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(54) **SPINAL FIXATION DEVICES AND METHODS OF USE**

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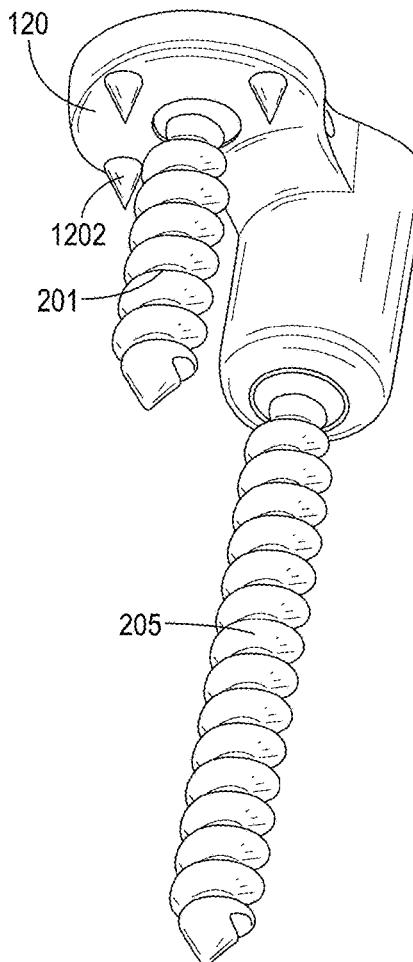
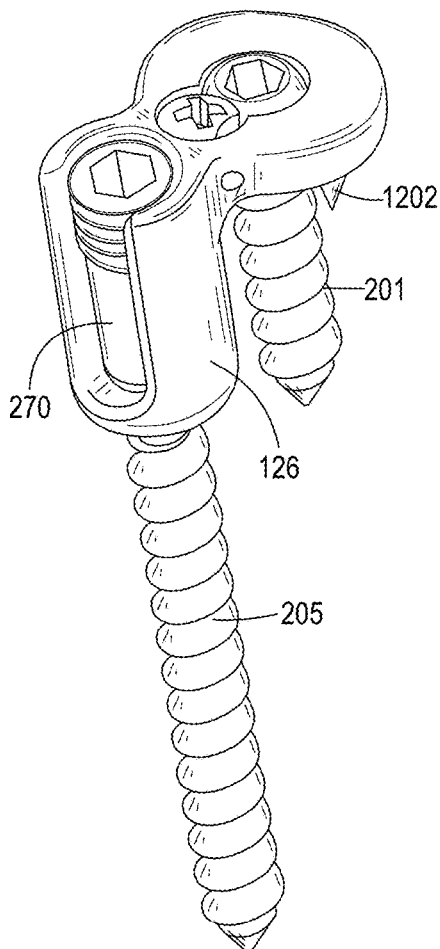
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(57) **ABSTRACT**

Apparatus and methods for spinal the treatment of abnormal spinal stability and stenosis of the spinal canal. In one embodiment, the apparatus and methods provide treatment via decompression and/or fixation of the spinal canal. One or more implants are used to fixate the posterior column of a spinal segment compromised of the superior and inferior immediately adjacent vertebral bones. In one variant, these disclosed devices are used to fixate the posterior column of a spinal segment while another orthopedic implant is placed into the anterior column of the same spinal segment, thereby providing circumferential decompression.



