this form is COMMERCE/PAT-TM-7 Patent Application Files, available in the Federal Register at 78 FR 19243 (March 29, 2013).
https://www.govinfo.gov/content/pkg/FR-2013-03-29/pdf/2013-07341.pdf

Routine uses of the information in this record may include disclosure to:

1) law enforcement, in the event that the system of records indicates a violation or potential violation of law;
2) a federal, state, local, or international agency, in response to its request;
3) a contractor of the USPTO having need for the information in order to perform a contract;
4) the Department of Justice for determination of whether the Freedom of Information Act (FOIA) requires disclosure of the record;
5) a Member of Congress submitting a request involving an individual to whom the record pertains, when the individual has requested the Member's assistance with respect to the subject matter of the record;
6) a court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel in the course of settlement negotiations;
7) the Administrator, General Services Administration (GSA), or their designee, during an inspection of records conducted by GSA under authority of 44 U.S.C. 2904 and 2906, in accordance with the GSA regulations and any other relevant (i.e., GSA or Commerce) directive, where such disclosure shall not be used to make determinations about individuals;
8) another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c));
9) the Office of Personnel Management (OPM) for personnel research purposes; and
10) the Office of Management and Budget (OMB) for legislative coordination and clearance.

If you do not furnish the information requested on this form, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings, abandonment of the application, and/or expiration of the patent.

Notice of Allowability	Application No. 18/645,205	Applicant(s) Dayton et al.	
	Examiner ANDREW YANG	Art Unit 3775	AIA (FITF) Status Yes

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☑ This communication is responsive to Applicants Request for Continued Examination filed 25 November 2024.
   ☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on _____.

2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

3. ☑ The allowed claim(s) is/are 1-30 . As a result of the allowed claim(s), you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see **http://www.uspto.gov/patents/init_events/pph/index.jsp** or send an inquiry to **PPHfeedback@uspto.gov.**

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   Certified copies:

   a) ☐ All b) ☐ Some* c) ☐ None of the:

   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
   3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____ .

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☑ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 11/25/2024.
3. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material _____.
4. ☐ Interview Summary (PTO-413), Paper No./Mail Date. _____.
5. ☐ Examiner's Amendment/Comment
6. ☐ Examiner's Statement of Reasons for Allowance
7. ☐ Other _____.

/ANDREW YANG/
Primary Examiner, Art Unit 3775

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	Art Unit
	ANDREW YANG	3775

CPC - Searched*		
Symbol	Date	Examiner
A61B 17/15	09/16/2024	AY
A61B 17/151	09/16/2024	AY
A61B 17/1682	09/16/2024	AY

CPC Combination Sets - Searched*		
Symbol	Date	Examiner

US Classification - Searched*			
Class	Subclass	Date	Examiner

* See search history printout included with this form or the SEARCH NOTES box below to determine the scope of the search.

Search Notes		
Search Notes	Date	Examiner
East Search (attached hereto)	09/16/2024	AY
Inventor Name Search	09/16/2024	AY
updated	11/27/2024	AY

Interference Search			
US Class/CPC Symbol	US Subclass/CPC Group	Date	Examiner
	see attached: (first SAME second SAME cutting SAME slot SAME fixation SAME pin SAME distal$4 SAME bunion).clm.	09/16/2024	AY

/ANDREW YANG/ Primary Examiner, Art Unit 3775	

Search Notes	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	Art Unit
	ANDREW YANG	3775

/ANDREW YANG/ Primary Examiner, Art Unit 3775	

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	**Art Unit**
	ANDREW YANG	3775

CPC						
Symbol					**Type**	**Version**
A61B	/	17	/	151	F	2013-01-01
A61B	/	17	/	15	I	2013-01-01
A61B	/	17	/	1682	I	2013-01-01

CPC Combination Sets								
Symbol					**Type**	**Set**	**Ranking**	**Version**
	/		/					

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	30	
/ANDREW YANG/ Primary Examiner, Art Unit 3775	27 November 2024	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	8

U.S. Patent and Trademark Office — Part of Paper No.: 20241127

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	**Art Unit**
	ANDREW YANG	3775

INTERNATIONAL CLASSIFICATION					
CLAIMED					
A61B	/	17	/	15	

NON-CLAIMED					
	/		/		

US ORIGINAL CLASSIFICATION	
CLASS	**SUBCLASS**

CROSS REFERENCES(S)						
CLASS	**SUBCLASS (ONE SUBCLASS PER BLOCK)**					

NONE (Assistant Examiner) (Date)	**Total Claims Allowed:** 30	
/ANDREW YANG/ Primary Examiner, Art Unit 3775 (Primary Examiner) 27 November 2024 (Date)	O.G. Print Claim(s) 1	O.G. Print Figure 8

