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(54) **EXPANDABLE INTERVERTEBRAL FUSION IMPLANT**

(71) Applicant: **Loubert S. Suddaby**, Orchard Park, NY (US)

(72) Inventor: **Loubert S. Suddaby**, Orchard Park, NY (US)

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(52) **U.S. Cl.**

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USPC ..... **623/17.11-17.16**  
See application file for complete search history.

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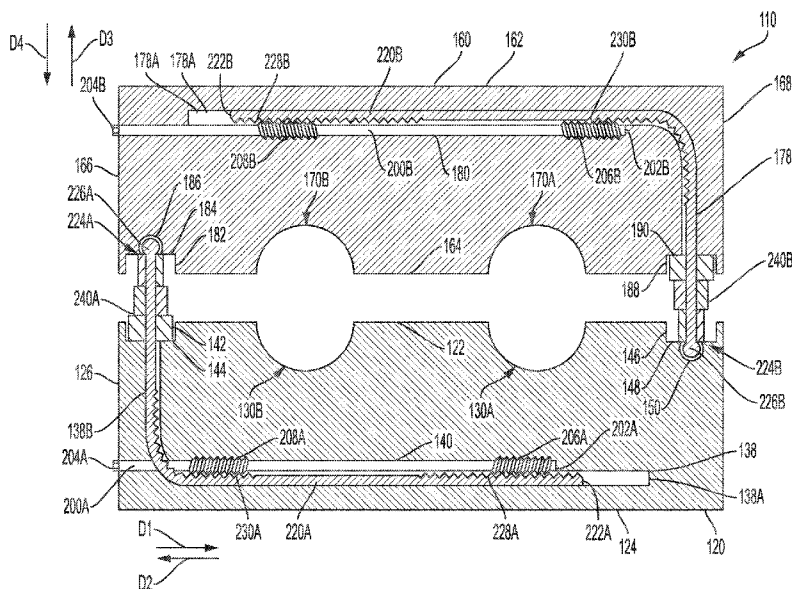
Primary Examiner — Jessica Weiss

(74) Attorney, Agent, or Firm — Harter Secrest & Emery LLP; Michael Nicholas Vranjes

(57) **ABSTRACT**

An expandable intervertebral fusion implant, including an inferior component, including a first top surface, a first bottom surface, a first end, a second end, and a first hole including a first portion and a second portion, a superior component, including a second top surface, a second bottom surface, a third end, and a fourth end, and an expansion mechanism including a flexible shaft arranged in the first hole, the flexible shaft including a fifth end, a sixth end connected to the first bottom surface, and a first plurality of teeth.