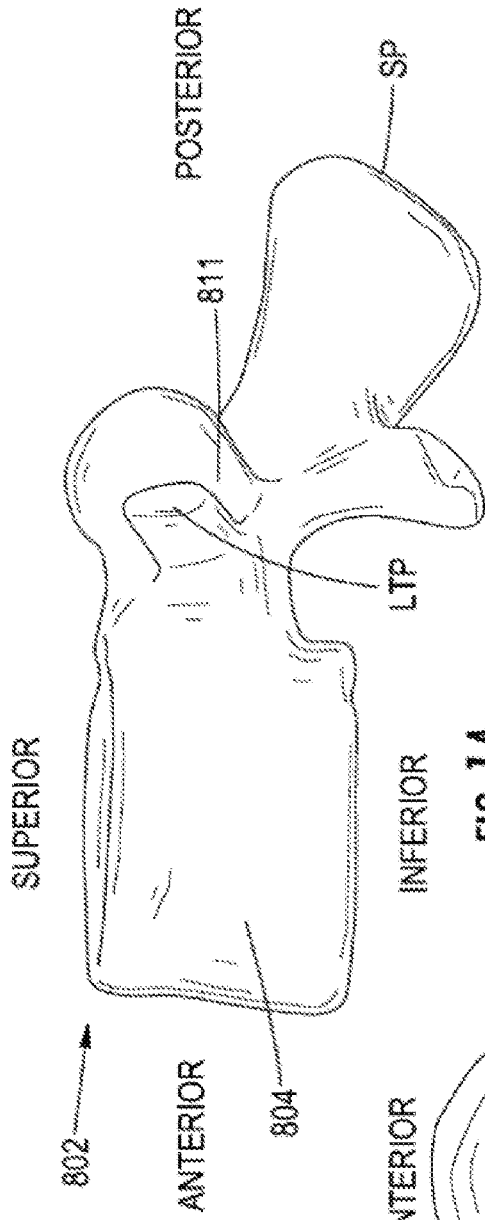


FIG. 1A

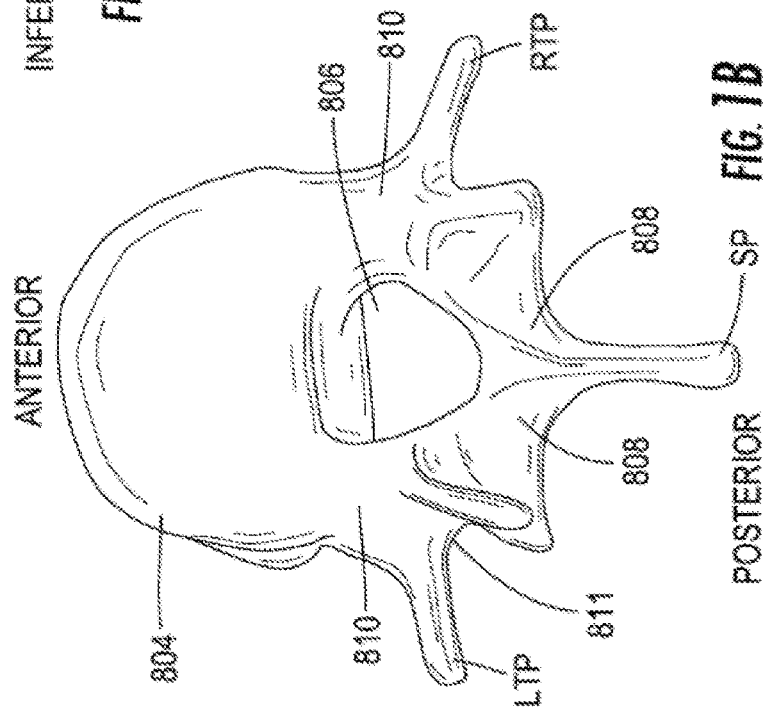


FIG. 1B

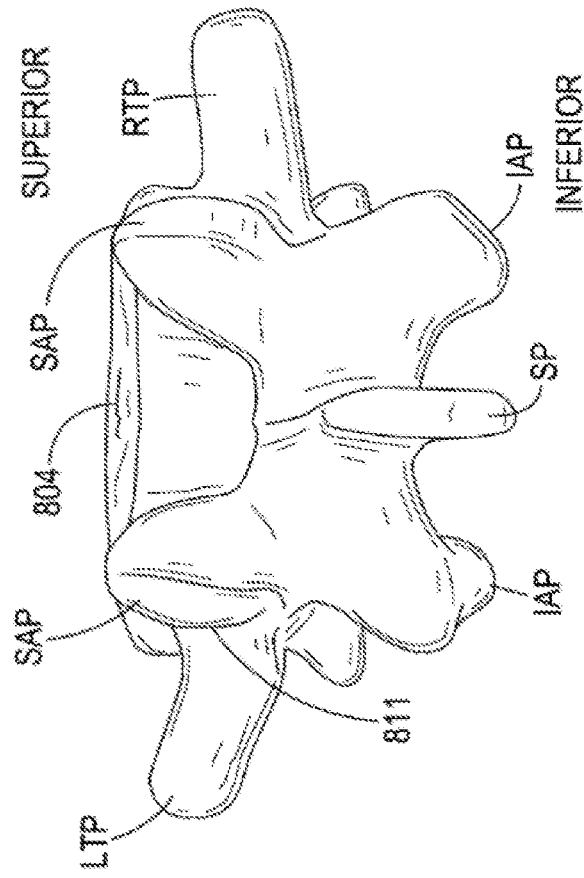


FIG. 1C

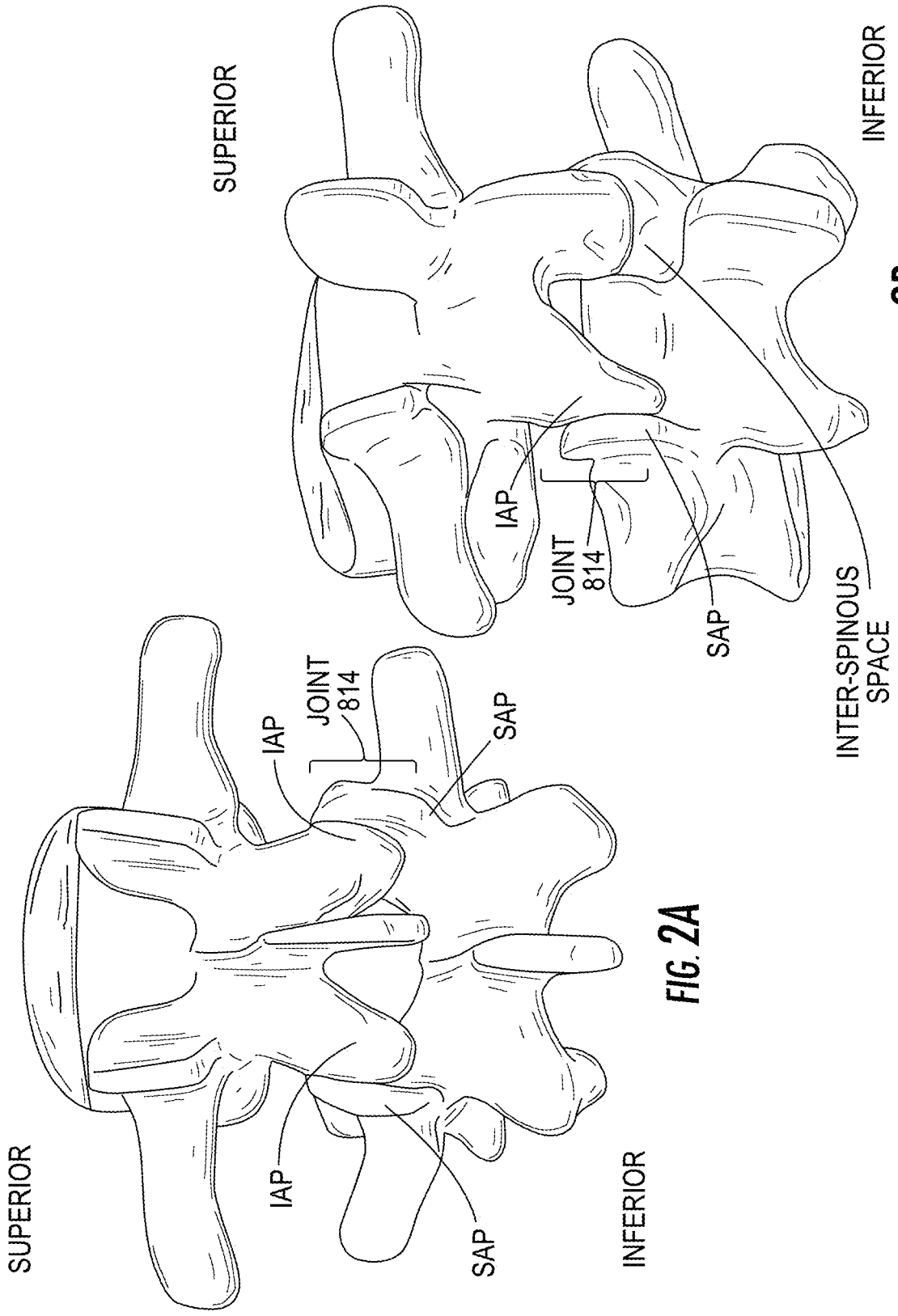


FIG. 2A

FIG. 2B

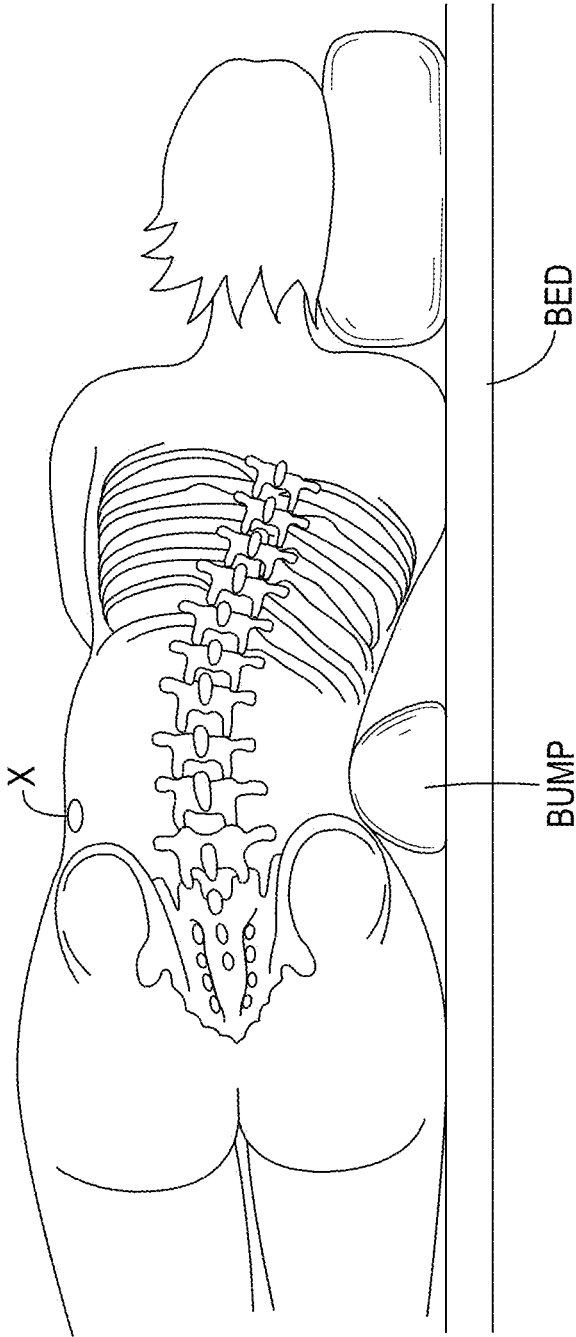
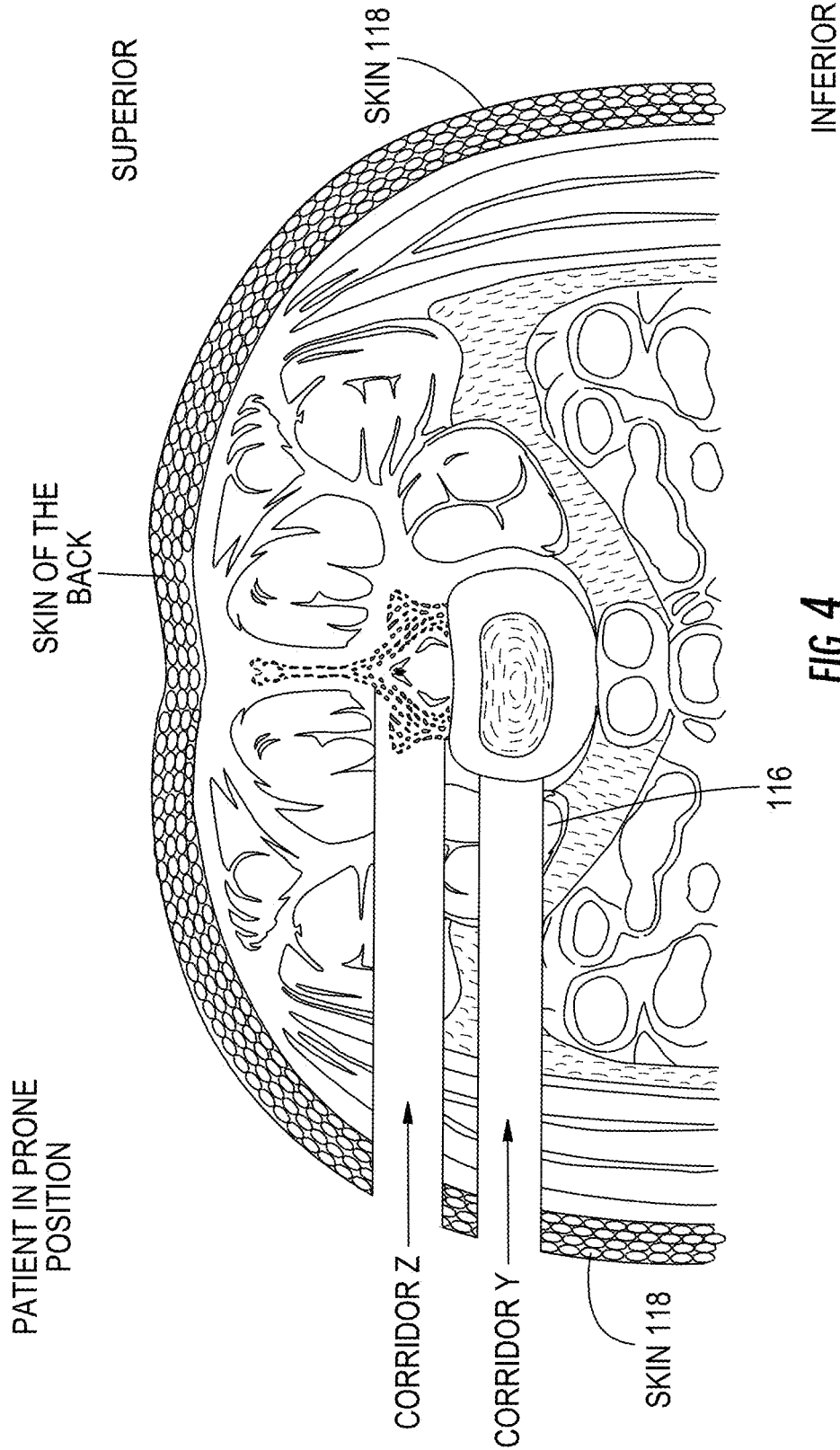
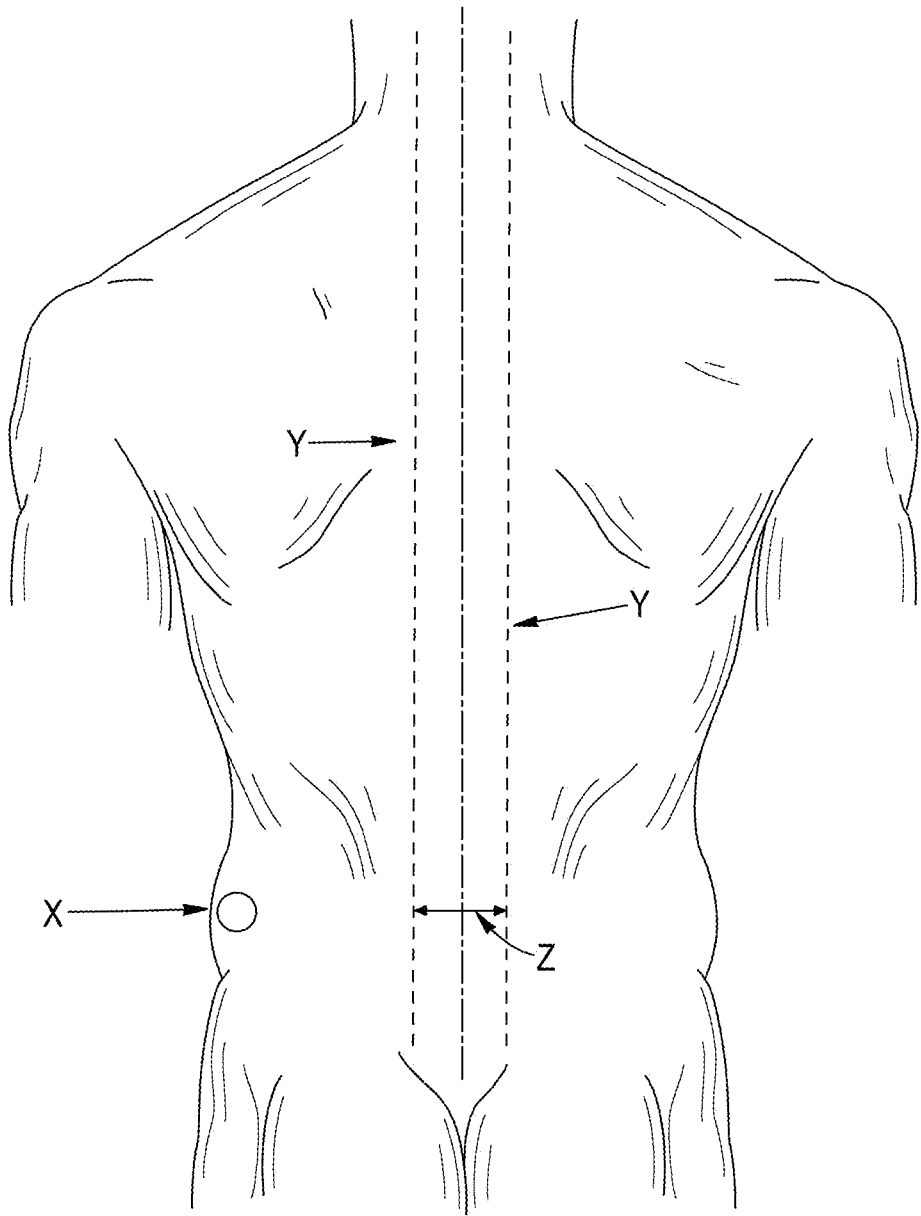
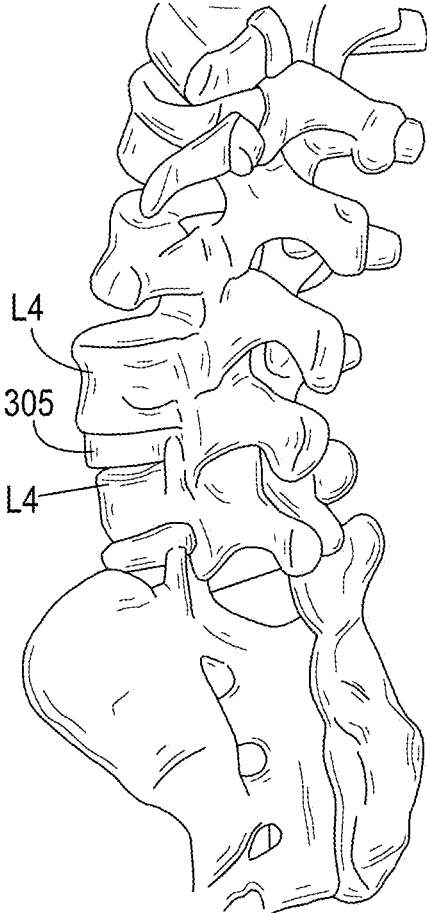