U.S. Patent and Trademark Office Part of Paper No.: 20241127

Issue Classification	Application/Control No.	Applicant(s)/Patent Under Reexamination
	18/645,205	Dayton et al.
	Examiner	**Art Unit**
	ANDREW YANG	3775

☑ Claims renumbered in the same order as presented by applicant ☐ CPA ☐ T.D. ☐ R.1.47

CLAIMS

Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original	Final	Original
	1		10		19		28								
	2		11		20		29								
	3		12		21		30								
	4		13		22										
	5		14		23										
	6		15		24										
	7		16		25										
	8		17		26										
	9		18		27										

NONE		**Total Claims Allowed:**	
(Assistant Examiner)	(Date)	30	
/ANDREW YANG/ Primary Examiner, Art Unit 3775	27 November 2024	O.G. Print Claim(s)	O.G. Print Figure
(Primary Examiner)	(Date)	1	8

U.S. Patent and Trademark Office Part of Paper No.: 20241127

PE2E SEARCH - Search History (Prior Art)

Ref #	Hits	Search Query	DBs	Default Operator	Plurals	British Equivalents	Time Stamp
L44	200	"4364381" "20060036257" "20020058944"	(US-PGPUB; USPAT)	OR	ON	ON	2024/11/27 08:56 AM

PE2E SEARCH - Search History (Interference)

There are no Interference searches to show.

Doc code: IDS
Doc description: Information Disclosure Statement (IDS) Filed

PTO/SB/08a (01-22)
Approved for use through 05/31/2024. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	18645205
Filing Date	2024-04-24
First Named Inventor	Paul Dayton
Art Unit	3775
Examiner Name	Andrew Yang
Attorney Docket Number	71212.4.2.USC6

U.S.PATENTS Remove

Examiner Initial*	Cite No	Patent Number	Kind Code[1]	Issue Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	4364381	A	1982-12-21	Sher et al.	

If you wish to add additional U.S. Patent citation information please click the Add button. Add

U.S.PATENT APPLICATION PUBLICATIONS Remove

Examiner Initial*	Cite No	Publication Number	Kind Code[1]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear
	1	20060036257	A1	2006-02-16	Steffensmeier	
	2	20020058944	A1	2002-05-16	Michelson	

If you wish to add additional U.S. Published Application citation information please click the Add button. Add

FOREIGN PATENT DOCUMENTS Remove

Examiner Initial*	Cite No	Foreign Document Number[3]	Country Code[2] i	Kind Code[4]	Publication Date	Name of Patentee or Applicant of cited Document	Pages,Columns,Lines where Relevant Passages or Relevant Figures Appear	T[5]
	1							☐

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NON-PATENT LITERATURE DOCUMENTS Remove

PC 6.1.24

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.Y/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	18645205
Filing Date	2024-04-24
First Named Inventor	Paul Dayton
Art Unit	3775
Examiner Name	Andrew Yang
Attorney Docket Number	71212.4.2.USC6

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T[5]
	1		☐

If you wish to add additional non-patent literature document citation information please click the Add button Add

EXAMINER SIGNATURE

Examiner Signature	/ANDREW YANG/	Date Considered	11/27/2024

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. [2] Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). [3] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [4] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [5] Applicant is to place a check mark here if English language translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.Y/

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Not for submission under 37 CFR 1.99)

Application Number	18645205
Filing Date	2024-04-24
First Named Inventor	Paul Dayton
Art Unit	3775
Examiner Name	Andrew Yang
Attorney Docket Number	71212.4.2.USC6

CERTIFICATION STATEMENT

Please see 37 CFR 1.97(e) to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

☒ A certification statement is not submitted herewith.

FEE

☐ The fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

COPIES

☐ An identification of an earlier application pursuant to 37 CFR 1.98 (d) (1) is attached.

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Paul J. LaVanway, Jr/	Date (YYYY-MM-DD)	2024-11-25
Name/Print	Paul J. LaVanway, Jr.	Registration Number	64,610

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.Y/

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.

2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.

4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).

5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.

6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).

7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.