**20 Claims, 11 Drawing Sheets**



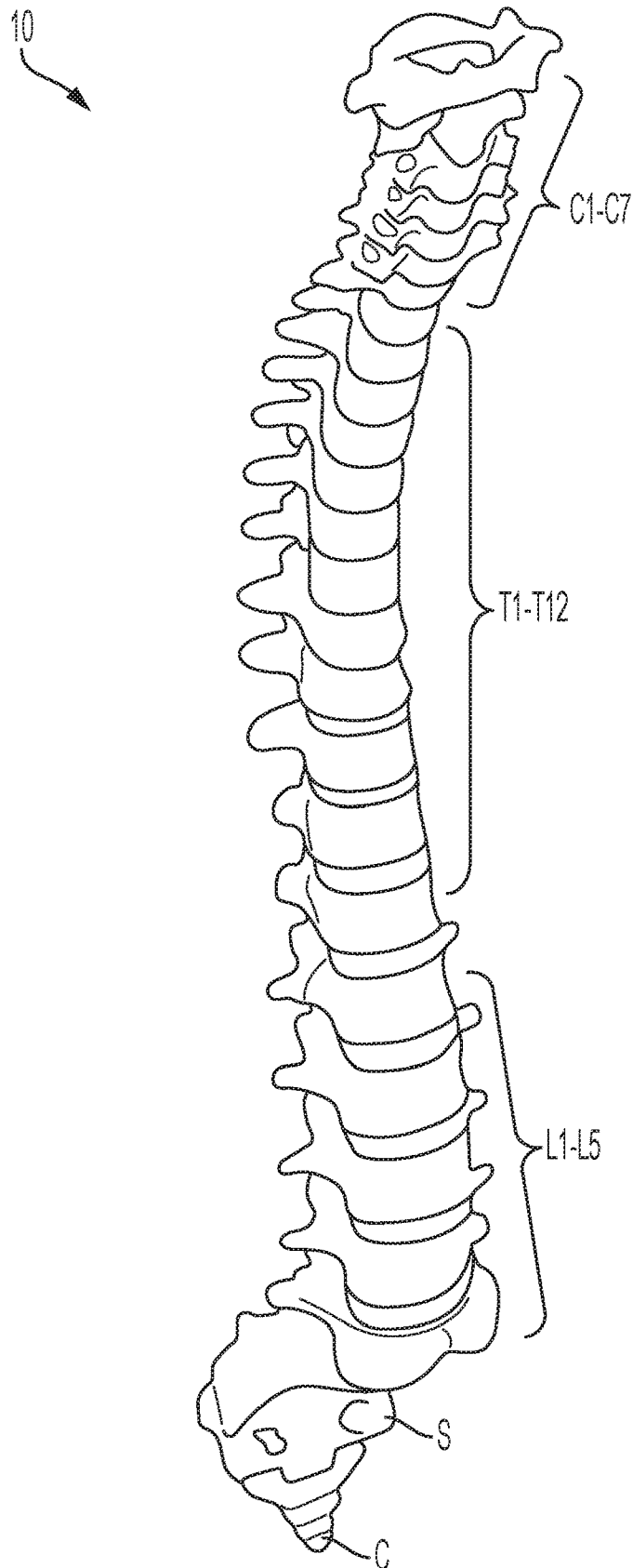


FIG. 1

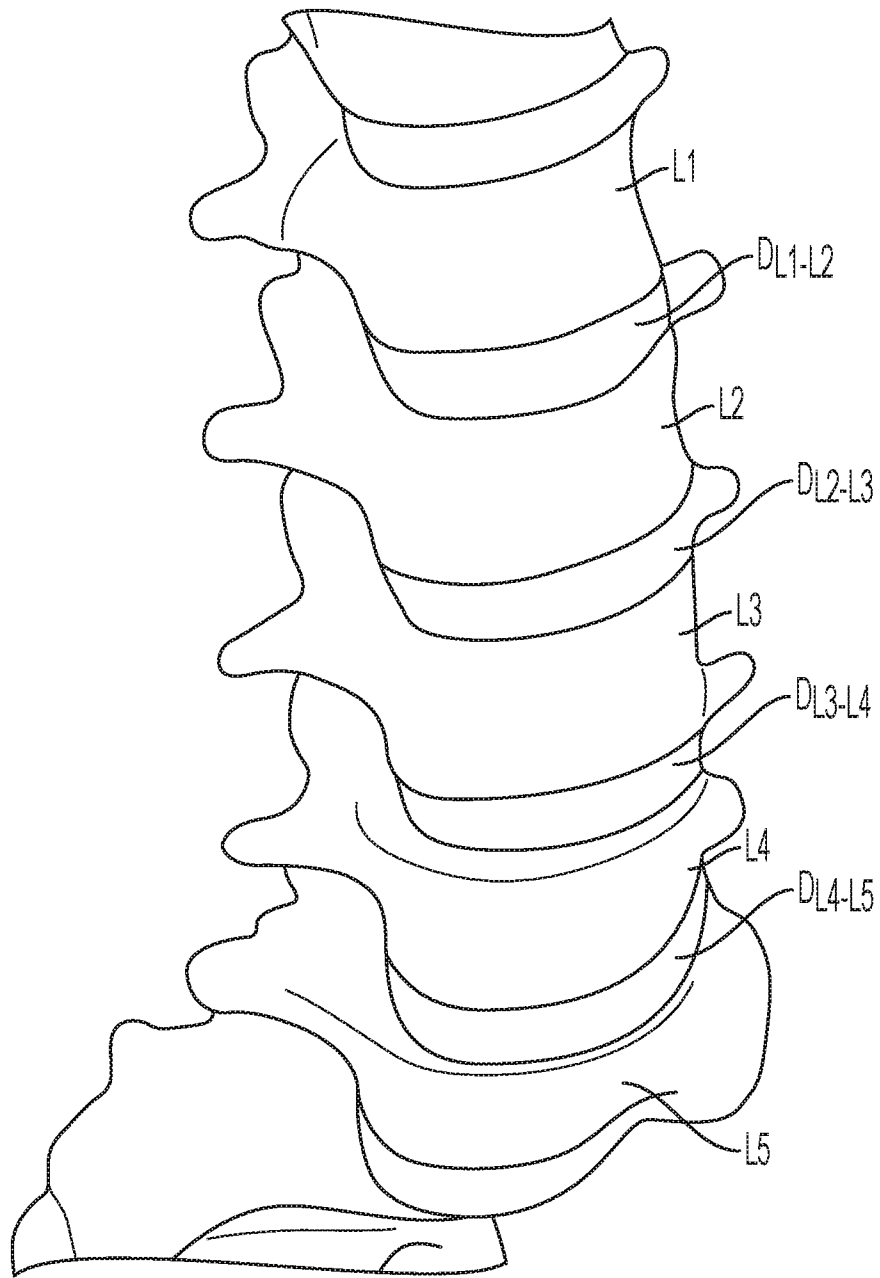


FIG. 2

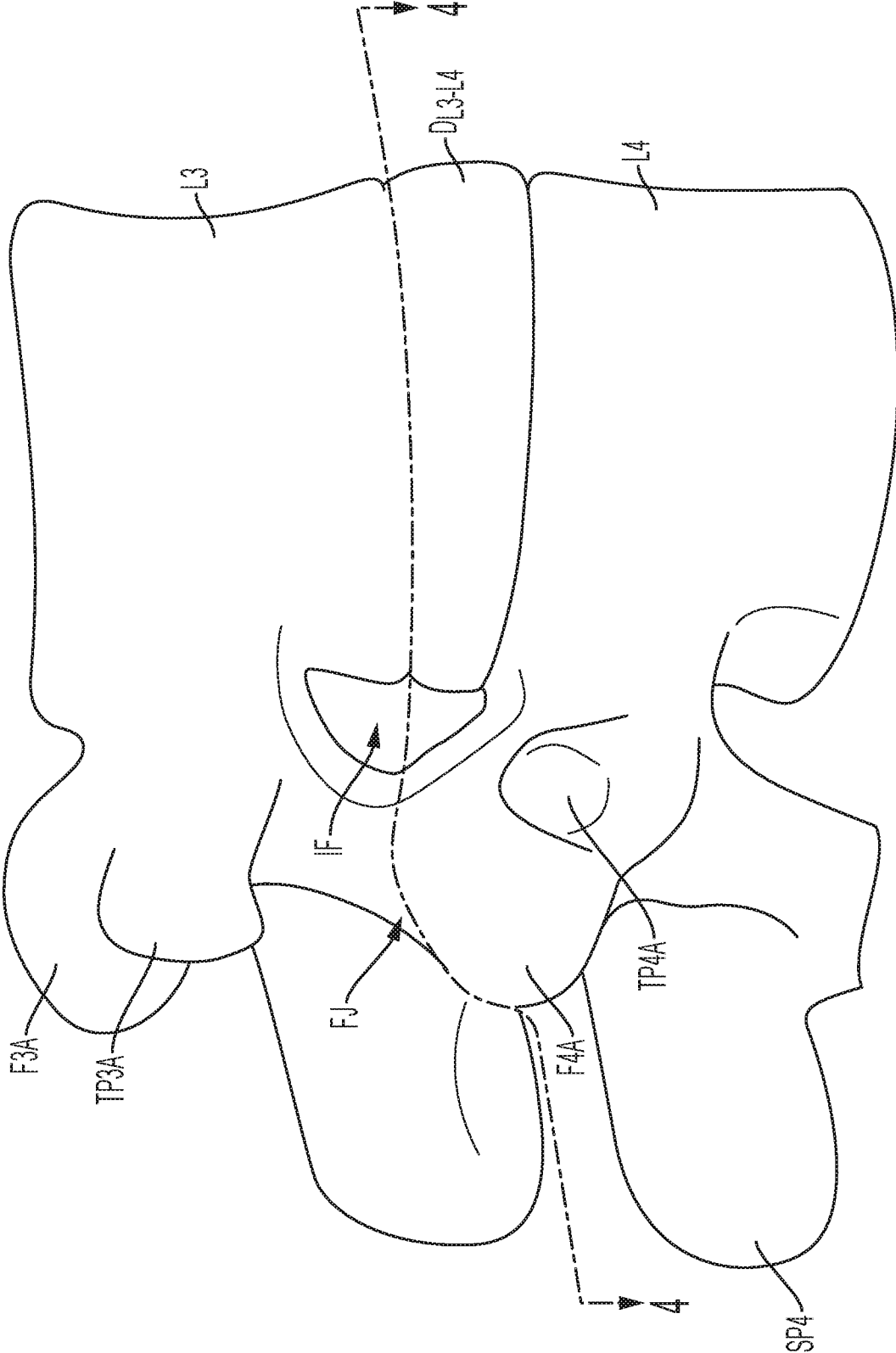


FIG. 3

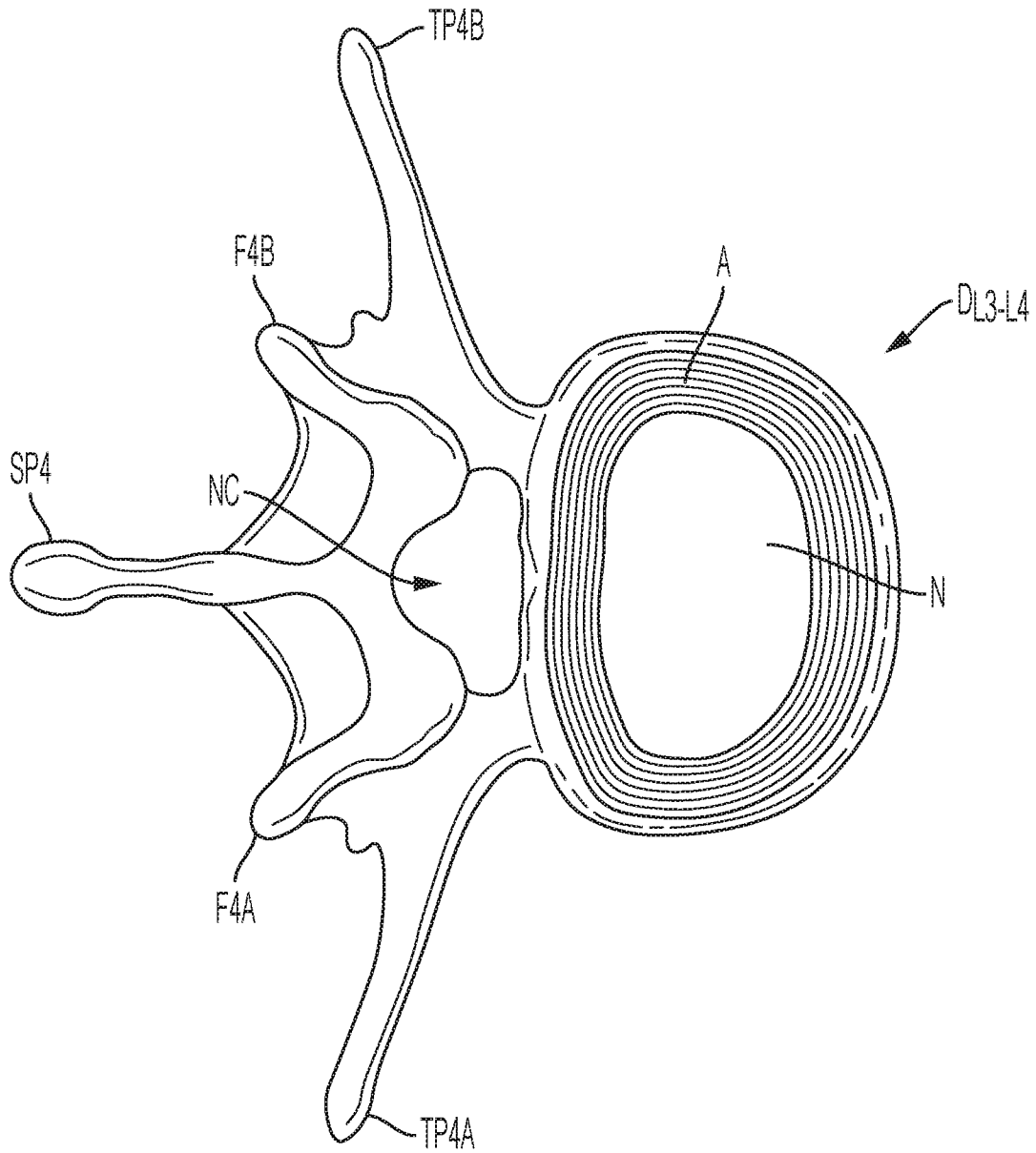


FIG. 4

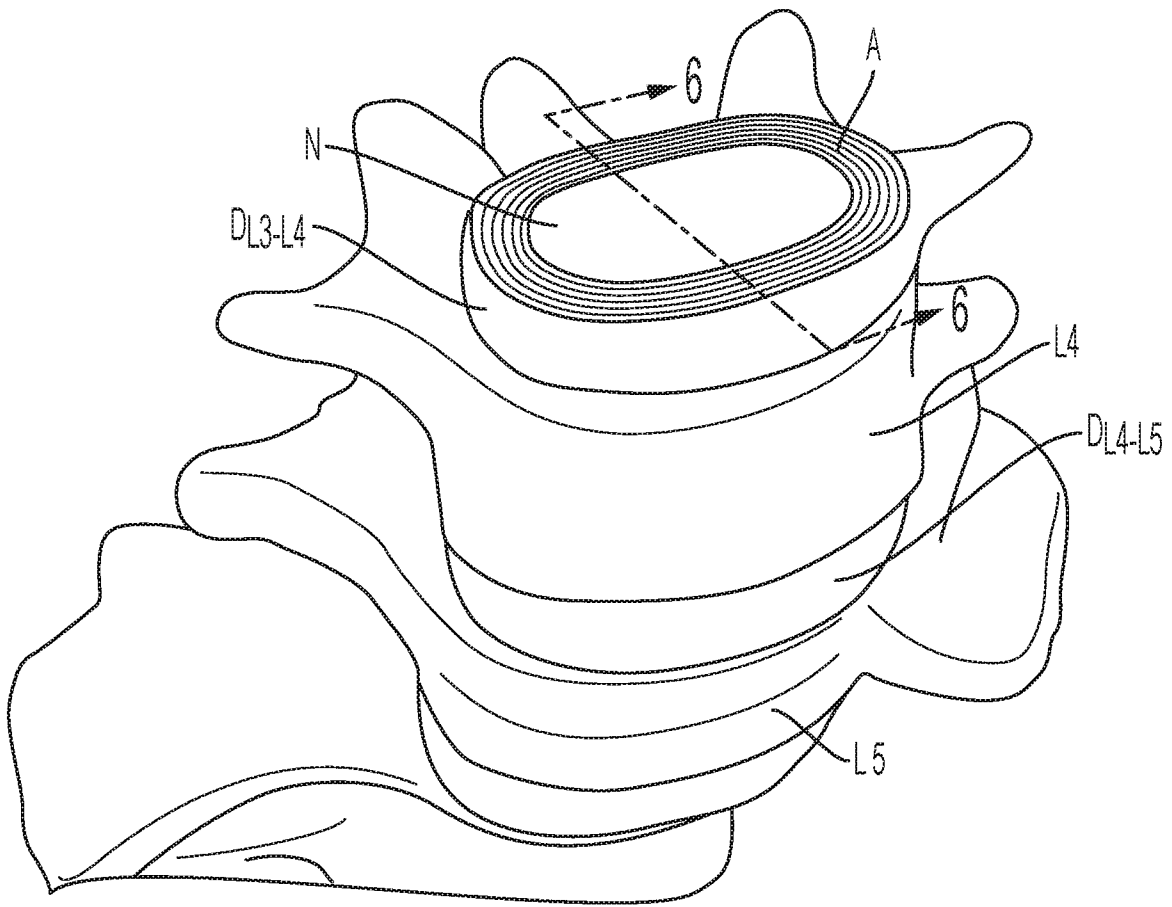


FIG. 5