FIG. 3

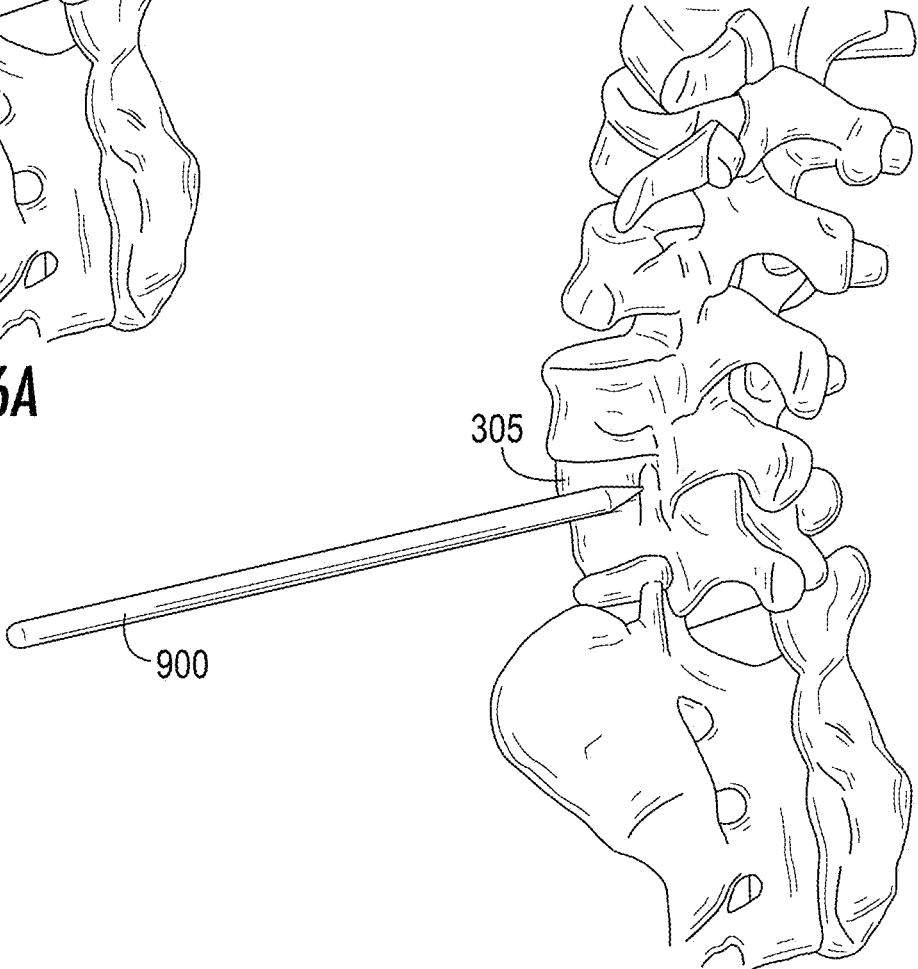




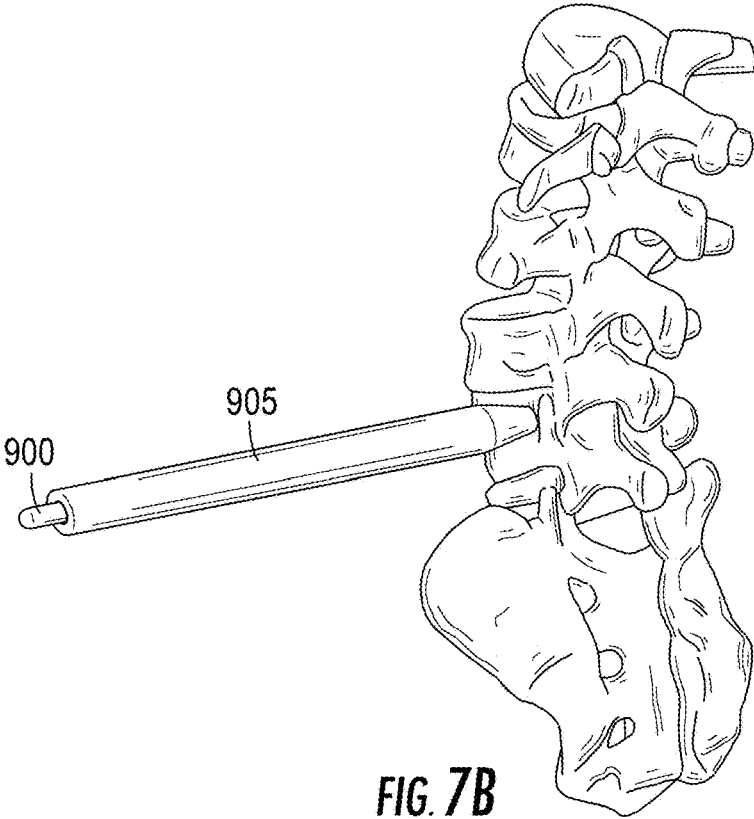
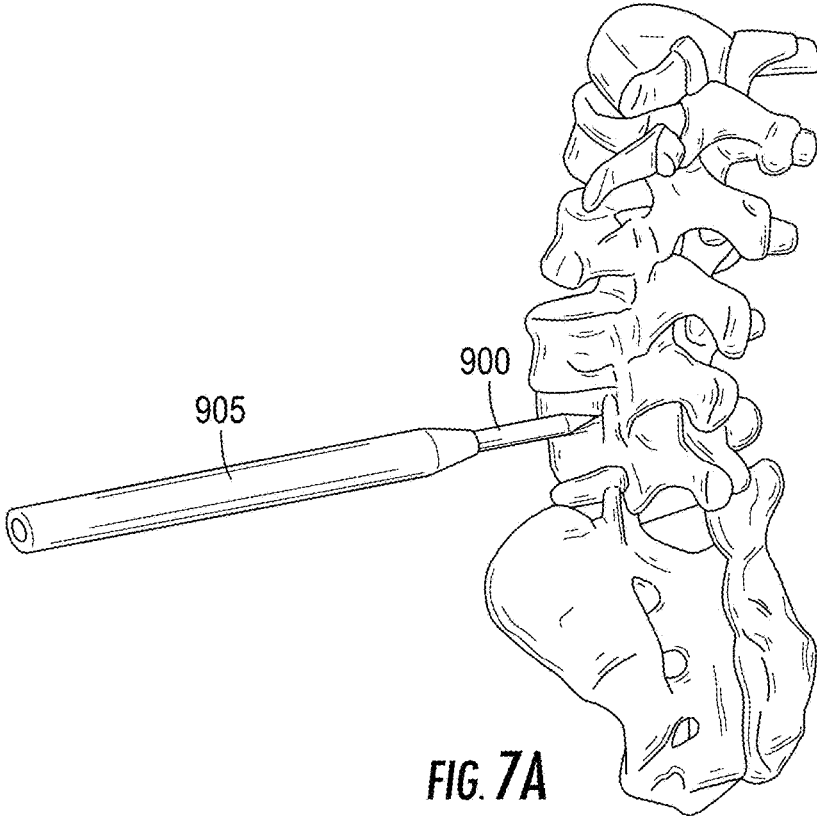
**FIG. 5**