9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.Y/

UNITED STATES
PATENT AND TRADEMARK OFFICE

P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

ACKNOWLEDGEMENT OF CHANGE TO SMALL ENTITY STATUS

APPLICATION #	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET #	REQUEST ID
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	360386

The entity status change request below filed through Patent Center on 02/25/2025 has been accepted.

Certifications

APPLICANT ASSERTING SMALL ENTITY STATUS. See 37CFR 1.27.

Signature

I certify, in accordance with 37 CFR 1.4(d)(4), that I am one of the signatories making the entity status change.

Signature	Name	Registration #
/Paul J. LaVanway, Jr./	Paul LaVanway	64610

PTO-2326 (04-2024)
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

REQUEST FOR REFUND

Reference # *(Patent #, Application #, Trademark Serial #, Registration #, etc.)*	**Title of Invention or Mark Information**	
18/645,205	BONE CUTTING GUIDE SYSTEMS AND METHODS	
Attorney Docket # *(if applicable)*	**Payment Date** *(mm/dd/yyyy)*	**Refund Request Amount**
71212.4.2.USC6	11/25/2024	$ 816.00

Refund Option *(Select one)*

- (●) If approved, issue the refund to the account associated with the original payment.
- ( ) If approved, and the original payment was a check, issue the refund to deposit account # _____.
- ( ) If approved, and the original payment was a check, issue the refund as a U.S. Treasury check.

Reason for Refund Request *Refund requests must generally be filed within 2 years of payment date (37 CFR 1.26 and 2.209)*

- [ ] Duplicate Payment
- [ ] No Fee Due
- [ ] Office Error
- [ ] Other:
- [x] Small Entity Later Established*

**(Must be filed within 3 months of payment date, 37 CFR 1.28. There is no refund when micro entity is later established.)*

Rationale *(Supporting documentation may be submitted with this form)*

Applicant entitled to small entity status when making payment for which refund is requested, but inadvertently paid at undiscounted entity rate.

Requester's Information

Company or Firm Name *(if applicable)*		
FREDRIKSON & BYRON, P.A.		
Address Line 1	**City**	**State/Region**
60 SOUTH SIXTH STREET, SUITE 1500	MINNEAPOLIS	MN
Address Line 2 *(if applicable)*	**Country**	**Zip/Postal Code**
	US	55402
Email Address *(You will receive an acknowledgment of receipt only if you provide a valid email address)*	**Phone Number**	
IP@fredlaw.com	612-492-7000	
Requester's Name		**Registration Number** *(if applicable)*
Paul J. LaVanway, Jr.		64610
Signature		**Date** *(mm/dd/yyyy)*
/Paul J. LaVanway, Jr./		02/24/2025

Submit online via Patent Center (Patents customers who are registered users only): https://patentcenter.uspto.gov, or
Fax to: 571-273-6500, or
Mail to: Mail Stop 16, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450

UNITED STATES
PATENT AND TRADEMARK OFFICE

P.O. Box 1450
Alexandria, VA 22313 - 1450
www.uspto.gov

ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	**02/25/2025 11:24:19 AM Z ET**	**71212.4.2.USC6**

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Zachary Anderson
PATENT CENTER #	69323856	FILING DATE	04/24/2024
CUSTOMER #	22859	FIRST NAMED INVENTOR	Paul Dayton
CORRESPONDENCE ADDRESS	-	AUTHORIZED BY	Paul LaVanway

Documents

TOTAL DOCUMENTS: 1

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
71212.4.2.USC6_Refund-Request-Form_11-25-2024_1801.pdf	1	Refund Request	789 KB

Digest

DOCUMENT	MESSAGE DIGEST(SHA-512)
71212.4.2.USC6_Refund-Request-Form_11-25-2024_1801.pdf	C3CA6FACCE9DC6FCBCFF6BE16E6E3AAD1982A489CB4F842 1C3926D63BCA6CBC846F07178D51D9442D189C6096E56FBC 92389D240231F058B0FCC08518A6022C2

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

UNITED STATES
PATENT AND TRADEMARK OFFICE

P.O. Box 1450
Alexandria, VA 22313 - 1450
www.uspto.gov

ELECTRONIC PAYMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	**03/06/2025 03:10:36 PM Z ET**	**71212.4.2.USC6**

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Paul LaVanway
PATENT CENTER #	69465199	AUTHORIZED BY	Paul LaVanway
CUSTOMER #	22859	FILING DATE	04/24/2024
CORRESPONDENCE ADDRESS	-	FIRST NAMED INVENTOR	Paul Dayton

Payment Information

PAYMENT METHOD	PAYMENT TRANSACTION ID	PAYMENT AUTHORIZED BY
CARD / 1071	**E202536F11058997**	**Paul LaVanway**

FEE CODE	DESCRIPTION	ITEM PRICE($)	QUANTITY	ITEM TOTAL($)
2501	UTILITY ISSUE FEE	480.00	1	480.00
			TOTAL AMOUNT:	**$480.00**

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), by mail or fax, or via the USPTO patent electronic filing system.