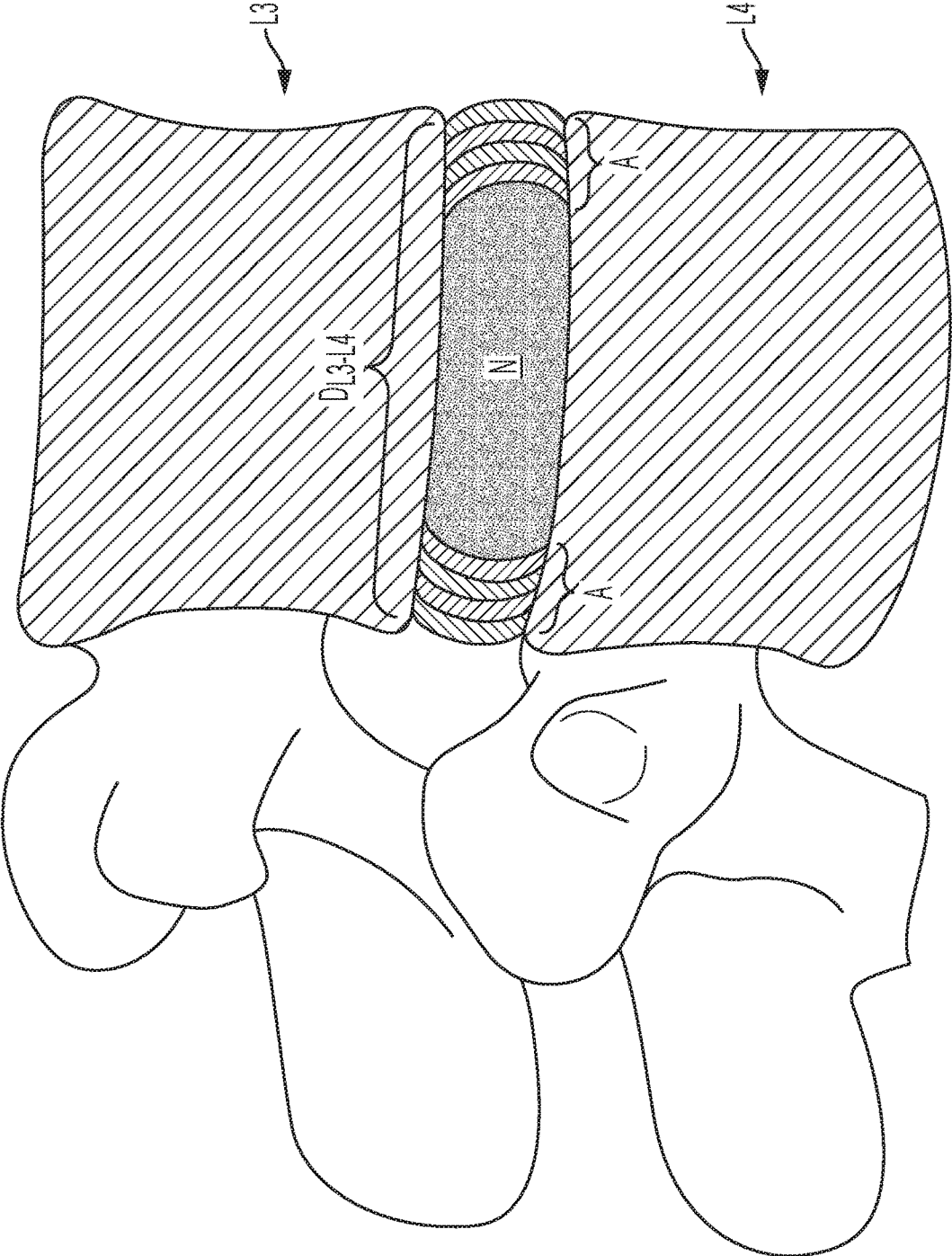


FIG. 6

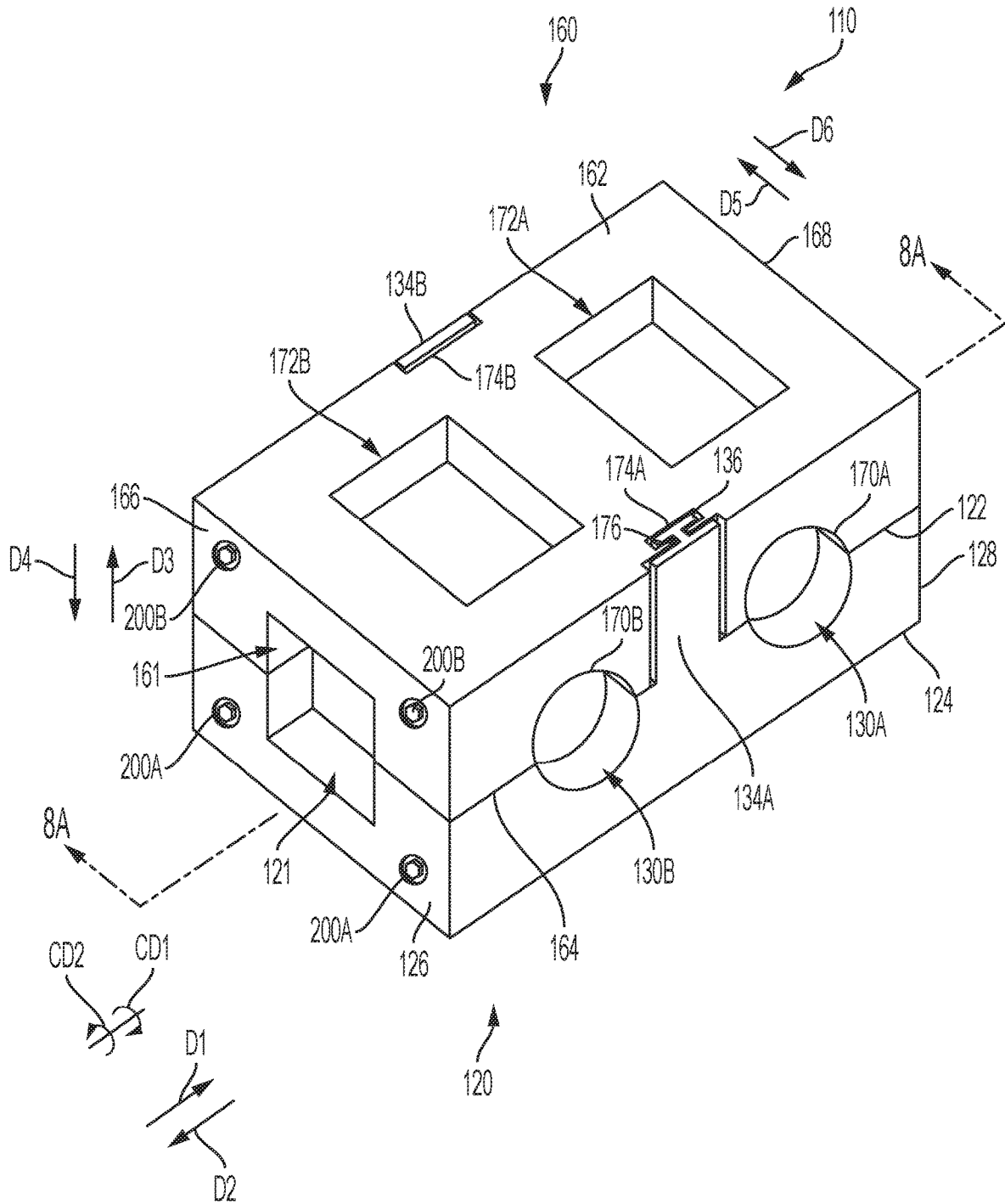


FIG. 7A



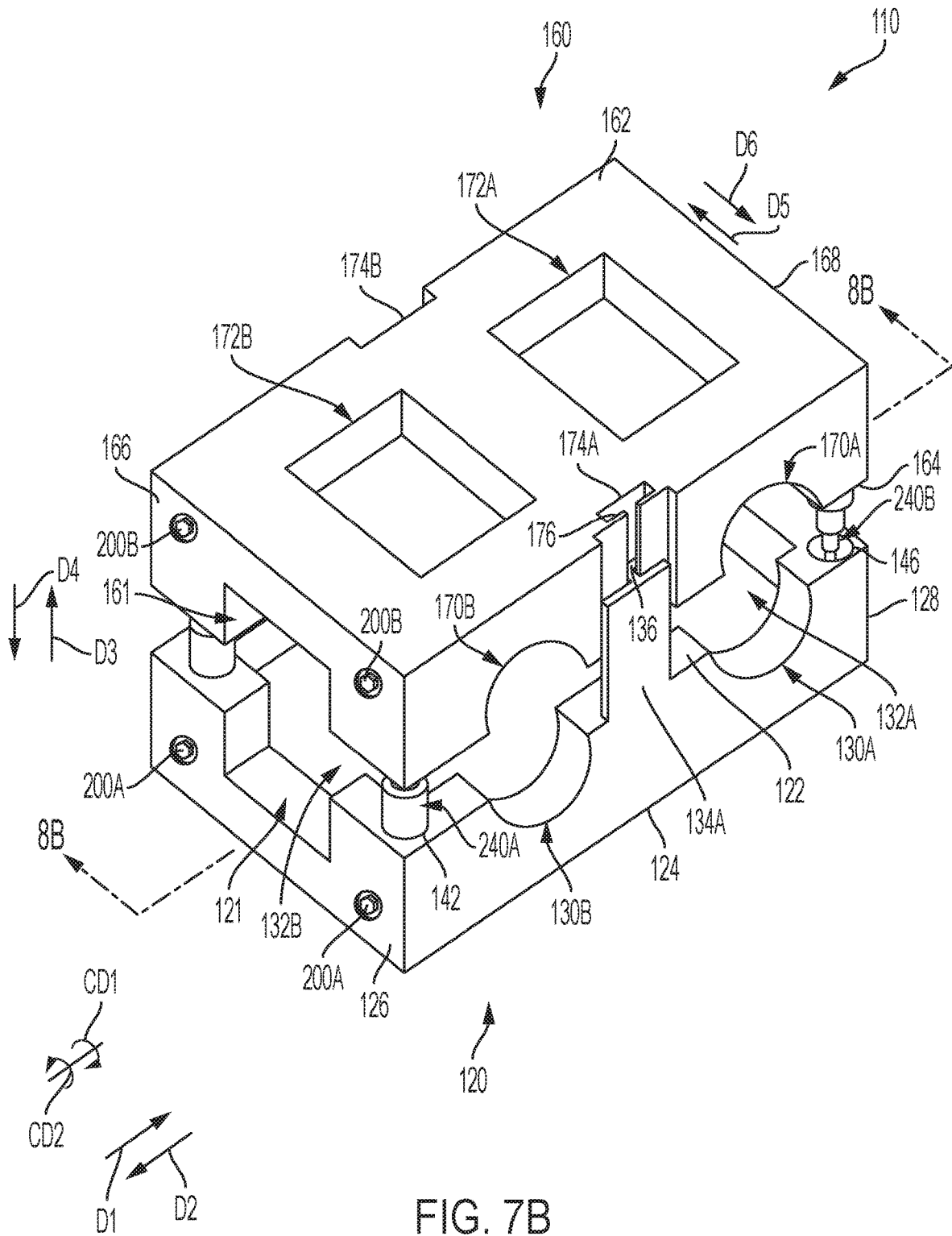


FIG. 7B

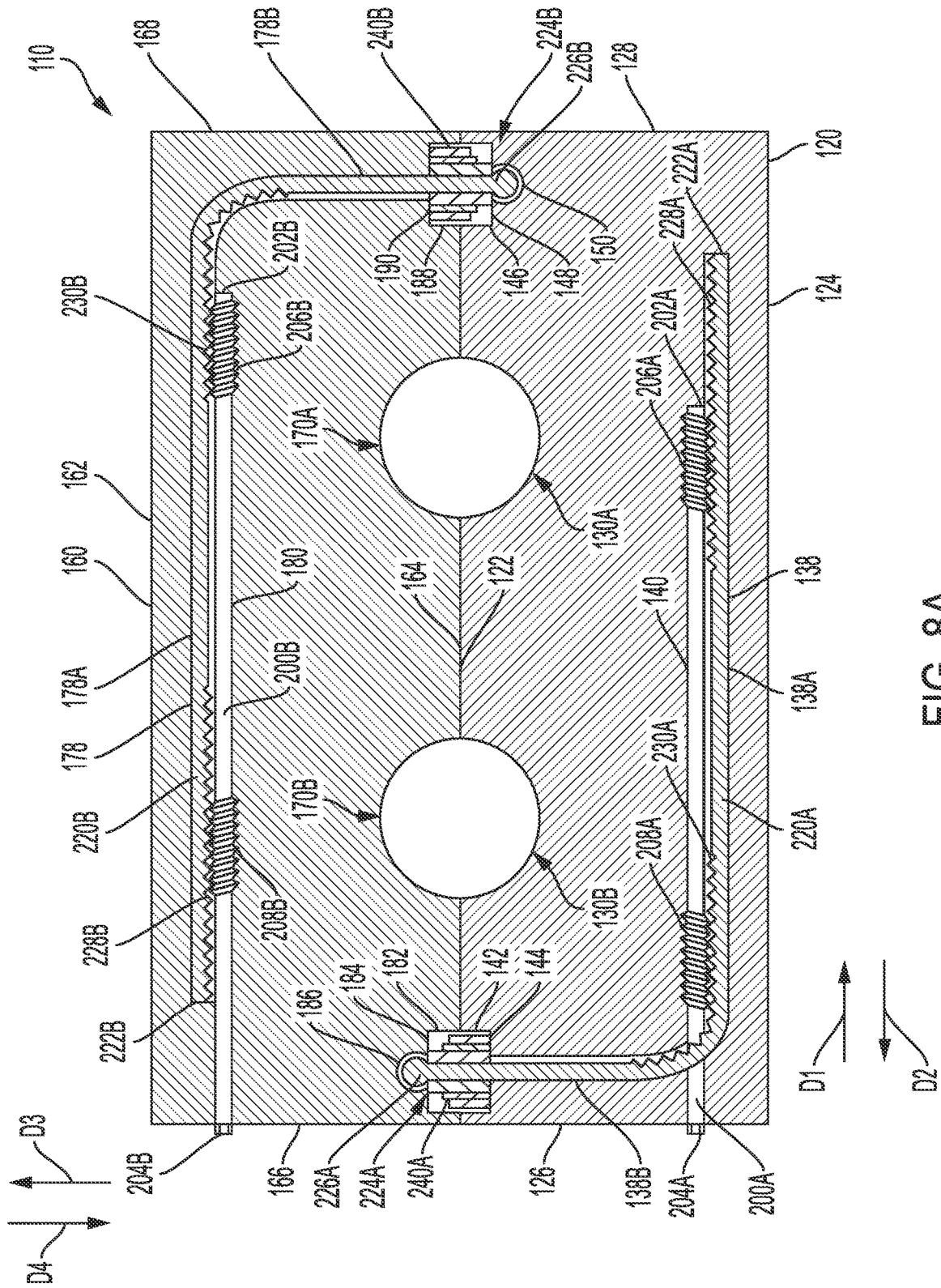


FIG. 8A



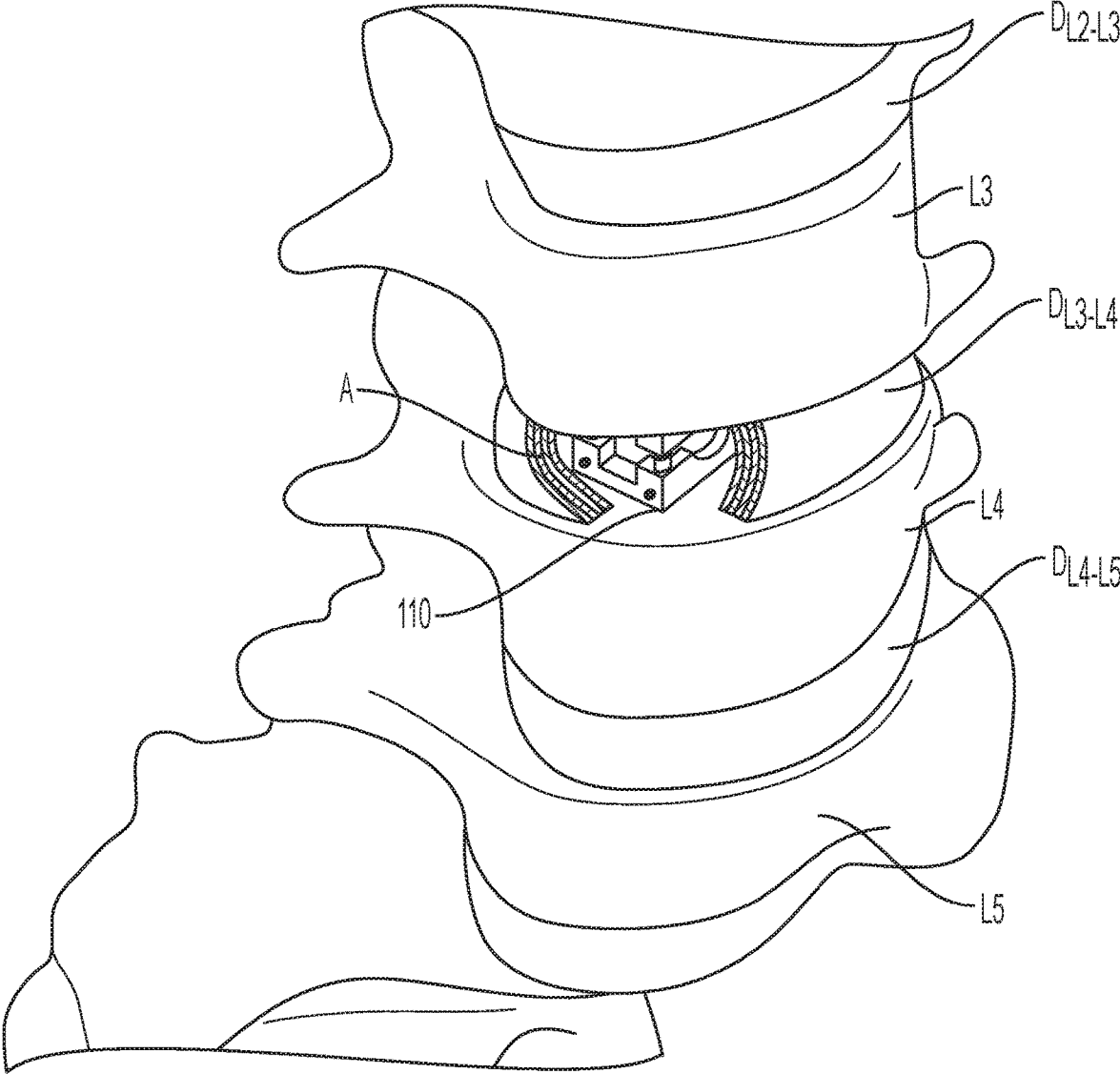


FIG. 9

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## EXPANDABLE INTERVERTEBRAL FUSION IMPLANT

### FIELD

The present disclosure relates to orthopedic surgery, and more particularly to an expandable and deployable intervertebral fusion implant capable of being placed within an intervertebral disc space and expanded.