**FIG. 6A**



**FIG. 6B**





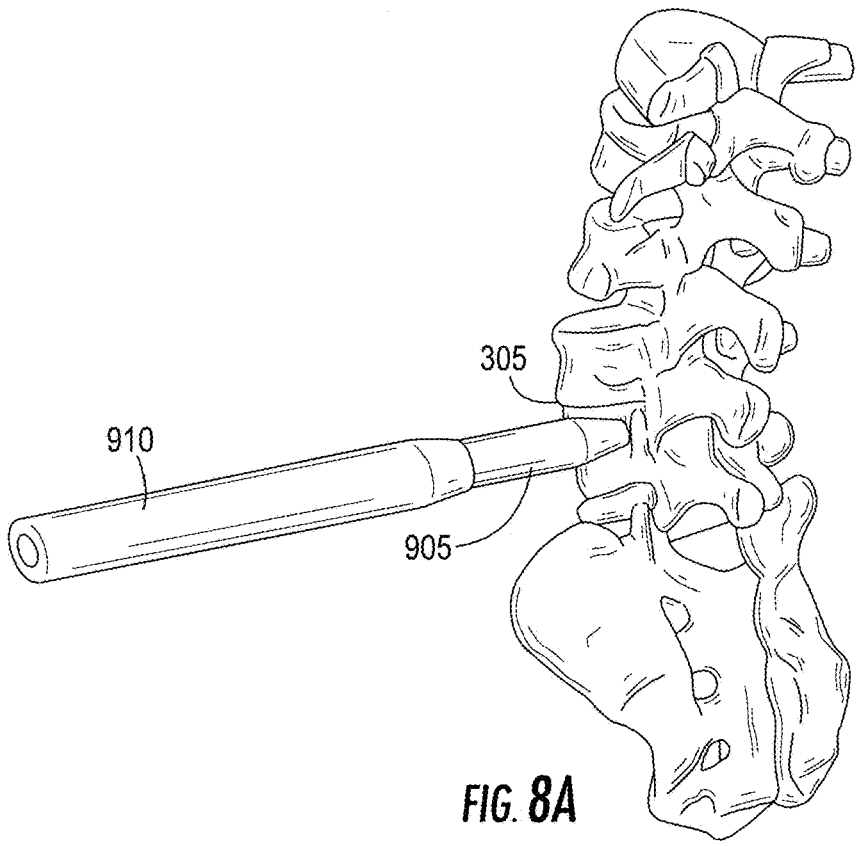


FIG. 8A

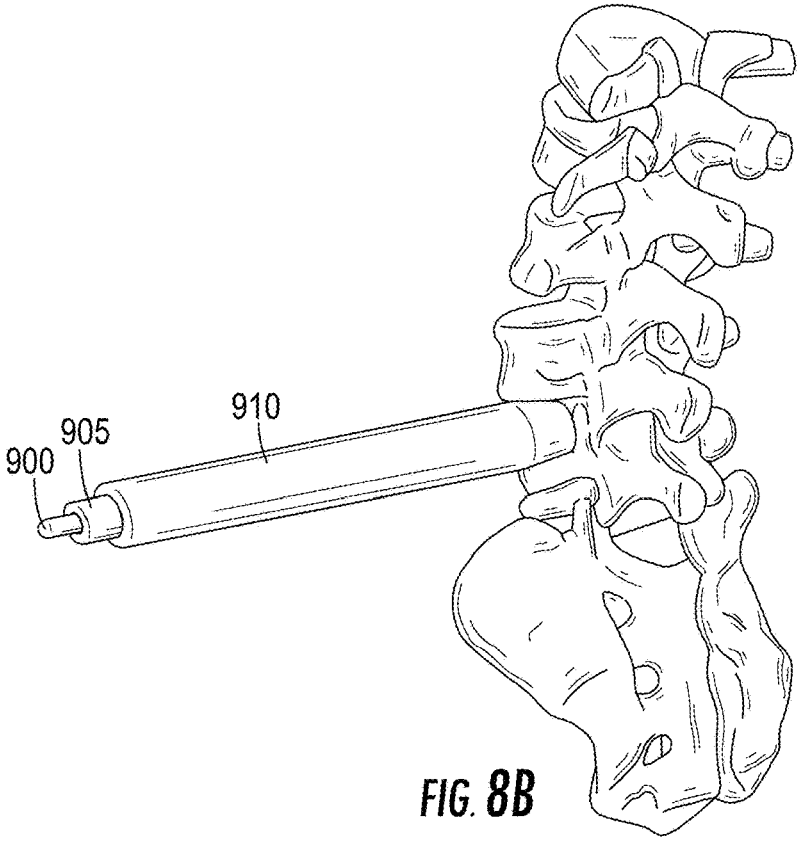


FIG. 8B

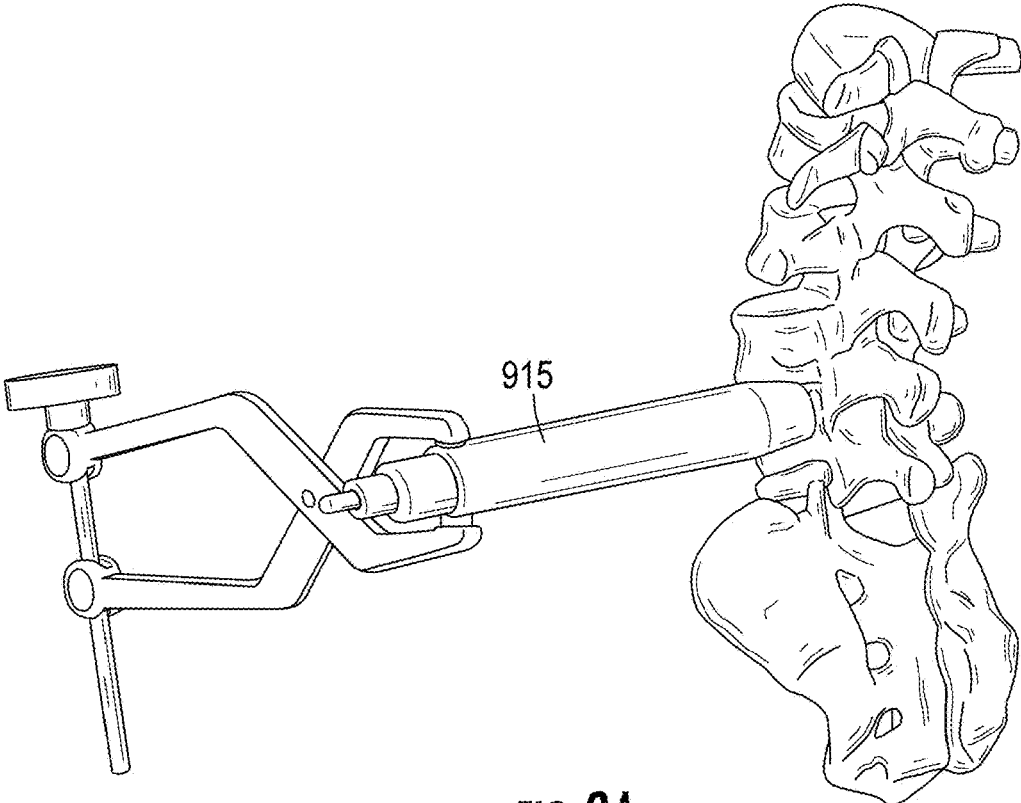


FIG. 9A

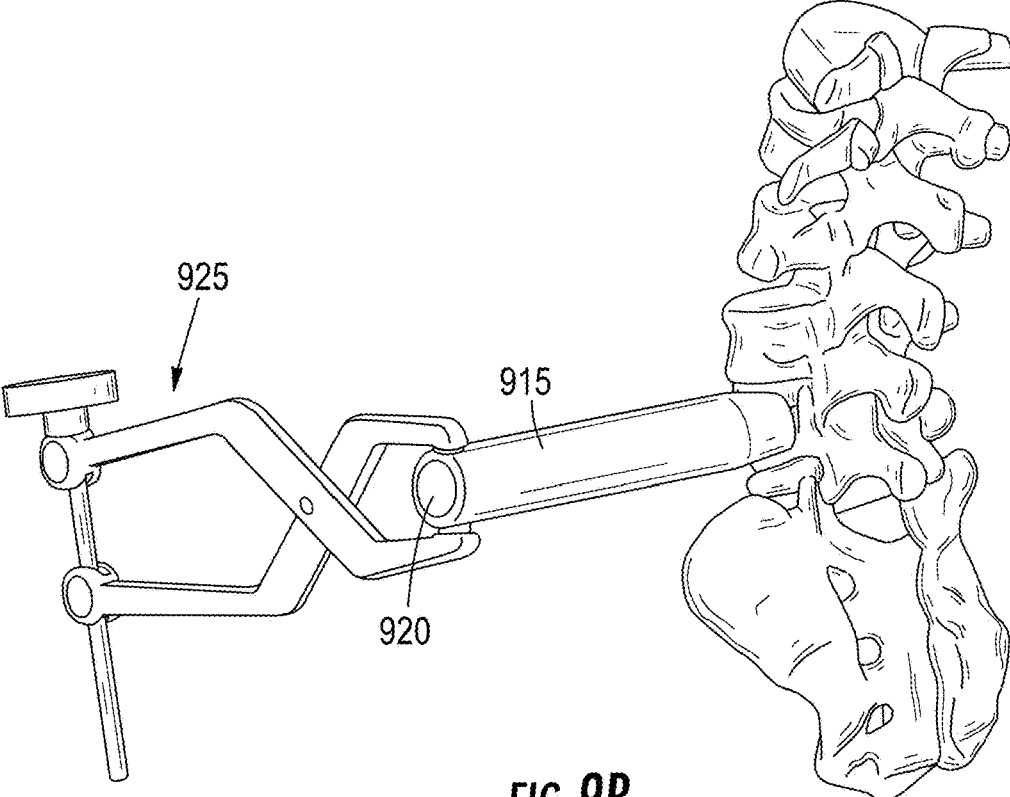