By mail, send to: Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

By fax, send to: (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications. **Because electronic patent issuance may occur shortly after issue fee payment, any desired continuing application should preferably be filed prior to payment of this issue fee in order not to jeopardize copendency.**

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

22859 7590 12/12/2024
FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being transmitted to the USPTO via the USPTO patent electronic filing system or by facsimile to (571) 273-2885, on the date below.

(Typed or printed name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

TITLE OF INVENTION: BONE CUTTING GUIDE SYSTEMS AND METHODS

APPLN. TYPE	ENTITY STATUS	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	~~UNDISCOUNTED~~ small	~~$1200~~ $516	$0.00	$0.00	~~$1200~~ $516	03/12/2025

EXAMINER	ART UNIT	CLASS-SUBCLASS
YANG, ANDREW	3775	606-087000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/AIA/122 or PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/AIA/47 or PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list
(1) The names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) The name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Fredrikson & Byron, P.A.
2
3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document must have been previously recorded, or filed for recordation, as set forth in 37 CFR 3.11 and 37 CFR 3.81(a). Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE: Treace Medical Concepts, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY): Ponte Vedra, FL

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. Fees submitted: ☒ Issue Fee ☐ Publication Fee (if required)

4b. Method of Payment: *(Please first reapply any previously paid fee shown above)*

☒ Electronic Payment via the USPTO patent electronic filing system ☐ Enclosed check ☐ Non-electronic payment by credit card (Attach form PTO-2038)

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment to Deposit Account No. 06-1910

5. **Change in Entity Status** (from status indicated above)

☐ Applicant certifying micro entity status. See 37 CFR 1.29

NOTE: Absent a valid certification of Micro Entity Status (see forms PTO/SB/15A and 15B), issue fee payment in the micro entity amount will not be accepted at the risk of application abandonment.

☒ Applicant asserting small entity status. See 37 CFR 1.27

NOTE: If the application was previously under micro entity status, checking this box will be taken to be a notification of loss of entitlement to micro entity status.

☐ Applicant changing to regular undiscounted fee status.

NOTE: Checking this box will be taken to be a notification of loss of entitlement to small or micro entity status, as applicable.

NOTE: This form must be signed in accordance with 37 CFR 1.31 and 1.33. See 37 CFR 1.4 for signature requirements and certifications.

Authorized Signature /Paul J. LaVanway, Jr./ Date March 6, 2025

Typed or printed name Paul J. LaVanway, Jr. Registration No. 64,610

UNITED STATES
PATENT AND TRADEMARK OFFICE

P.O. Box 1450
Alexandria, VA 22313 - 1450
www.uspto.gov

ELECTRONIC ACKNOWLEDGEMENT RECEIPT

APPLICATION #	RECEIPT DATE / TIME	ATTORNEY DOCKET #
18/645,205	**03/06/2025 03:10:36 PM Z ET**	**71212.4.2.USC6**

Title of Invention

BONE CUTTING GUIDE SYSTEMS AND METHODS

Application Information

APPLICATION TYPE	Utility - Nonprovisional Application under 35 USC 111(a)	PATENT #	-
CONFIRMATION #	5838	FILED BY	Paul LaVanway
PATENT CENTER #	69465199	FILING DATE	04/24/2024
CUSTOMER #	22859	FIRST NAMED INVENTOR	Paul Dayton
CORRESPONDENCE ADDRESS	-	AUTHORIZED BY	Paul LaVanway

Documents

TOTAL DOCUMENTS: 1

DOCUMENT	PAGES	DESCRIPTION	SIZE (KB)
71212.4.2.USC6_Issue_Fee_Transmittal.pdf	1	Issue Fee Payment (PTO-85B)	176 KB

Digest

DOCUMENT	MESSAGE DIGEST(SHA-512)
71212.4.2.USC6_Issue_Fee_Transmittal.pdf	E0C10E4B4A5B7543657498D0CA8F7DB6A5D2C6E22D8F39A98B3939D3D173536DD4985A14B5DDF607A35A5D54379C15BDED45F2D19CF425D8832BE853D72C0EF4