### BACKGROUND

The spinal column, or backbone, is one of the most important parts of the body. It provides the main support, allowing us to stand upright, bend, and twist. As shown in FIG. 1, thirty three (33) individual bones interlock with each other to form the spinal column. The vertebrae are numbered and divided into regions. The cervical vertebrae C1-C7 form the neck, support the head and neck, and allow nodding and shaking of the head. The thoracic vertebrae T1-T12 join with the ribs to form the rib cage. The five lumbar vertebrae L1-L5 carry most of the weight of the upper body and provide a stable center of gravity when a person moves. Five vertebrae of the sacrum S and four of the coccyx C are fused. This comprises the back wall of the pelvis. Intervertebral discs are located between each of the mobile vertebra. Intervertebral discs comprise a thick outer layer with a crisscrossing fibrous structure annulus A that surrounds a soft gel-like center, the nucleus N. Discs function like shock-absorbing springs. The annulus pulls the vertebral bodies together against the elastic resistance of the gel-filled nucleus. When we bend, the nucleus acts like a ball bearing, allowing the vertebral bodies to roll over the incompressible gel. Each disc works in concert with two facet joints, forming a spinal motion segment. The biomechanical function of each pair of facet joints is to guide and limit the movement of the spinal motion segment. The surfaces of the joint are coated with cartilage that helps each joint move smoothly. Directly behind the discs, the ring-like vertebral bodies create a vertical tunnel called the spinal canal or neuro canal. The spinal cord and spinal nerves pass through the spinal canal, which protects them from injury. The spinal cord is the major column of nerve tissue that is connected to the brain and serves as an information super-highway between the brain and the body. The nerves in the spinal cord branch off to form pairs of nerve roots that travel through the small openings between the vertebrae and the intervertebral foramen.

Various medical conditions require a surgeon to repair, remove and/or replace the aforementioned discs. For example, in one surgical procedure, known as a discectomy (or discectomy) with interbody fusion, the surgeon removes the nucleus of the disc and replaces it with an implant. As shown in FIG. 2, it may be necessary, for example, for the surgeon to remove the nucleus of the disc between the L3 and L4 vertebrae. Disc  $D_{L3-L4}$  is shown in an enlarged view in FIG. 3. This figure also shows various anatomical structures of the spine, including facets F3A and F4A, facet joint FJ, spinous processes SP3 (not shown) and SP4, transverse processes TP3A and TP4A, and intervertebral foramen IF. FIG. 4 is a top view of the section of the spinal column shown in FIG. 3, with the L3 vertebra removed to expose annulus A and nucleus N of disc  $D_{L3-L4}$ . Neural canal NC is also shown. FIG. 5 is an anterior perspective view of the section of the spinal column shown in FIG. 4. FIG. 6 is a partial cross-sectional view of the section of the spinal

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column shown in FIG. 5, taken generally along line 6-6, but with vertebra L3 in place atop disc  $D_{L3-L4}$ .

Of all animals possessing a backbone, human beings are the only creatures who remain upright for significant periods of time. From an evolutionary standpoint, this erect posture has conferred a number of strategic benefits, not the least of which is freeing the upper limbs for purposes other than locomotion. From an anthropologic standpoint, it is also evident that this unique evolutionary adaptation is a relatively recent change, and as such has not benefitted from natural selection as much as have backbones held in a horizontal attitude. As a result, the stresses acting upon the human backbone (or "vertebral column"), are unique in many senses, and result in a variety of problems or disease states that are peculiar to the human species.

The human vertebral column is essentially a tower of bones held upright by fibrous bands called ligaments and contractile elements called muscles. There are seven bones in the neck or cervical region, twelve in the chest or thoracic region, five in the lower back or lumbar region, and five in the pelvic or sacral region, which are normally fused together to form the back part of the pelvis. This column of bones is critical for providing structural support for the entire body.

Between the vertebral bones themselves exist soft tissue structures, i.e., discs, composed of fibrous tissue and cartilage that are compressible and act as shock absorbers for sudden downward forces on the upright column. The discs allow the bones to move independently of each other, as well. The repetitive forces which act on these intervertebral discs during repetitive activities of bending, lifting, and twisting cause them to break down or degenerate over time.

Presumably, because of humans' upright posture their intervertebral discs have a high propensity to degenerate. Overt trauma or covert trauma, occurring in the course of repetitive activities, disproportionately affects the more highly mobile areas of the spine. Disruption of a disc's internal architecture leads to bulging, herniation, or protrusion of pieces of the disc and eventual disc space collapse. Resulting mechanical and even chemical irritation of surrounding neural elements (spinal cord and nerves) cause pain, attended by varying degrees of disability. In addition, loss of disc space height relaxes tension on the longitudinal spinal ligaments, thereby contributing to varying degrees of spinal movement.

The time-honored method of addressing the issues of neural irritation and instability resulting from severe disc damage has largely focused on removal of the damaged disc and fusing the adjacent vertebral elements together. Removal of the disc relieves the mechanical and chemical irritation of neural elements, while osseous union (i.e., bone knitting) solves the problem of stability.

While cancellous bone appears ideal to provide the biologic components necessary for osseous union to occur, it does not initially have the strength to resist the tremendous forces that may occur in the intervertebral disc space, nor does it have the capacity to adequately stabilize the spine until long term bony union occurs. For these reasons, many spinal surgeons have found that interbody fusion using bone alone has an unacceptably high rate of bone graft migration or even expulsion or nonunion due to structural failure of the bone or residual degrees of motion that retard or prohibit bony union. Intervertebral prosthesis in various forms has therefore been used to provide immediate stability and to protect and preserve an environment that fosters growth of the grafted bone such that a structurally significant bony fusion can occur.

Limitations of most present-day intervertebral implants are significant and revolve largely around the marked variation in the disc space height and shape that result from either biologic variability or pathologic change. For example, if a disc space is 20 mm in height, a circular implant bridging this gap requires a minimum diameter of 20 mm just to contact the end plate of the vertebral bone. Generally, end plate disruption must occur to allow a generous bony union, meaning that an additional 2-3 mm must be added on either side resulting in a final implant size of 24-26 mm. During implantation from an anterior approach (i.e., from the front of the body), excessive retraction (or pulling) is often required on the great blood vessels, which greatly enhances the risk of devastating complications such as vascular tears or thrombosis. On the other hand, during a posterior approach, large implant diameters may require excessive traction on neural elements for adequate placement, even if all posterior bony elements are removed. In some instances, an adequate implant size cannot be inserted posteriorly, particularly if there is a significant degree of distraction to obtain stability by tightening the annular ligamentous tension band. Compromising on implant size risks sub-optimal stability or a loose implant, which has a greater risk of migration within, or expulsion from, the disc space. The alternative of excessively retracting neural elements to facilitate a posterior implant application results in a neuropraxia at best and permanent neural damage at worst.

Thus, there is a long-felt need for an expandable and deployable intervertebral fusion implant capable of being placed within an intervertebral disc space and expanded.

#### SUMMARY

According to aspects illustrated herein, there is provided an expandable intervertebral fusion implant, comprising an inferior component, including a first top surface, a first bottom surface, a first end, a second end, and a first hole including a first portion and a second portion, a superior component, including a second top surface, a second bottom surface, a third end, and a fourth end, and an expansion mechanism including a flexible shaft arranged in the first hole, the flexible shaft including a fifth end, a sixth end connected to the first bottom surface, and a first plurality of teeth.

In some embodiments, the inferior component further comprises a second hole arranged adjacent to the first hole, and a worm comprising threading, the threading being engaged with the first plurality of teeth. In some embodiments, when the worm is rotated in a first circumferential direction, the flexible shaft is displaced in a first direction and the superior component is displaced in a second direction relative to the inferior component. In some embodiments, the first direction is perpendicular to the second direction. In some embodiments, the sixth end is pivotably connected to the first bottom surface. In some embodiments, the first portion is perpendicular to the second portion, and the flexible shaft is arranged in both the first portion and the second portion. In some embodiments, the flexible shaft comprises nickel titanium. In some embodiments, the expandable intervertebral fusion implant further comprises a sheath arranged around the flexible shaft proximate the sixth end. In some embodiments, the sheath is connected to the first bottom surface and the second top surface. In some embodiments, the sheath comprises a plurality of telescoping members. In some embodiments, the expandable intervertebral fusion implant further comprises a section extending from one of the inferior component and the

superior component and a groove arranged in the other of the inferior component and the superior component, the section being engaged with the groove.

According to aspects illustrated herein, there is provided an expandable intervertebral fusion implant, comprising an inferior component, including a first top surface, a first bottom surface, a first end, a second end, and a first hole including a first portion and a second portion, a superior component, including a second top surface, a second bottom surface, a third end, a fourth end, and a second hole including a third portion and a fourth portion, a first flexible shaft arranged in the first hole, the second flexible shaft including a fifth end, a sixth end connected to the first bottom surface, and a first plurality of teeth, and a second flexible shaft arranged in the second hole, the second flexible shaft including a seventh end, an eighth end connected to the second top surface, and a second plurality of teeth.

In some embodiments, the inferior component further comprises a third hole arranged adjacent to the first hole, and a first worm comprising first threading, the first threading being engaged with the first plurality of teeth. In some embodiments, when the first worm is rotated in a first circumferential direction, the first flexible shaft is displaced in a first direction and the superior component is displaced in a second direction relative to the inferior component, the first direction being different than the second direction. In some embodiments, the superior component further comprises a fourth hole arranged adjacent to the second hole, and a second worm comprising second threading, the second threading being engaged with the second plurality of teeth. In some embodiments, when the second worm is rotated in a first circumferential direction, the first flexible shaft is displaced in a first direction and the inferior component is displaced in a second direction relative to the superior component, the first direction being different than the second direction. In some embodiments, the first portion is not aligned with the second portion and the first flexible shaft is arranged in both the first portion and the second portion, and the third portion is not aligned with the fourth portion and the second flexible shaft is arranged in both the third portion and the fourth portion. In some embodiments, the expandable intervertebral fusion implant further comprises a sheath arranged around the first flexible shaft proximate the sixth end, the sheath being fixedly secured to the first bottom surface and the second top surface. In some embodiments, the sheath comprises a plurality of telescoping members.

According to aspects illustrated herein, there is provided an expandable intervertebral fusion implant, comprising an inferior component including a hole arranged therein, the hole including a first portion and a second portion, the second portion being unaligned with the first portion, a superior component displaceable relative to the inferior component, a flexible shaft slidably engaged in the first portion and the second portion, the flexible shaft including a first end, a second end pivotably connected to the superior component, and a plurality of teeth, and a worm arranged in the inferior component, the worm including threading engaged with the plurality of teeth.