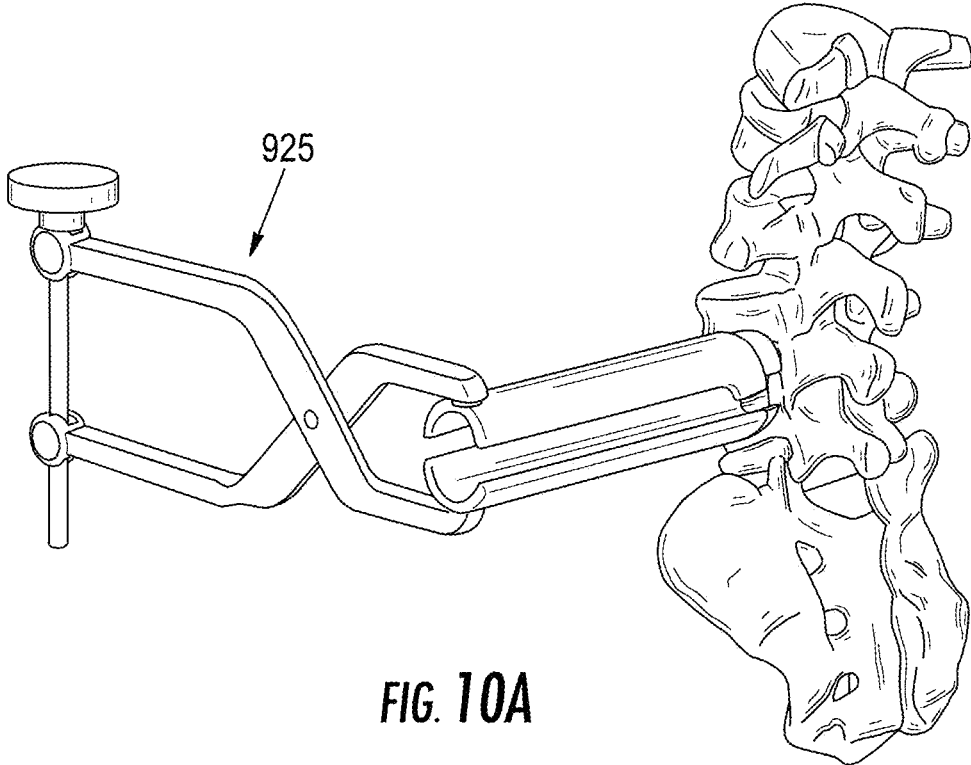
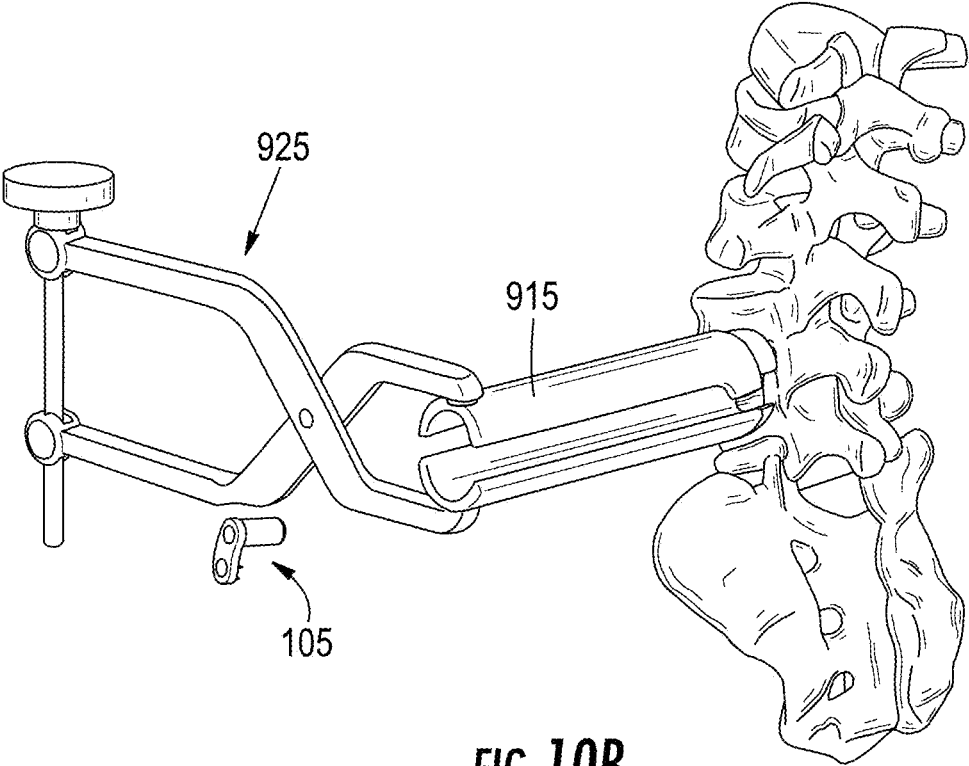


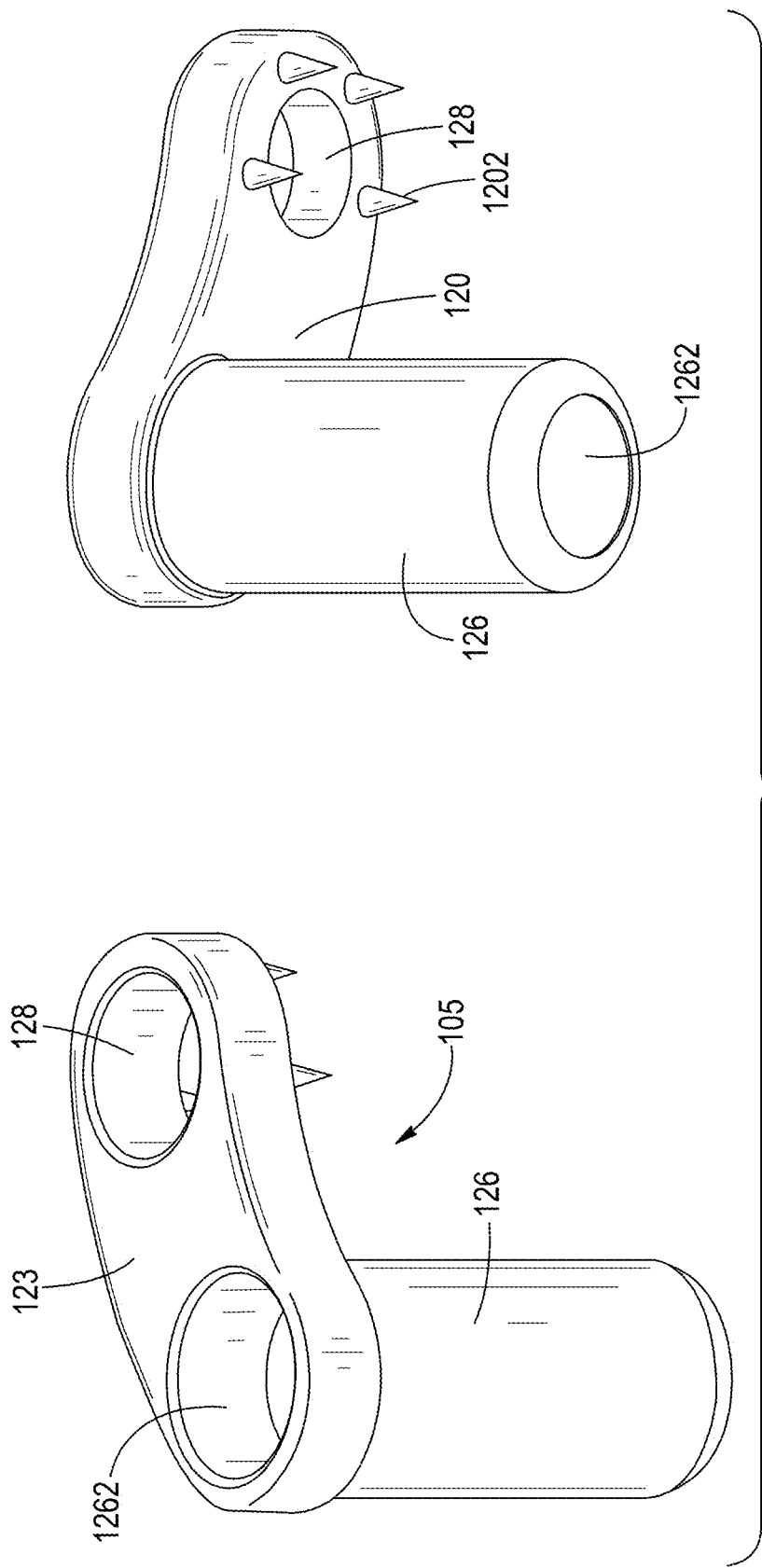
FIG. 9B



**FIG. 10A**



**FIG. 10B**



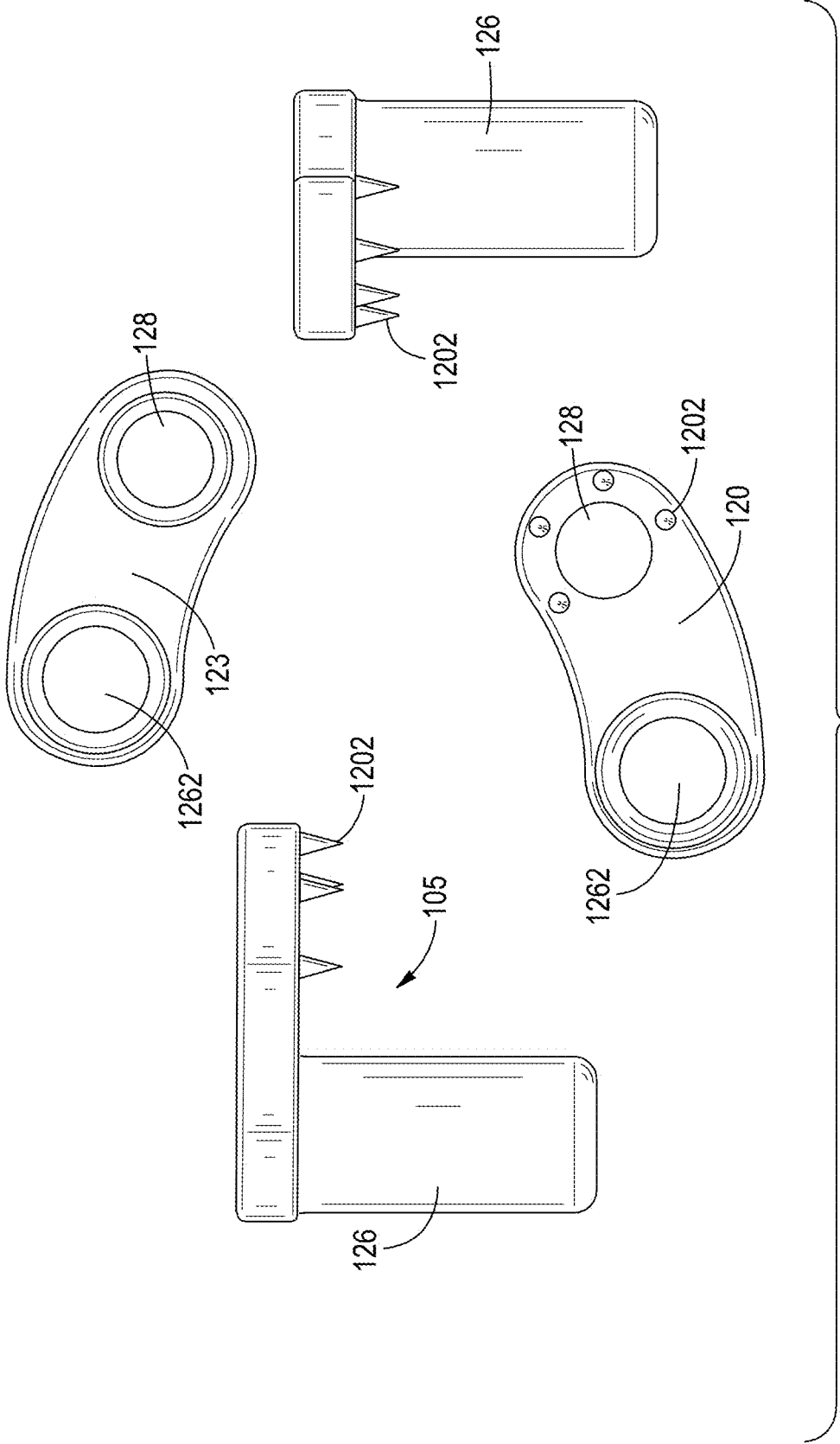
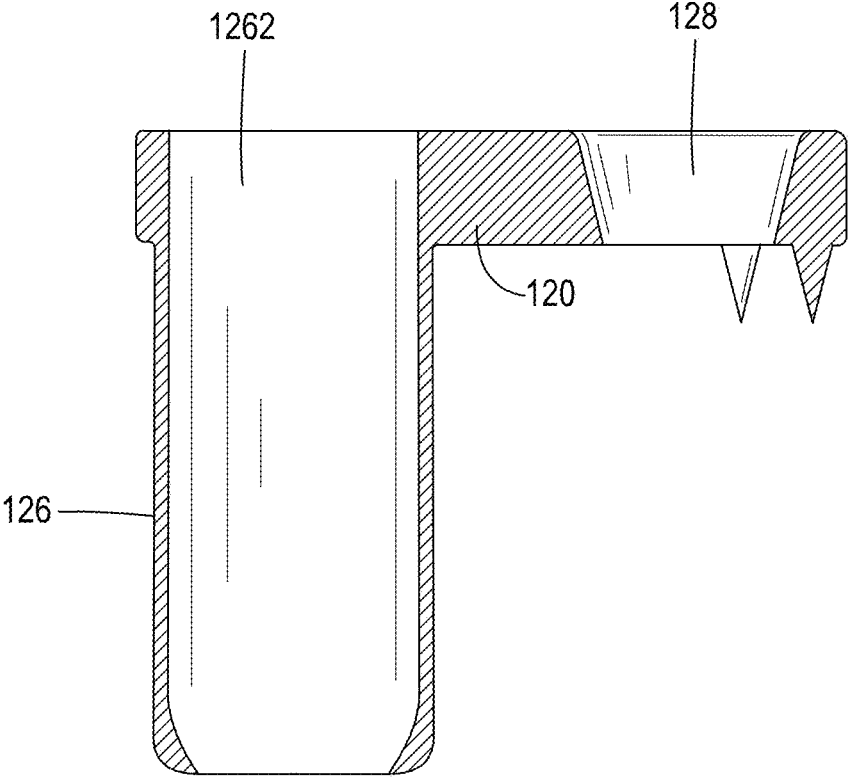