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

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APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/08/2025	12268397	71212.4.2.USC6	5838

22859 7590 03/19/2025

FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

ISSUE NOTIFICATION

The projected patent number and issue date are specified above. The patent will issue electronically. The electronically issued patent is the official patent grant pursuant to 35 U.S.C. § 153. The patent may be accessed on or after the issue date through Patent Center at https://patentcenter.uspto.gov/. The patent will be available in both the public and the private sides of Patent Center. Further assistance in electronically accessing the patent, or about Patent Center, is available by calling the Patent Electronic Business Center at 1-888-217-9197.

The USPTO is implementing electronic patent issuance with a transition period, during which period the USPTO will mail a ceremonial paper copy of the electronic patent grant to the correspondence address of record. Additional copies of the patent (i.e., certified and presentation copies) may be ordered for a fee from the USPTO's Certified Copy Center at https://certifiedcopycenter.uspto.gov/index.html. The Certified Copy Center may be reached at (800)972-6382.

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Center (https://patentcenter.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Application Assistance Unit (AAU) of the Office of Patents Stakeholder Experience (OPSE), Stakeholder Support Division (SSD) at (571)-272-4200.

INVENTOR(s) (Please see PATENT CENTER site https://patentcenter.uspto.gov for additional inventors):

Paul Dayton, Ankeny, IA;
Robert D. Santrock, Morgantown, WV;
Daniel J. Hatch, Greeley, CO;
W. Bret Smith, Lexington, SC;
Carlos Eduardo Gil, Memphis, TN;

APPLICANT(s) (Please see PATENT CENTER site https://patentcenter.uspto.gov for additional applicants):

Treace Medical Concepts, Inc., Ponte Vedra Beach, FL;

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

22859 7590 04/08/2025

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EXAMINER
YANG, ANDREW

ART UNIT	PAPER NUMBER
3775	

NOTIFICATION DATE	DELIVERY MODE
04/08/2025	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

IP@FREDLAW.COM

APPLICATION NO.	ISSUE DATE	PATENT NO.
18/645,205	08-Apr-2025	12268397

FREDRIKSON & BYRON, P.A.
INTELLECTUAL PROPERTY GROUP
60 SOUTH SIXTH STREET, SUITE 1500
MINNEAPOLIS, MN 55402

EGRANT NOTIFICATION

Your electronic patent grant (eGrant) is now available, which can be accessed via Patent Center at https://patentcenter.uspto.gov

The electronic patent grant is the official patent grant under 35 U.S.C. 153. For more information, please visit https://www.uspto.gov/electronicgrants

United States Patent and Trademark Office

Office of the Chief Financial Officer

Document Code:WFEE

User :Suad Mohammed

Sale Accounting Date:05/16/2025

Sale Item Reference Number	Effective Date
18645205	11/25/2024

Document Number	Fee Code	Fee Code Description	Amount Paid	Payment Method
I20255F055138707	2801	RCE- 1ST REQUEST	$544.00	Salea

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
18/645,205	04/24/2024	Paul Dayton	71212.4.2.USC6	5838

22859 7590 05/21/2025

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EXAMINER
YANG, ANDREW

ART UNIT	PAPER NUMBER
3775	

NOTIFICATION DATE	DELIVERY MODE
05/21/2025	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

IP@FREDLAW.COM

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Commissioner for Patents
United States Patent and Trademark Office
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Alexandria, VA 22313-1450
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In re Application of	:	
Dayton et al.	:	
Application No. 18/645,205	:	DECISION ON PETITION
Filed: 24 Apr 2024	:	
For: BONE CUTTING GUIDE SYSTEMS	:	
AND METHODS	:	

This is a decision on the request for refund filed February 25, 2025. The request is being considered under the provisions of 37 CFR 1.28(a).

The request for refund is **GRANTED**.

Applicant requests a refund of $816.00, for an RCE (Request for Continued Examination) fee erroneously paid at a large entity rate on November 25, 2024. On February 25, 2025, applicant filed an assertion under 37 CFR 1.27(c), claiming small entity status.

In view of the provisions of 37 CFR 1.28(a) and a review of the Office finance records for the above-identified application, the request for refund is granted. Therefore, a total of $816.00 has been refunded to petitioner's credit card. Also, see MPEP §509.03(IV).

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.

/KIMBERLY A INABINET/
Paralegal Specialist, OPET