These and other objects, features, and advantages of the present disclosure will become readily apparent upon a review of the following detailed description of the disclosure, in view of the drawings and appended claims.

#### BRIEF DESCRIPTION OF THE DRAWINGS

Various embodiments are disclosed, by way of example only, with reference to the accompanying schematic draw-

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ings in which corresponding reference symbols indicate corresponding parts, in which:

FIG. 1 is an anterior perspective view of a spinal column;

FIG. 2 is an anterior perspective view of the lumbar section of the spinal column shown in FIG. 1;

FIG. 3 is a lateral perspective view of two vertebrae, a disc, and related spinal anatomy;

FIG. 4 is a top view of a section of the spinal column, taken generally along line 4-4 in FIG. 3;

FIG. 5 is an enlarged anterior perspective view of the spinal column shown in FIG. 2, except with the top vertebra and all other structure above the top vertebra removed;

FIG. 6 is a partial cross-sectional view of the top and bottom vertebrae and disc, taken generally along line 6-6 in FIG. 5;

FIG. 7A is a front perspective view of an expandable intervertebral fusion implant, in a collapsed state;

FIG. 7B is a front perspective view of the expandable intervertebral fusion implant shown in FIG. 7A, in an expanded state;

FIG. 8A is a cross-sectional view of the expandable intervertebral fusion implant taken generally along line 8A-8A in FIG. 7A;

FIG. 8B is a cross-sectional view of the expandable intervertebral fusion implant taken generally along line 8B-8B in FIG. 7B; and,

FIG. 9 is an anterior perspective view of a spinal column including the expandable intervertebral fusion implant shown in FIG. 7A, in the expanded state.

#### DETAILED DESCRIPTION

At the outset, it should be appreciated that like drawing numbers on different drawing views identify identical, or functionally similar, structural elements. It is to be understood that the claims are not limited to the disclosed aspects.

Furthermore, it is understood that this disclosure is not limited to the particular methodology, materials and modifications described and as such may, of course, vary. It is also understood that the terminology used herein is for the purpose of describing particular aspects only, and is not intended to limit the scope of the claims.

Unless defined otherwise, all technical and scientific terms used herein have the same meaning as commonly understood to one of ordinary skill in the art to which this disclosure pertains. It should be understood that any methods, devices or materials similar or equivalent to those described herein can be used in the practice or testing of the example embodiments. The assembly of the present disclosure could be driven by hydraulics, electronics, pneumatics, and/or springs.

It should be appreciated that the term “substantially” is synonymous with terms such as “nearly,” “very nearly,” “about,” “approximately,” “around,” “bordering on,” “close to,” “essentially,” “in the neighborhood of,” “in the vicinity of,” etc., and such terms may be used interchangeably as appearing in the specification and claims. It should be appreciated that the term “proximate” is synonymous with terms such as “nearby,” “close,” “adjacent,” “neighboring,” “immediate,” “adjoining,” etc., and such terms may be used interchangeably as appearing in the specification and claims. The term “approximately” is intended to mean values within ten percent of the specified value.

It should be understood that use of “or” in the present application is with respect to a “non-exclusive” arrangement, unless stated otherwise. For example, when saying that “item x is A or B,” it is understood that this can mean

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one of the following: (1) item x is only one or the other of A and B; (2) item x is both A and B. Alternately stated, the word “or” is not used to define an “exclusive or” arrangement. For example, an “exclusive or” arrangement for the statement “item x is A or B” would require that x can be only one of A and B. Furthermore, as used herein, “and/or” is intended to mean a grammatical conjunction used to indicate that one or more of the elements or conditions recited may be included or occur. For example, a device comprising a first element, a second element and/or a third element, is intended to be construed as any one of the following structural arrangements: a device comprising a first element; a device comprising a second element; a device comprising a third element; a device comprising a first element and a second element; a device comprising a first element and a third element; a device comprising a first element, a second element and a third element; or, a device comprising a second element and a third element.

Moreover, as used herein, the phrases “comprises at least one of” and “comprising at least one of” in combination with a system or element is intended to mean that the system or element includes one or more of the elements listed after the phrase. For example, a device comprising at least one of: a first element; a second element; and, a third element, is intended to be construed as any one of the following structural arrangements: a device comprising a first element; a device comprising a second element; a device comprising a third element; a device comprising a first element and a second element; a device comprising a first element and a third element; a device comprising a first element, a second element and a third element; or, a device comprising a second element and a third element. A similar interpretation is intended when the phrase “used in at least one of:” is used herein. Furthermore, as used herein, “and/or” is intended to mean a grammatical conjunction used to indicate that one or more of the elements or conditions recited may be included or occur. For example, a device comprising a first element, a second element and/or a third element, is intended to be construed as any one of the following structural arrangements: a device comprising a first element; a device comprising a second element; a device comprising a third element; a device comprising a first element and a second element; a device comprising a first element and a third element; a device comprising a first element, a second element and a third element; or, a device comprising a second element and a third element.

By “non-rotatably connected” elements, we mean that: the elements are connected so that whenever one of the elements rotate, all the elements rotate; and, relative rotation between the elements is not possible. Radial and/or axial movement of non-rotatably connected elements with respect to each other is possible, but not required. By “rotatably connected” elements, we mean that: the elements are rotatable with respect to each other; and, whenever one element is displaced radially and/or axially, all the elements are displaced radially and/or axially.

Adverting now to the figures, and as described previously, FIGS. 1-6 depict various parts and sections of spinal anatomy.

FIG. 7A is a front perspective view of expandable intervertebral fusion implant 110, in a collapsed state. FIG. 7B is a front perspective view of expandable intervertebral fusion implant 110, in an expanded state. FIG. 8A is a cross-sectional view of expandable intervertebral fusion implant 110 taken generally along line 8A-8A in FIG. 7A. FIG. 8B is a cross-sectional view of expandable intervertebral fusion implant 110 taken generally along line 8B-8B.

Expandable intervertebral fusion implant **110** generally comprises inferior component **120**, superior component **160**, and at least one expansion mechanism, for example, a worm drive comprising worm **200A** and shaft **220A**. The following description should be read in view of FIGS. 7A-8B.

Inferior component **120** comprises top surface **122**, bottom surface **124**, end **126**, and end **128**. Top surface **122** is an interior surface of expandable intervertebral fusion implant **110** that generally faces superior component **160** and is operatively arranged to engage and/or abut against surface **164**. Bottom surface **124** is an exterior surface of expandable intervertebral fusion implant **110** that generally faces away from superior component **160** and is operatively arranged to engage and/or abut against a vertebra, as will be described in greater detail below. In some embodiments, surface **122** is arranged parallel to surface **124**. In some embodiments, surface **122** is arranged nonparallel to surface **124**.

In some embodiments, inferior component **120** further comprises one or more holes. For example, inferior component **120** comprises hole **121**, which extends from end **126** to hole **128**. Hole **121** extends from surface **122** in direction D4. Inferior component **120** comprises holes **130A** and **130B**, which extend through inferior component **120** in direction D5. Holes **130A-B** extend from surface **122** in direction D4. Inferior component **120** comprises holes **132A** and **132B** (see FIG. 7B), which extend from surface **122** to surface **124**. Holes **121**, **130A-B**, and **132A-B** are operatively arranged to allow bone fusion material, which may be injected within expandable intervertebral fusion implant **110** once implanted within a spinal column, to engage adjacent vertebra thereby encouraging bony fusion. As such, it should be appreciated that any number of holes of any number of geometric shapes can be arranged in inferior component **120**.

Inferior component **120** further comprises at least one section, for example section **134A** and section **134B**, which extends vertically from surface **122** in direction D3. Sections **134A** and **134B** are operatively arranged to slidably and pivotably engage grooves **174A** and **174B**, respectively, to maintain alignment of inferior component **120** and superior component **160** in directions D1 and D2 while still allowing superior component **160** and inferior component **120** to pivot with respect to each other. In some embodiments, section **134A** comprises tongue **136** extending in direction D5 therefrom. In some embodiments, section **134B** comprises a tongue.

Inferior component **120** further comprises one or more holes, for example holes **142** and **146**. Hole **142** is generally arranged proximate end **126** and extends from surface **122** in direction D4. Hole **142** comprises surface **144** and engages shaft **220A** and sheath **240A**, as will be described in greater detail below. In some embodiments, hole **142** is tapered toward surface **144**. Hole **146** is generally arranged proximate end **128** and extends from surface **122** in direction D4. Hole **146** comprises surface **148** and engages shaft **220B** and sheath **240B**, as will be described in greater detail below. In some embodiments, hole **146** is tapered toward surface **148**. In some embodiments, hole **146** further comprises socket **150** arranged proximate (or in) surface **148**. Socket **150** is operatively arranged to engage ball **226B** of shaft **220B** to expand and contract expandable intervertebral fusion implant **110**.

Inferior component **120** further comprises hole **138** and hole **140**. Hole **138** comprises portion **138A** and portion **138B**. In some embodiments, portion **138A** is substantially parallel to surface **124** and portion **138B** is substantially

parallel to end **126**, meaning portion **138B** is substantially perpendicular to portion **138A**. In some embodiments, portion **138A** is non-parallel to surface **124** and portion **138B** is nonparallel to end **126**. In some embodiments, portion **138B** is not perpendicular to portion **138A**. Shaft **220A** is operatively arranged to be slidably engaged in hole **138**. Hole **140** is arranged adjacent to hole **138**. Specifically, hole **140** extends from end **126** in direction D1 and is arranged adjacent to portion **138A**. Worm **200A** is operatively arranged to be rotatably connected in hole **140**. As such, worm **200A** is capable of rotational displacement in circumferential directions CD1 and CD2 relative to inferior component **120** but cannot displace axially in directions D1 and D2 relative to inferior component **120**. As will be described in greater detail below, the arrangement of holes **138** and **140** is such that worm **200A**, specifically threading **206A** and **208A**, is capable of engaging with shaft **220A**, specifically teeth **228A** and **230A**, respectively, to displace shaft **220A** within hole **138** and expand and contract expandable intervertebral fusion implant **110**.