FIG. 12



**FIG. 13**

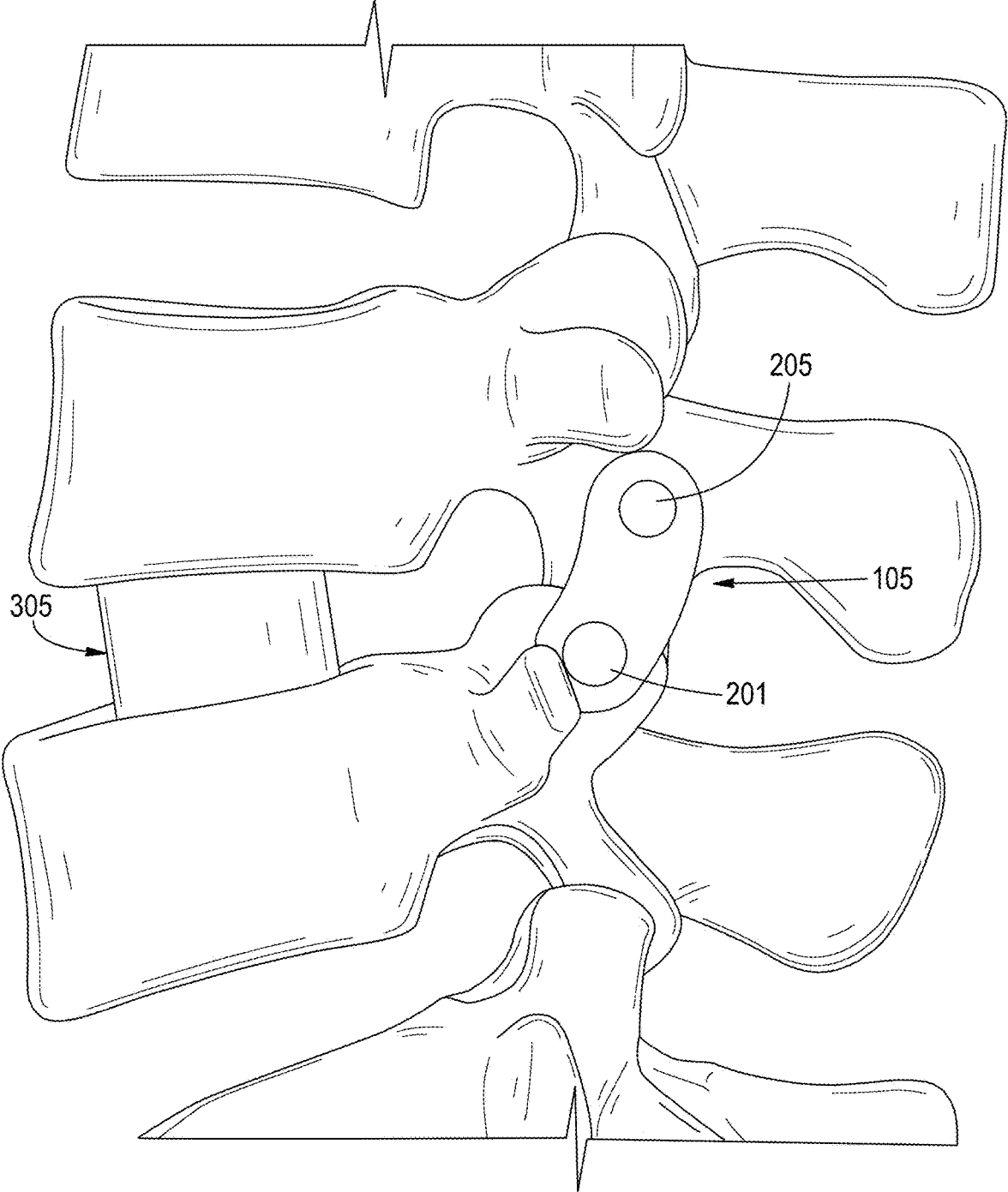


FIG. 14

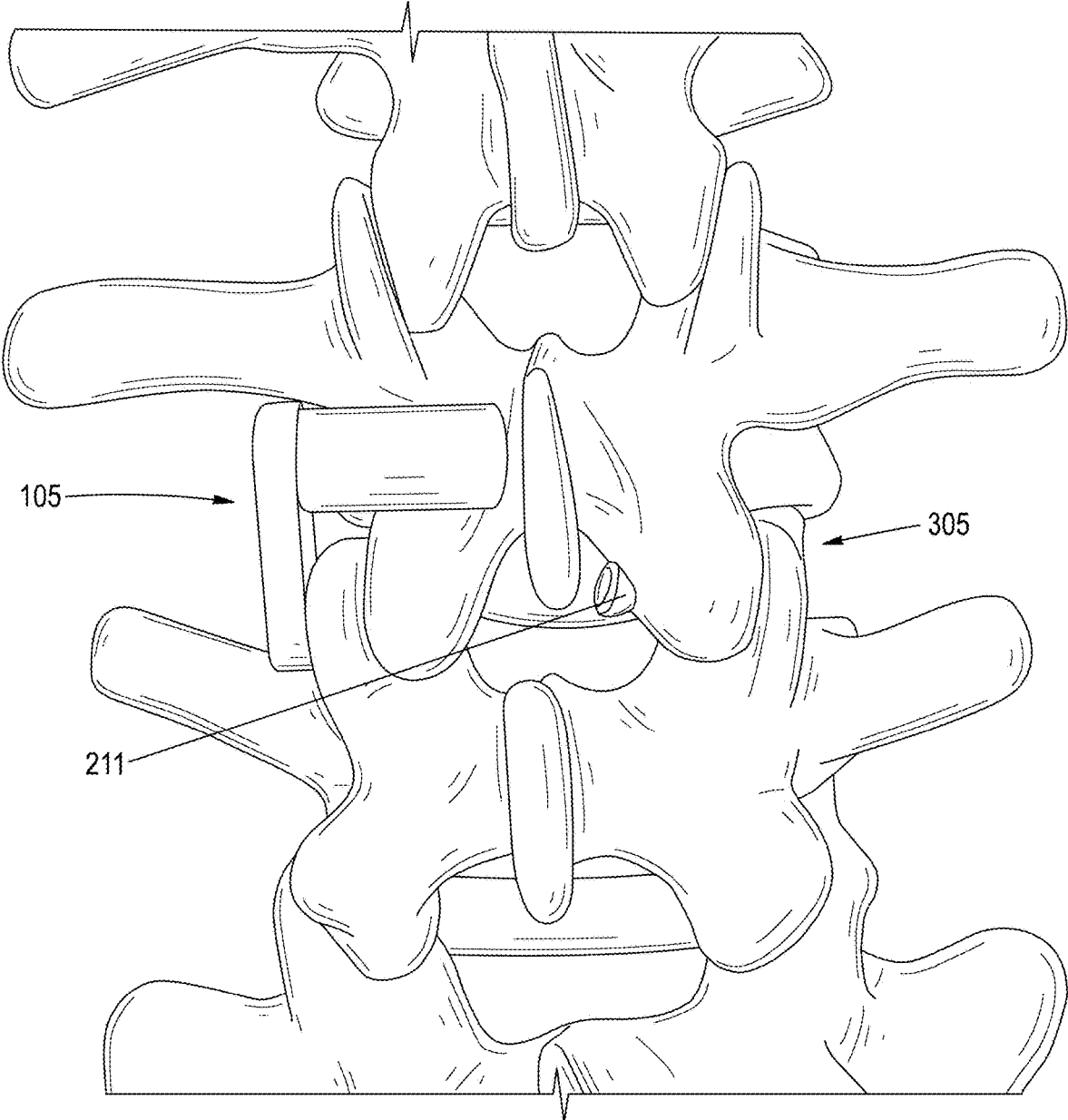


FIG. 15



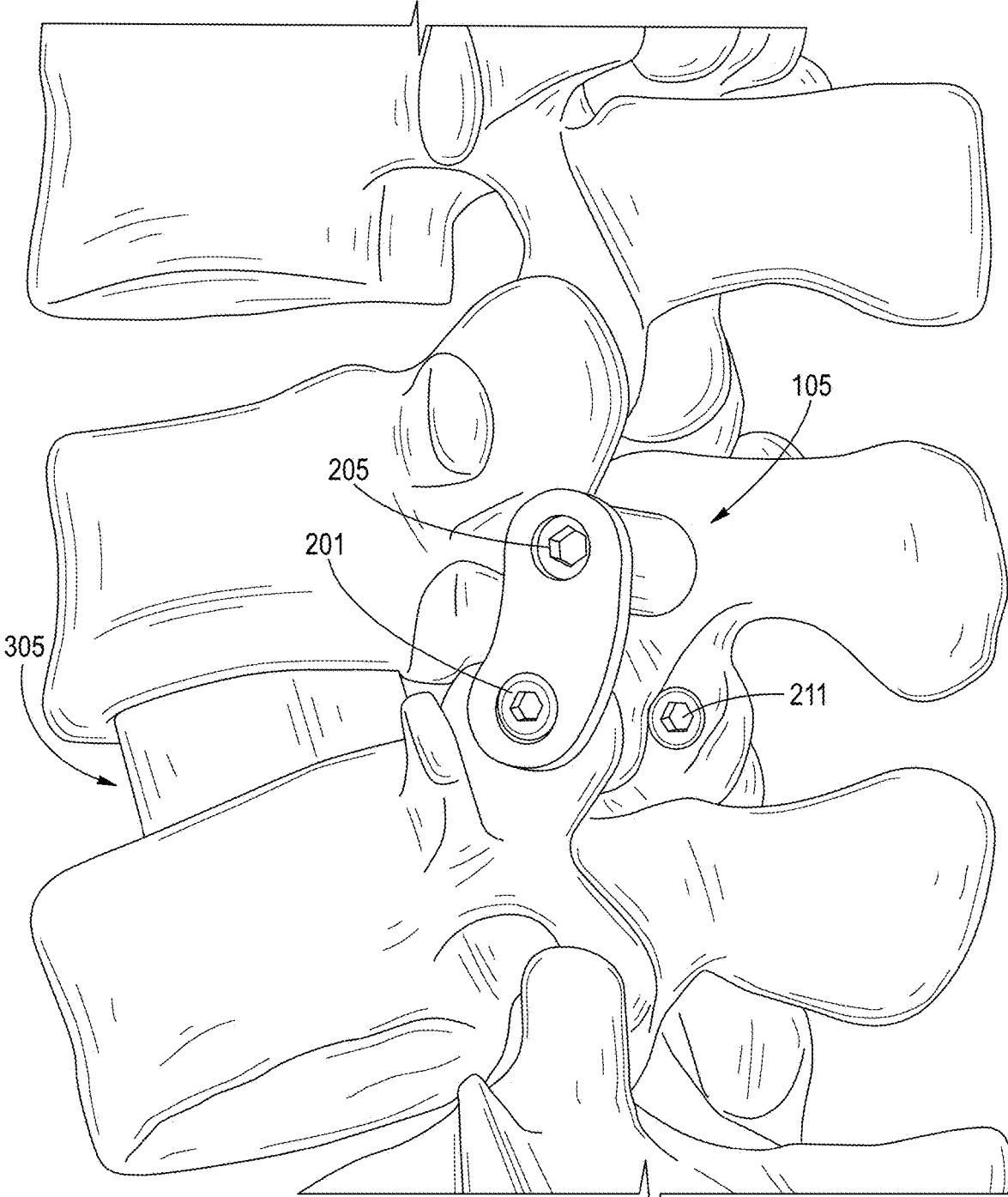


FIG. 16

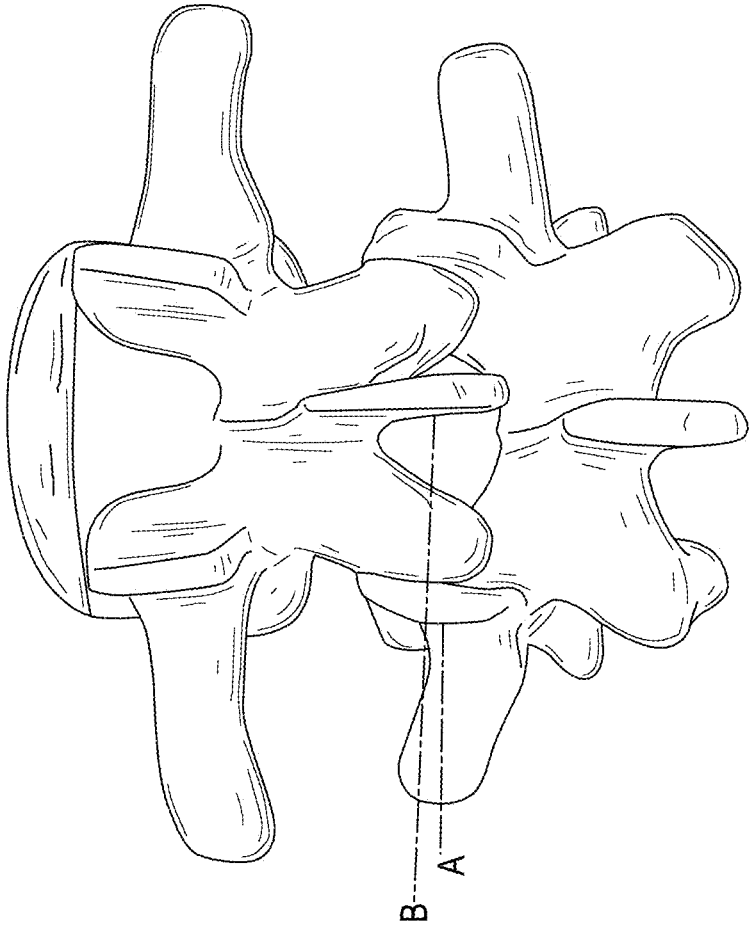


FIG. 17B

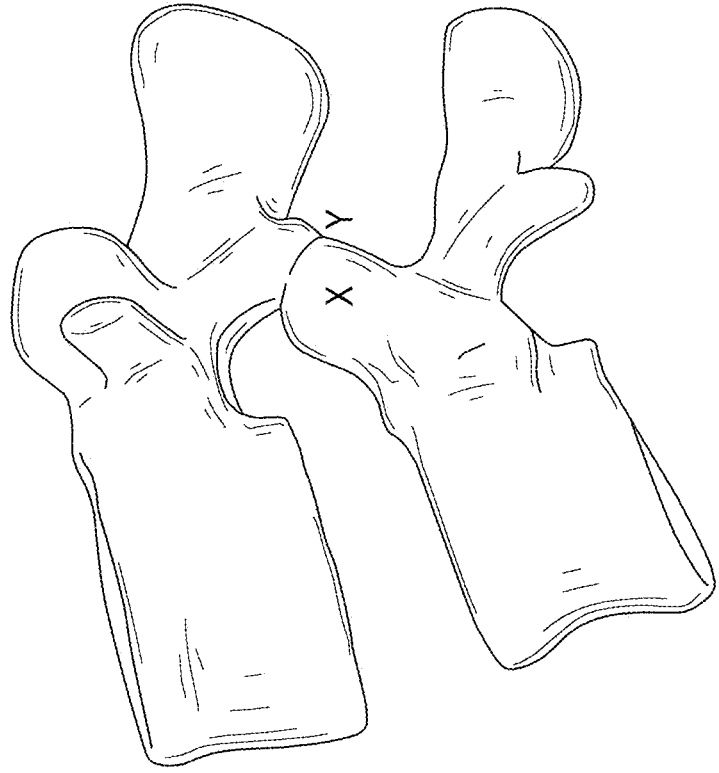
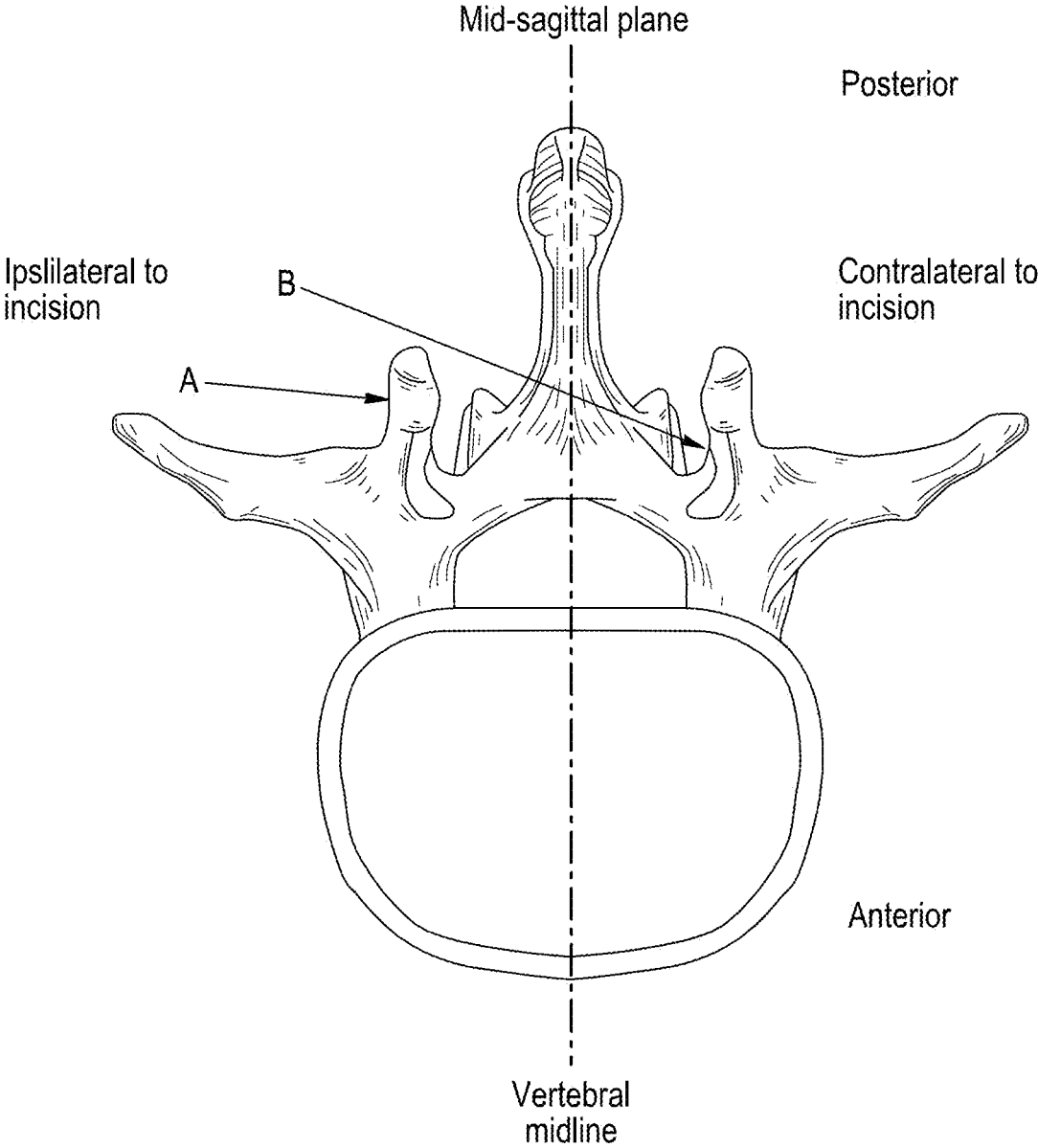


FIG. 17A



**FIG. 17C**

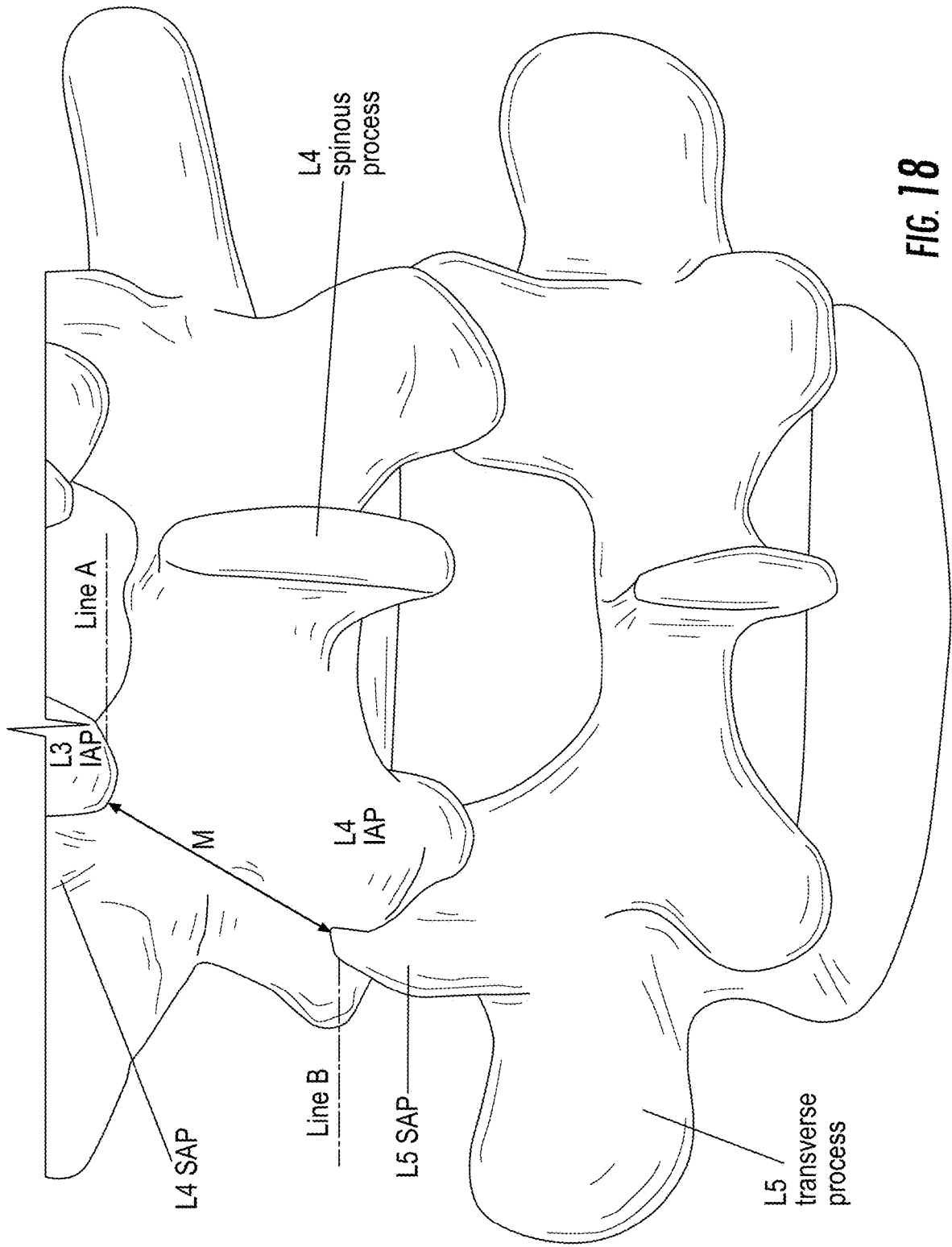


FIG. 18

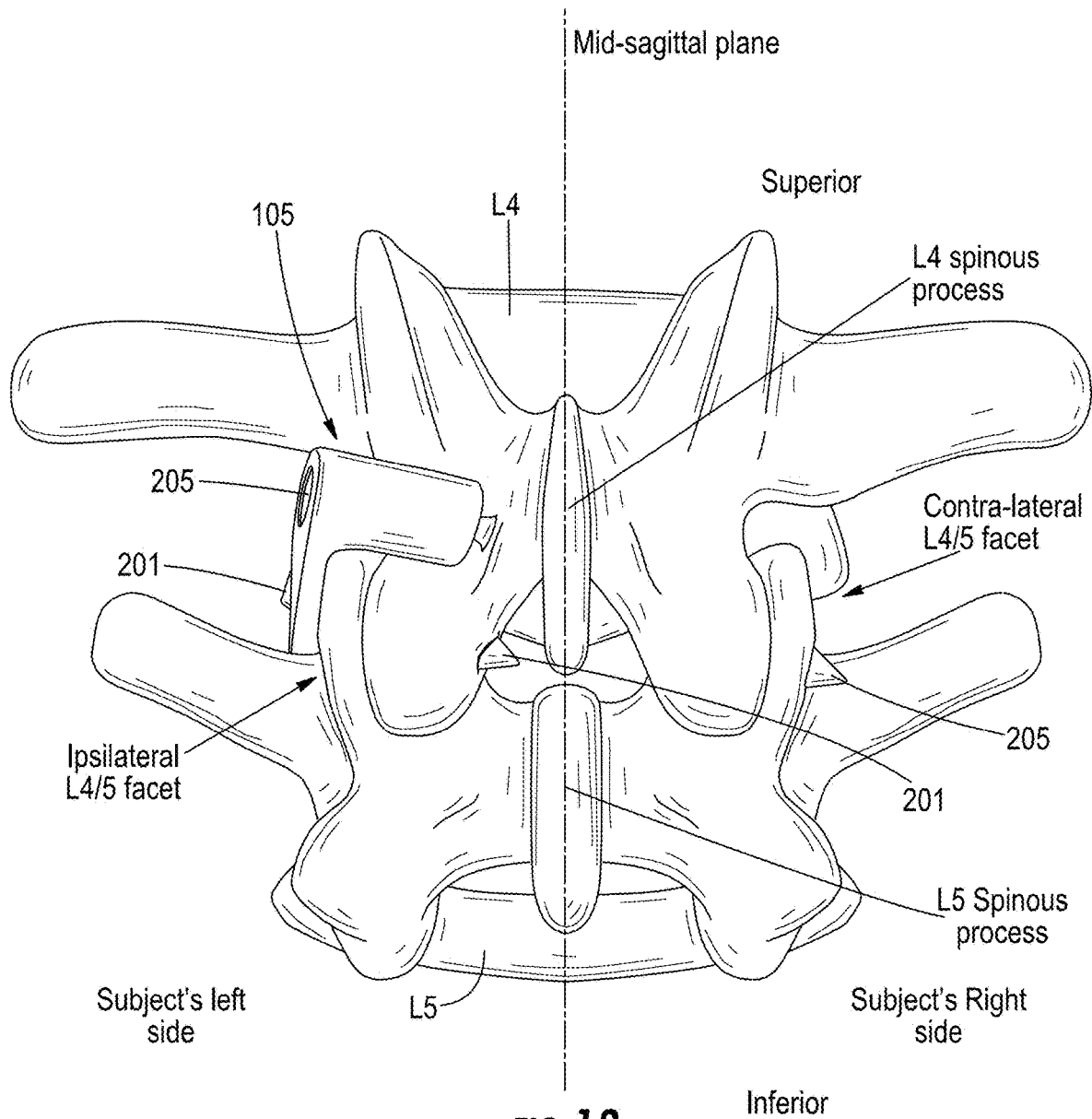


FIG. 19

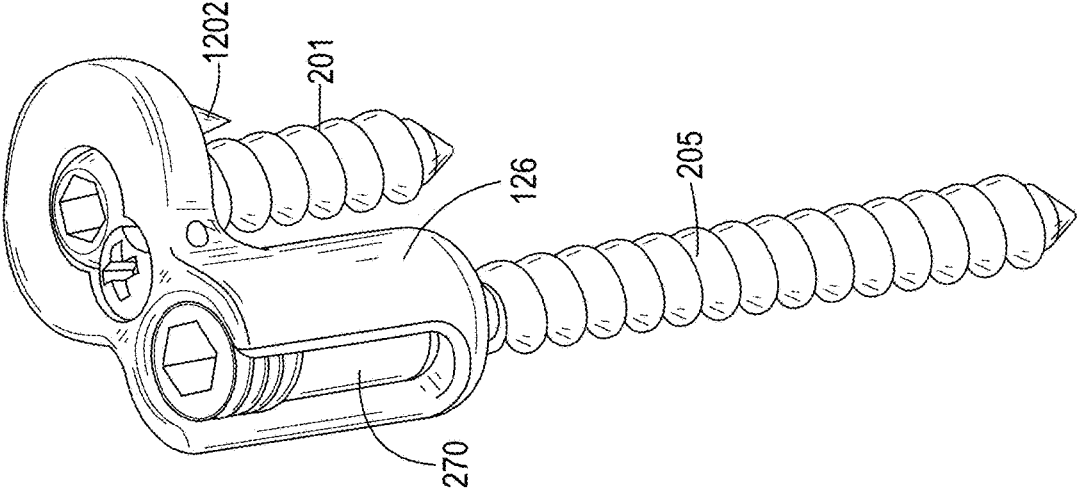
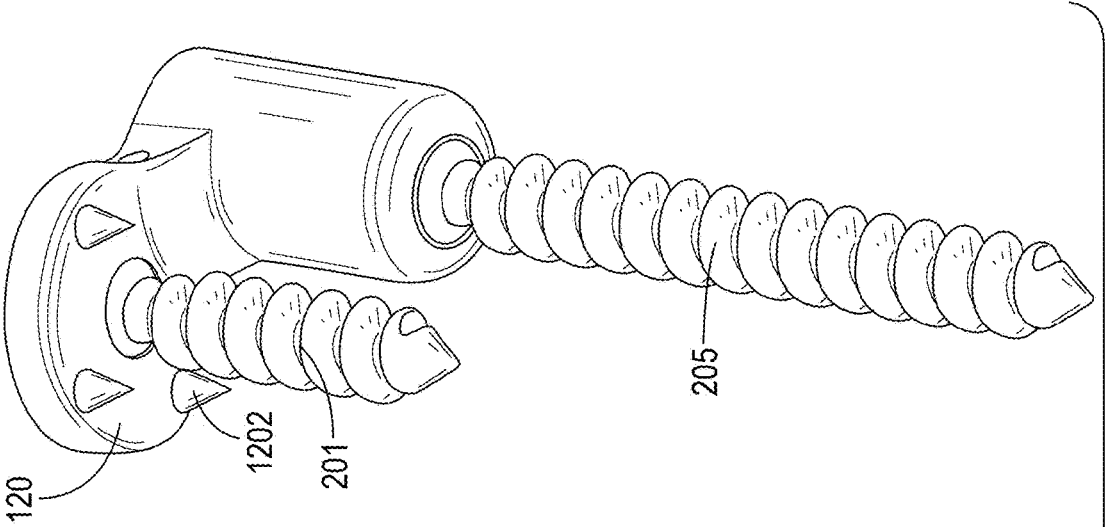


FIG. 20

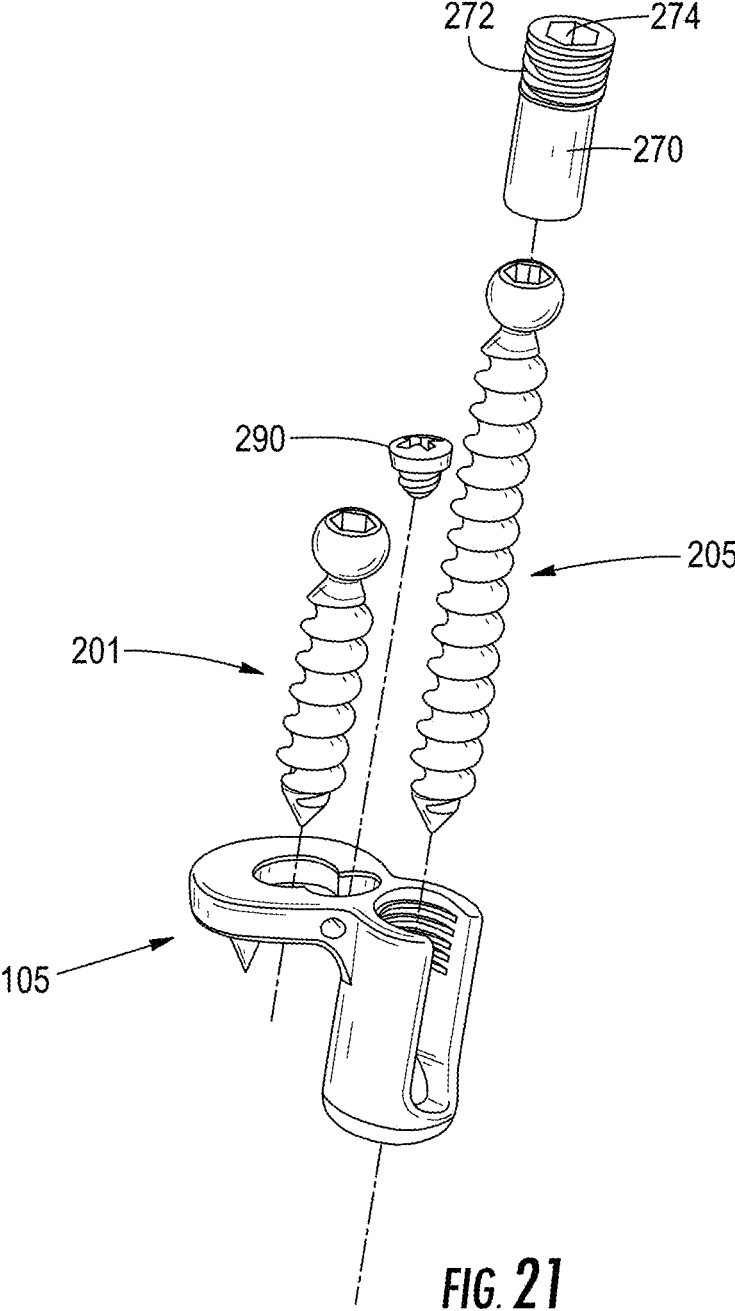
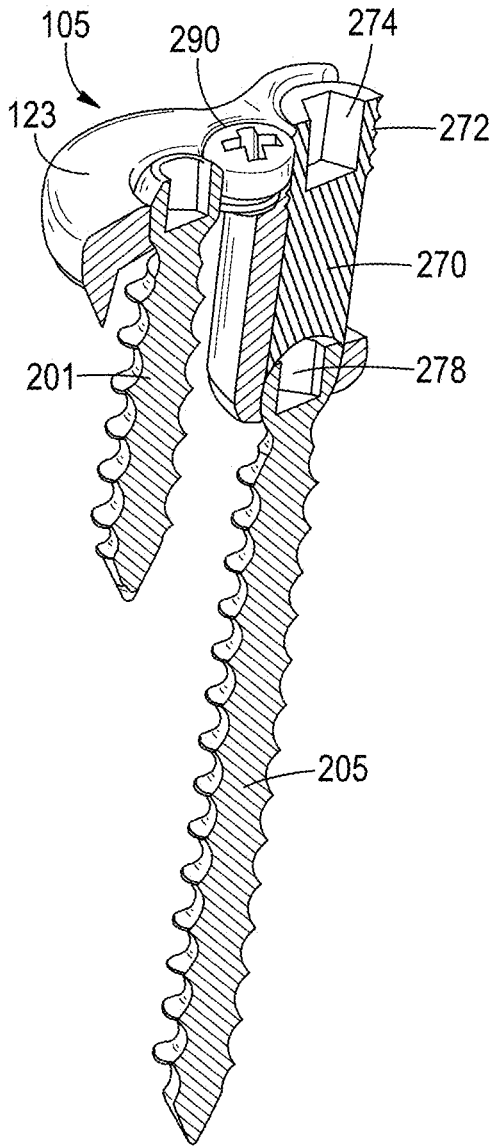
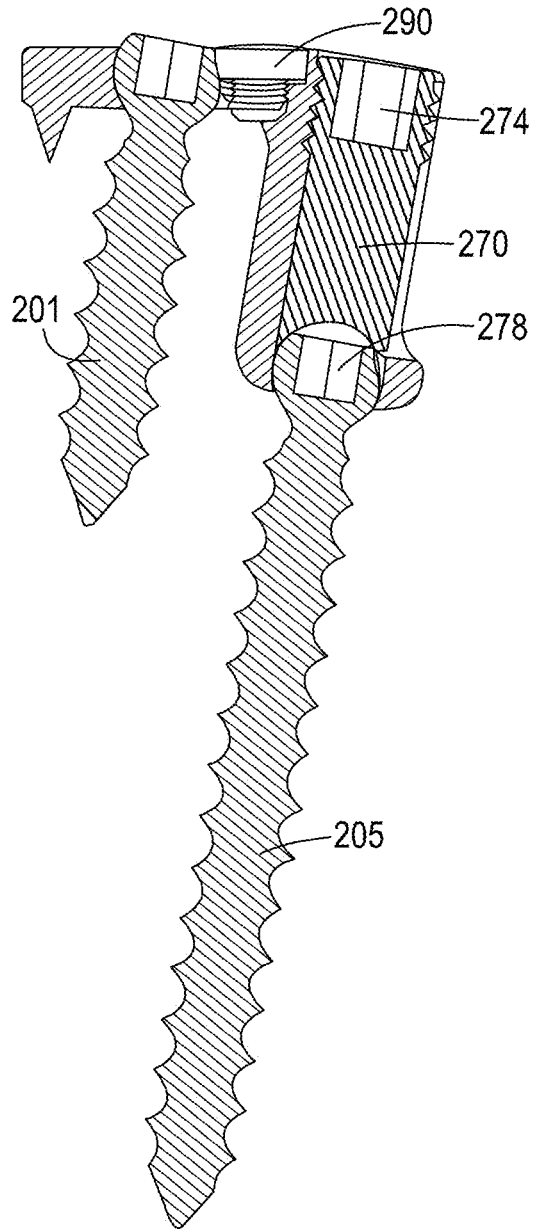