Superior component **160** comprises top surface **162**, bottom surface **164**, end **166**, and end **168**. Top surface **162** is an exterior surface of expandable intervertebral fusion implant **110** that generally faces away from inferior component **120** and is operatively arranged to engage and/or abut against a vertebra, as will be described in greater detail below. Bottom surface **164** is an interior surface of expandable intervertebral fusion implant **110** that generally faces inferior component **120** and is operatively arranged to engage and/or abut against surface **122**, as will be described in greater detail below. In some embodiments, surface **162** is arranged parallel to surface **164**. In some embodiments, surface **162** is arranged nonparallel to surface **164**.

In some embodiments, superior component **160** further comprises one or more holes. For example, superior component **160** comprises hole **161**, which extends from end **166** to hole **168**. Hole **161** extends from surface **164** in direction D3. Superior component **160** comprises holes **170A** and **170B**, which extend through superior component **160** in direction D5. Holes **170A-B** extend from surface **162** in direction D3. Superior component **160** comprises holes **172A** and **172B**, which extend from surface **162** to surface **164**. Holes **161**, **170A-B**, and **172A-B** are operatively arranged to allow bone fusion material, which may be injected within expandable intervertebral fusion implant **110** once implanted within a spinal column, to engage adjacent vertebra thereby encouraging bony fusion. As such, it should be appreciated that any number of holes of any number of geometric shapes can be arranged in superior component **160**.

Superior component **160** further comprises at least one groove, for example groove **174A** and section **174B**, which extends from surface **162** to surface **164**. Grooves **174A** and **174B** are operatively arranged to slidably and pivotably engage sections **134A** and **134B**, respectively, to maintain alignment of superior component **160** and inferior component **120** in directions D1 and D2 while still allowing superior component **160** and inferior component **120** to pivot with respect to each other. In some embodiments, groove **174A** comprises channel **176**. Groove **174A** comprises a first width and channel **176** comprises a second width, the second width being less than the first width. Such arrangement allows tongue **136** to engage groove **174A** such that superior component can displace in direction D3 and direction D4 relative to section **134A** but cannot displace in



direction D5 and direction D6, or direction D1 or direction D2, relative to section 134A and thus inferior component 120.

Superior component 160 further comprises one or more holes, for example holes 182 and 188. Hole 182 is generally arranged proximate end 166 and extends from surface 164 in direction D3. Hole 182 comprises surface 184 and engages shaft 220A and sheath 240A, as will be described in greater detail below. In some embodiments, hole 182 is tapered toward surface 184. In some embodiments, hole 182 further comprises socket 186 arranged proximate (or in) surface 184. Socket 186 is operatively arranged to engage ball 226A of shaft 220A to expand and contract expandable intervertebral fusion implant 110. Hole 188 is generally arranged proximate end 168 and extends from surface 164 in direction D3. Hole 188 comprises surface 190 and engages shaft 220B and sheath 240B, as will be described in greater detail below. In some embodiments, hole 188 is tapered toward surface 190.

Superior component 160 further comprises hole 178 and hole 180. Hole 178 comprises portion 178A and portion 178B. In some embodiments, portion 178A is substantially parallel to surface 162 and portion 178B is substantially parallel to end 168, meaning portion 178B is substantially perpendicular to portion 178A. In some embodiments, portion 178A is non-parallel to surface 162 and portion 178B is nonparallel to end 168. In some embodiments, portion 178B is not perpendicular to portion 178A. Shaft 220B is operatively arranged to be slidingly engaged in hole 178. Hole 180 is arranged adjacent to hole 178. Specifically, hole 180 extends from end 166 in direction D1 and is arranged adjacent to portion 178A. Worm 200B is operatively arranged to be rotatably connected in hole 180. As such, worm 200B is capable of rotational displacement in circumferential directions CD1 and CD2 relative to superior component 160 but cannot displace axially in directions D1 and D2 relative to inferior component 120. As will be described in greater detail below, the arrangement of holes 178 and 180 is such that worm 200B, specifically threading 206B and 208B, is capable of engaging with shaft 220B, specifically teeth 228B and 230B, respectively, to displace shaft 220B within hole 178 and expand and contract expandable intervertebral fusion implant 110.

Worm 200A is generally a cylinder or rod operatively arranged to rotatably engage hole 140. Worm 200A comprises end 202A, end 204A, and threading between ends 202A and 204A. In some embodiments, worm 200A comprises threading 206A proximate or at end 202A and threading 208A proximate end 204A. In some embodiments, the entirety of worm 200A is threaded. Worm 200A is capable of displacing circumferentially with respect to inferior component 120. Worm 200A is not capable of displacing axially, in directions D1 and D2, with respect to inferior component 120. In some embodiments, end 204A comprises a head arranged to be engaged by a tool in order to rotate worm 200A. Such head may comprise any drive type suitable for rotating worm 200A, for example, Phillips and Frearson, slotted, combination, socked, internal hex, Allen, torx, external hex, etc. As worm 200A is rotated, in circumferential directions CD1 or CD2, threading 206A and/or threading 208A engages teeth 228A and/or teeth 230A, respectively, to displace shaft 220A within hole 138.

Shaft or rack 220A is a flexible element that is slidably engaged with hole 138. Shaft 220A comprises end 222A, end 224A, and teeth arranged between ends 222A and 224A. In some embodiments, shaft 220A comprises teeth 228A proximate or at end 222A and teeth 230A arranged generally

proximate end 224A. In some embodiments, the entirety of shaft 220A comprises teeth. End 224A is connected to superior component 160. In some embodiments, end 224A comprises ball 226A which is pivotably connected to socket 186 (i.e., a ball and socket joint). Such connection allows pivotably displacement between superior component 160 and end 224A. Shaft 220A is capable of displacing within hole 138. Specifically, within portion 138A shaft 220A is capable of displacing in directions D1 and D2 relative to inferior component 120 and within portion 138B shaft 220A is capable of displacing in directions D3 and D4 relative to inferior component 120. In some embodiments, shaft 220A comprises nickel titanium, also known as Nitinol, which is a metal alloy exhibiting the shape memory effect and super-elasticity. The elasticity and/or flexibility of shaft 220A allows for the displacement of a first part of shaft 220A in a first direction (e.g., D2) to result in the displacement of a second part of shaft 220A to occur in a second direction (e.g., D3). The engagement of worm 200A and shaft 220A operates similar to a worm drive, wherein rotational displacement of worm 200A causes linear displacement of shaft 220A. As such, when worm 200A is rotated in a first rotational direction, shaft 220A is displaced within hole 138 such that end 224A and superior component 160 are displaced in direction D3 relative to inferior component 120, expanding expandable intervertebral fusion implant 110. When worm 200A is rotated in a second rotational direction, opposite the first rotational direction, shaft 220A is displaced within hole 138 such that end 224A and superior component 160 are displaced in direction D4 relative to inferior component 120, contracting expandable intervertebral fusion implant 110. In some embodiments, shaft 220A and hole 138 comprise a noncircular cross-sectional geometry (e.g., square, triangular, rectangular, ellipsoidal, trapezoidal, etc.) such that shaft 220A does not rotate within hole 138. Such geometry may be implemented in order to maintain engagement of threading 206A and 208A with teeth 228A and 230A, respectively.

In some embodiments, and as best shown in FIGS. 8A-8B, expandable intervertebral fusion implant 110 further comprises sheath 240A. Sheath 240A is arranged around shaft 220A proximate end 224A. In some embodiments, sheath 240A comprises a plurality of telescopingly engaged segments, with a first segment being connected to surface 144 and a second segment being connected to surface 184. As end 224A and superior component 160 is displaced in direction D3 relative to inferior component 120, sheath 240A is elongated in the vertical direction thereby protecting shaft 220A, hole 138, and socket 186 from ingrowth of foreign materials (e.g., tissue, bone fusion material, etc.).

Worm 200B is generally a cylinder or rod operatively arranged to rotatably engage hole 180. Worm 200B comprises end 202B, end 204B, and threading between ends 202B and 204B. In some embodiments, worm 200B comprises threading 206B proximate or at end 202B and threading 208B proximate end 204B. In some embodiments, the entirety of worm 200B is threaded. Worm 200B is capable of displacing circumferentially, in circumferential directions CD1 and CD2, with respect to superior component 160. Worm 200B is not capable of displacing axially, in directions D1 and D2, with respect to superior component 160. In some embodiments, end 204B comprises a head arranged to be engaged by a tool in order to rotate worm 200B. Such head may comprise any drive type suitable for rotating worm 200B, for example, Phillips and Frearson, slotted, combination, socked, internal hex, Allen, torx, external hex, etc. As worm 200B is rotated, threading 206B and/or thread-

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ing 208B engages teeth 230B and/or teeth 228B, respectively, to displace shaft 220B within hole 178.

Shaft or rack 220B is a flexible element that is slidably engaged with hole 178. Shaft 220B comprises end 222B, end 224B, and teeth arranged between ends 222B and 224B. In some embodiments, shaft 220B comprises teeth 228B proximate or at end 222B and teeth 230B arranged generally proximate end 224B. In some embodiments, the entirety of shaft 220B comprises teeth. End 224B is connected to inferior component 120. In some embodiments, end 224B comprises ball 226B which is pivotably connected to socket 150 (i.e., a ball and socket joint). Such connection allows pivotably displacement between inferior component 120 and end 224B. Shaft 220B is capable of displacing within hole 178. Specifically, within portion 178A shaft 220B is capable of displacing in directions D1 and D2 relative to superior component 160 and within portion 178B shaft 220B is capable of displacing in directions D3 and D4 relative to superior component 160. In some embodiments, shaft 220B comprises nickel titanium, also known as Nitinol, which is a metal alloy exhibiting the shape memory effect and super-elasticity. The elasticity and/or flexibility of shaft 220B allows for the displacement of a first part of shaft 220B in a first direction (e.g., D1) to result in the displacement of a second part of shaft 220B to occur in a second direction (e.g., D4). The engagement of worm 200B and shaft 220B operates similar to a worm drive, wherein rotational displacement of worm 200B causes linear displacement of shaft 220B. As such, when worm 200B is rotated in a first rotational direction, shaft 220B is displaced within hole 178 such that end 224B and inferior component 120 are displaced in direction D4 relative to superior component 160, expanding expandable intervertebral fusion implant 110. When worm 200B is rotated in a second rotational direction, opposite the first rotational direction, shaft 220B is displaced within hole 178 such that end 224B and inferior component 120 are displaced in direction D3 relative to superior component 160, contracting expandable intervertebral fusion implant 110. In some embodiments, shaft 220B and hole 178 comprise a noncircular cross-sectional geometry (e.g., square, triangular, rectangular, ellipsoidal, trapezoidal, etc.) such that shaft 220B does not rotate within hole 178. Such geometry may be implemented in order to maintain engagement of threading 206B and 208B with teeth 230B and 228B, respectively.

In some embodiments, and as best shown in FIGS. 8A-8B, expandable intervertebral fusion implant 110 further comprises sheath 240B. Sheath 240B is arranged around shaft 220B proximate end 224B. In some embodiments, sheath 240B comprises a plurality of telescopingly engaged segments, with a first segment being connected to surface 148 and a second segment being connected to surface 190. As end 224B and inferior component 120 is displaced in direction D4 relative to superior component 160, sheath 240B is elongated in the vertical direction thereby protecting shaft 220B, hole 178, and socket 150 from ingrowth of foreign materials (e.g., tissue, bone fusion material, etc.).

It should be appreciated that in some embodiments, expandable intervertebral implant 110 comprises one or more expansion mechanisms, for example, four worm drives and four shafts. Specifically, and as shown, inferior component 120 comprises two worms 200A and two shafts 220A engaged with worms 200A, and superior component 160 comprises two worms 200B and two shafts 220B engaged with worms 200B. The arrangement of the expansion mechanisms as well as the pivotable connection of the shafts to the inferior/superior components (i.e., the ball and socket

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joints) allows for a user to individually expand and contract each corner of expandable intervertebral implant 110 to the desired height. In other words, surface 162 need not be parallel to surface 124, which allows for a more custom expansion of expandable intervertebral implant 110.

FIG. 9 is an anterior perspective view of a spinal column including expandable intervertebral fusion implant 110 in the expanded state. Expandable intervertebral fusion implant 110 is inserted into the spinal column between, for example, vertebra L3 and vertebra L4, or where disc  $D_{L3-L4}$  should be. Expandable intervertebral fusion implant 110 is then vertically expanded until the desired height is reached. As previously described, expandable intervertebral implant 110 is expanded by rotating worm 200A and/or worm 200B. It should be appreciated that expandable intervertebral implant 110 may be expanded prior to insertion, or after insertion. Expandable intervertebral implant 110 is then filled with fusion material and left in situ.

It will be appreciated that various aspects of the disclosure above and other features and functions, or alternatives thereof, may be desirably combined into many other different systems or applications. Various presently unforeseen or unanticipated alternatives, modifications, variations, or improvements therein may be subsequently made by those skilled in the art which are also intended to be encompassed by the following claims.

## REFERENCE NUMERALS

30	10 Spinal column
	12 Ligament
	C1-C7 Cervical vertebrae
	T1-T12 Thoracic vertebrae
	L1-L5 Lumbar vertebrae
35	S Sacrum
	C Coccyx
	$D_{L1-L2}$ Disc
	$D_{L2-L3}$ Disc
	$D_{L3-L4}$ Disc
40	$D_{L4-L5}$ Disc
	F Facet
	FJ Facet joint
	SP Spinous process
	TP Transverse process
45	IF Intervertebral foramen
	NC Neural canal
	A Annulus
	N Nucleus
	DH Disc space height
50	110 Expandable intervertebral fusion implant
	120 Inferior component
	121 Hole
	122 Surface
	124 Surface
55	126 End
	128 End
	130A Hole
	130B Hole
	132A Hole
60	132B Hole
	134A Section
	134B Section
	136 Tongue
	138 Hole
65	138A Portion
	138B Portion
	140 Hole

142 Hole  
 144 Surface  
 146 Hole  
 148 Surface  
 150 Socket  
 160 Superior component  
 161 Hole  
 162 Surface  
 164 Surface  
 166 End  
 168 End  
 170A Hole  
 170B Hole  
 172A Hole  
 172B Hole  
 174A Groove  
 174B Groove  
 176 Channel  
 178 Hole  
 178A Portion  
 178B Portion  
 180 Hole  
 182 Hole  
 184 Surface  
 186 Socket  
 188 Hole  
 190 Surface  
 200A Worm  
 200B Worm  
 202A End  
 202B End  
 204A End and/or head  
 204B End and/or head  
 206A Threading  
 206B Threading  
 208A Threading  
 208B Threading  
 220A Shaft or rack  
 220B Shaft or rack  
 222A End  
 222B End  
 224A End  
 224B End  
 226A Ball  
 226B Ball  
 228A Teeth  
 228B Teeth  
 230A Teeth  
 230B Teeth  
 240A Sheath  
 240B Sheath  
 D1 Direction  
 D2 Direction  
 D3 Direction  
 D4 Direction  
 D5 Direction  
 D6 Direction  
 CD1 Circumferential direction  
 CD2 Circumferential direction  
 What is claimed is:  
 1. An expandable intervertebral fusion implant, comprising:  
 an inferior component, including:  
 a first top surface;  
 a first bottom surface;  
 a first end;  
 a second end; and,

a first hole including a first portion and a second portion;  
 a superior component, including:  
 a second top surface;  
 a second bottom surface;  
 a third end; and,  
 a fourth end; and,  
 an expansion mechanism including a flexible shaft arranged in the first hole, the flexible shaft including:  
 a fifth end;  
 a sixth end connected to the first second bottom surface; and,  
 a first plurality of teeth;  
 wherein when the expansion mechanism is displaced in a first direction with respect to the inferior component, the superior component is displaced in a second direction with respect to the inferior component, the second direction being different than the first direction.  
 2. The expandable intervertebral fusion implant as recited in claim 1, wherein the inferior component further comprises:  
 a second hole arranged adjacent to the first hole; and,  
 a worm comprising threading, the threading being engaged with the first plurality of teeth.  
 3. The expandable intervertebral fusion implant as recited in claim 2, wherein when the worm is rotated in a first circumferential direction, the flexible shaft is displaced in the first direction and the superior component is displaced in the second direction relative to the inferior component.  
 4. The expandable intervertebral fusion implant as recited in claim 3, wherein the first direction is perpendicular to the second direction.  
 5. The expandable intervertebral fusion implant as recited in claim 1, wherein the sixth end is pivotably connected to the second bottom surface.  
 6. The expandable intervertebral fusion implant as recited in claim 1, wherein the first portion is perpendicular to the second portion, and the flexible shaft is arranged in both the first portion and the second portion.  
 7. The expandable intervertebral fusion implant as recited in claim 1, wherein the flexible shaft comprises nickel titanium.  
 8. The expandable intervertebral fusion implant as recited in claim 1, further comprising a sheath arranged around the flexible shaft proximate the sixth end.  
 9. The expandable intervertebral fusion implant as recited in claim 8, wherein the sheath is connected to the second bottom surface and the first top surface.  
 10. The expandable intervertebral fusion implant as recited in claim 8, wherein the sheath comprises a plurality of telescoping members.  
 11. The expandable intervertebral fusion implant as recited in claim 1, further comprising a section extending from one of the inferior component and the superior component and a groove arranged in the other of the inferior component and the superior component, the section being engaged with the groove.  
 12. An expandable intervertebral fusion implant, comprising:  
 an inferior component, including:  
 a first top surface;  
 a first bottom surface;  
 a first end;  
 a second end; and,  
 a first hole including a first portion and a second portion;  
 a superior component, including:

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a second top surface;  
 a second bottom surface;  
 a third end;  
 a fourth end; and,  
 a second hole including a third portion and a fourth portion;  
 a first flexible shaft arranged in the first hole, the first flexible shaft including:  
 a fifth end;  
 a sixth end connected to the second bottom surface; and,  
 a first plurality of teeth;  
 a second flexible shaft arranged in the second hole, the second flexible shaft including:  
 a seventh end;  
 an eighth end connected to the first top surface; and,  
 a second plurality of teeth.

13. The expandable intervertebral fusion implant as recited in claim 12, wherein the inferior component further comprises:

a third hole arranged adjacent to the first hole; and,  
 a first worm comprising first threading, the first threading being engaged with the first plurality of teeth.

14. The expandable intervertebral fusion implant as recited in claim 13, wherein when the first worm is rotated in a first circumferential direction, the first flexible shaft is displaced in a first direction and the superior component is displaced in a second direction relative to the inferior component, the first direction being different than the second direction.

15. The expandable intervertebral fusion implant as recited in claim 13, wherein the superior component further comprises:

a fourth hole arranged adjacent to the second hole; and,  
 a second worm comprising second threading, the second threading being engaged with the second plurality of teeth.

16. The expandable intervertebral fusion implant as recited in claim 15, wherein when the second worm is rotated in a first circumferential direction, the first flexible

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shaft is displaced in a first direction and the inferior component is displaced in a second direction relative to the superior component, the first direction being different than the second direction.

17. The expandable intervertebral fusion implant as recited in claim 12, wherein:

the first portion is not aligned with the second portion and the first flexible shaft is arranged in both the first portion and the second portion; and,

the third portion is not aligned with the fourth portion and the second flexible shaft is arranged in both the third portion and the fourth portion.

18. The expandable intervertebral fusion implant as recited in claim 12, further comprising a sheath arranged around the first flexible shaft proximate the sixth end, the sheath being fixedly secured to the second bottom surface and the first top surface.

19. The expandable intervertebral fusion implant as recited in claim 18, wherein the sheath comprises a plurality of telescoping members.

20. An expandable intervertebral fusion implant, comprising:

an inferior component including a hole arranged therein, the hole including a first portion and a second portion, the second portion being unaligned with the first portion;

a superior component displaceable relative to the inferior component;

a flexible shaft slidably engaged in the first portion and the second portion of the hole, the flexible shaft including:  
 a first end;

a second end pivotably connected to the superior component; and,

a plurality of teeth; and,

a worm arranged in the inferior component, the worm including threading engaged with the plurality of teeth.

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