FIG. 21



**FIG. 22A**



**FIG. 22B**



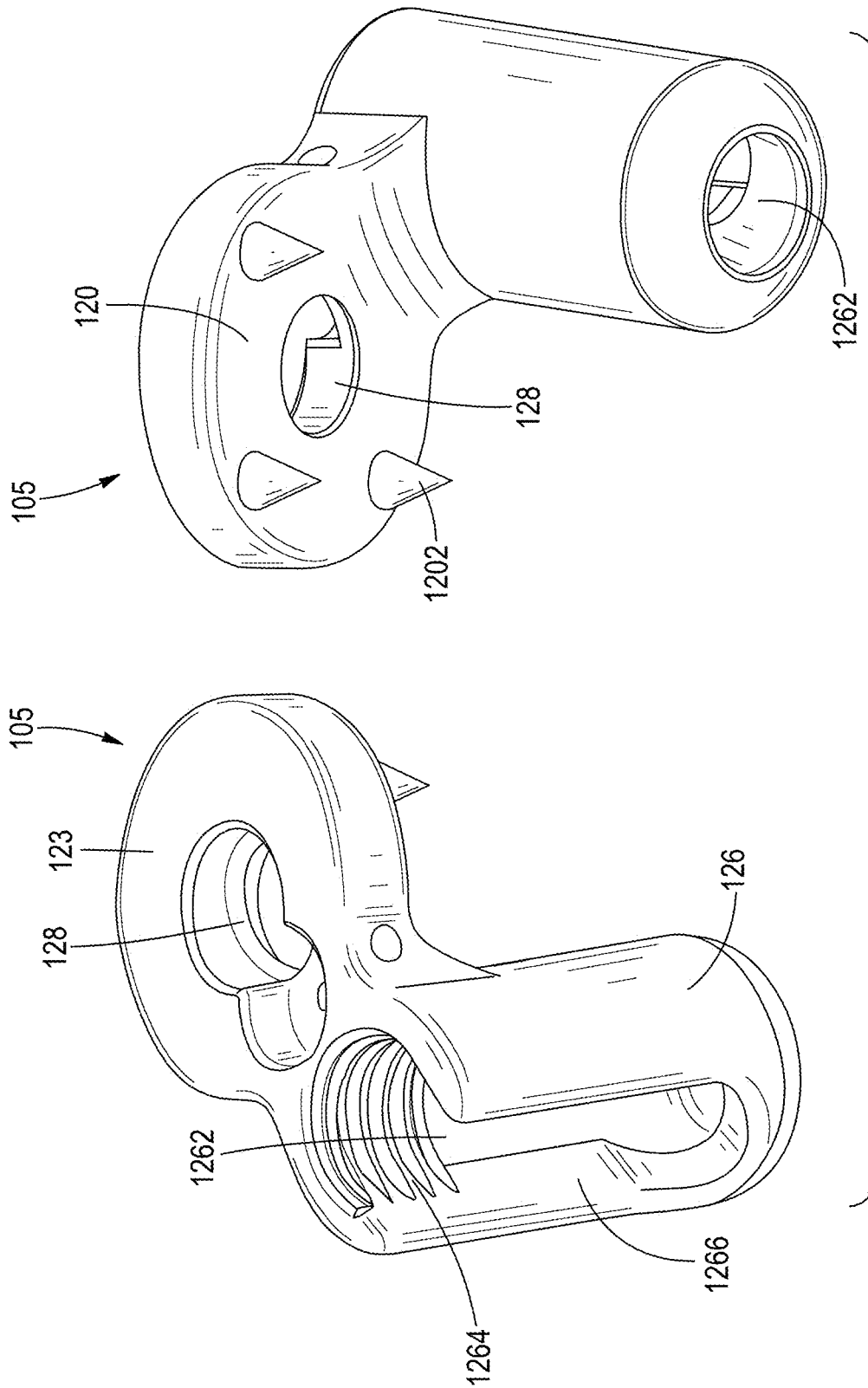


FIG. 23

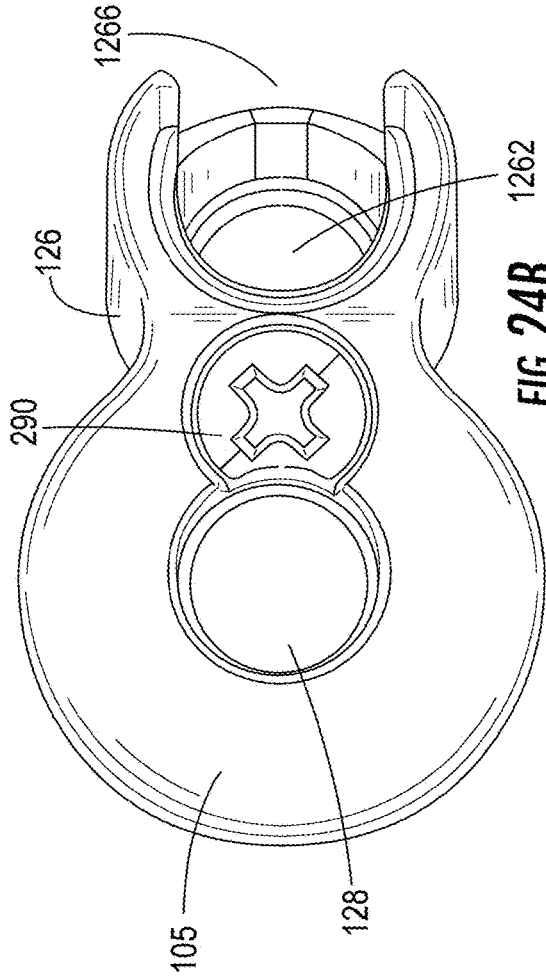


FIG. 24B

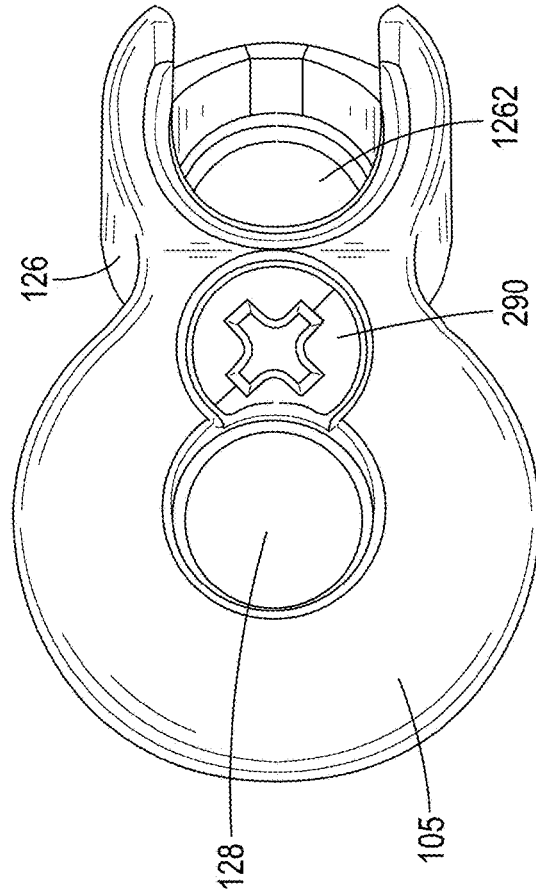


FIG. 24C

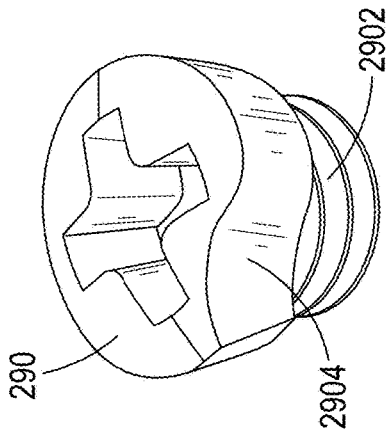


FIG. 24A

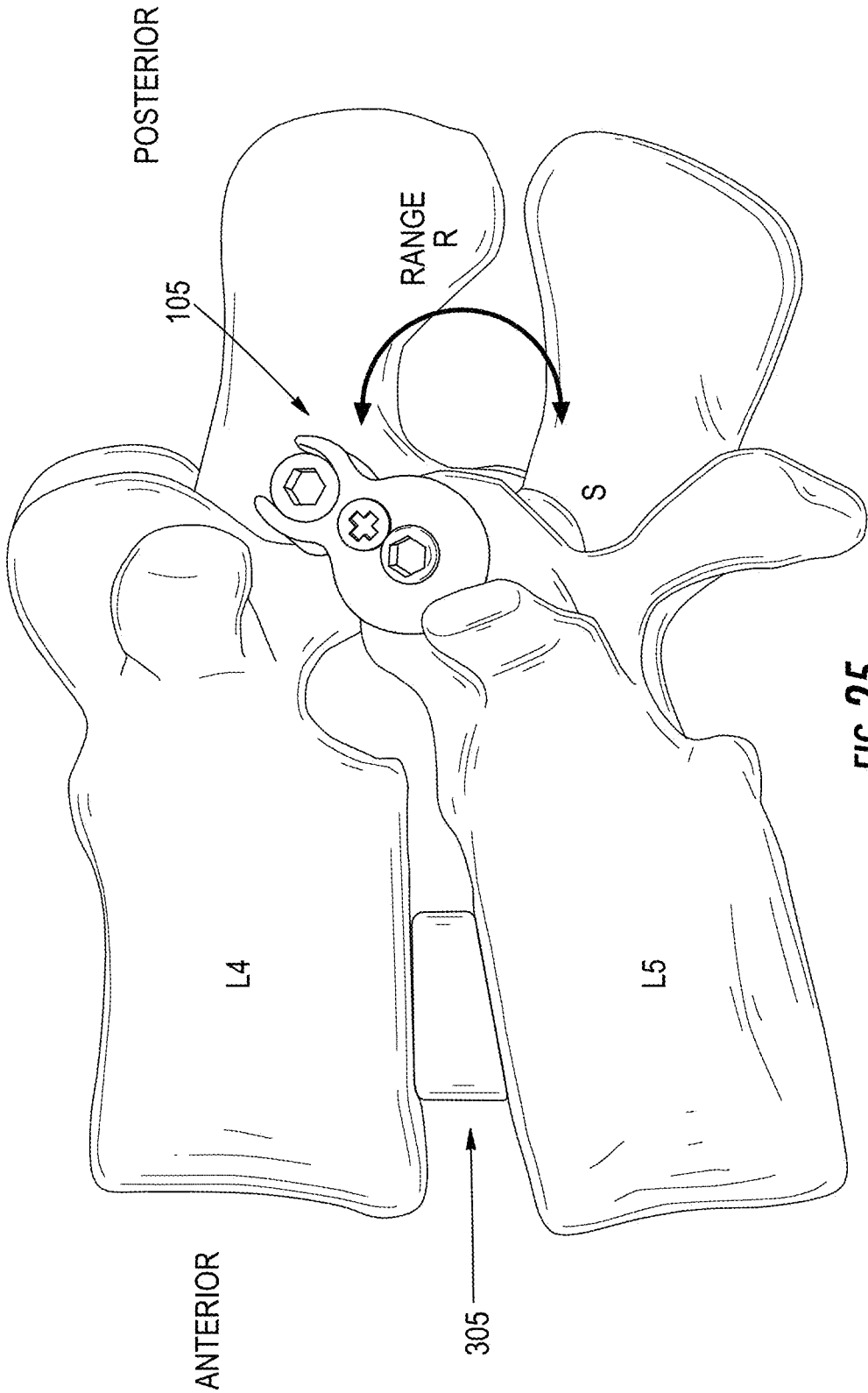


FIG. 25

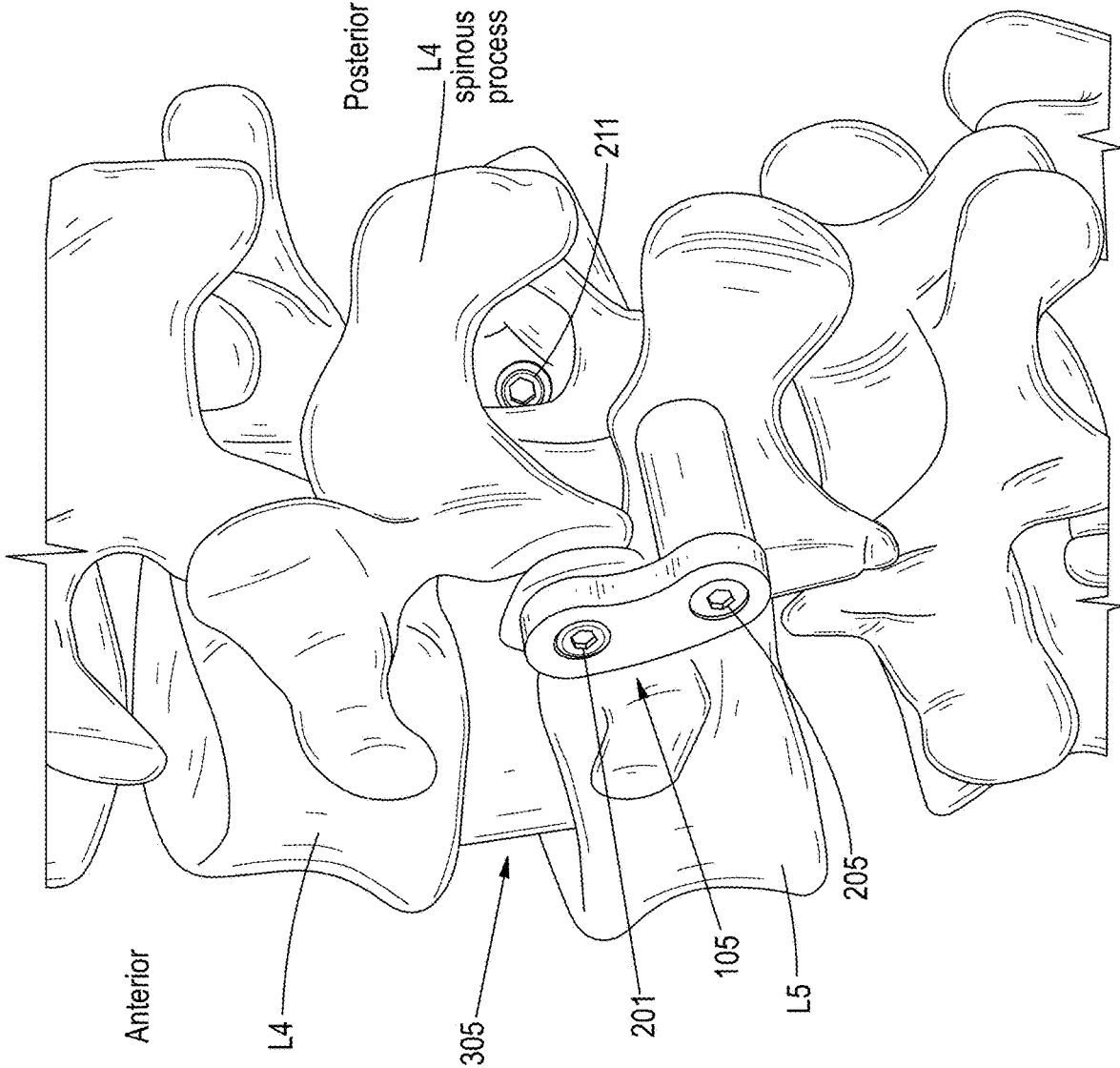


FIG. 26

## SPINAL FIXATION DEVICES AND METHODS OF USE

### PRIORITY

**[0001]** This application claims priority to U.S. Provisional Patent Application Ser. No. 61/743,162 filed on Aug. 28, 2012 of the same title, and to U.S. Provisional Patent Application Ser. No. 61/797,177 filed on Dec. 1, 2012 of the same title, each of which is incorporated herein by reference in its entirety.

### COPYRIGHT

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### BACKGROUND

#### 1. Field of the Disclosure

**[0003]** This disclosure relates generally to bone fixation systems. In one exemplary aspect, apparatus and methods are disclosed for implant placement so as to adjust, align and maintain the spatial relationship(s) of adjacent bones or bony fragments after e.g., surgical reconstruction of skeletal segments.

#### 2. Description of Related Technology

**[0004]** Whether from degenerative disease, traumatic disruption, infection or neoplastic invasion, alteration in the anatomical relationships between the spinal vertebrae can cause significant pain, deformity and disability. Spinal disease is a major health problem in the industrialized world and the surgical treatment of spinal pathology is an evolving discipline. The traditional surgical treatment of abnormal vertebral motion is the complete immobilization and bony fusion of the involved spinal segment and an extensive array of surgical techniques and implantable devices have been formulated to accomplish the treatment objective.

**[0005]** Regardless of the specific objectives of surgery, many surgeons employ implantable devices that maintain the desired spatial relationship(s) between adjacent vertebral bodies. The effectiveness of these devices is critically dependent on adequate fixation into the underlying bone. While screw fixation into the pedicle portion of the vertebral body has emerged as a common method of device fixation, it remains a substantial operation with multiple shortcomings.

**[0006]** Hence, it would be desirable to provide improved spinal fixation devices and methods of their use.

### SUMMARY

**[0007]** The present disclosure addresses the foregoing needs by disclosing, inter alia, apparatus and methods for the treatment of abnormal spinal stability and stenosis of the spinal canal by providing decompression and/or fixation thereof.

**[0008]** In a first aspect, a method for bilateral immobilization of a facet joint is disclosed. In one embodiment, the method includes implanting one or more implants to fixate

the posterior column of a spinal segment compromised of the superior and inferior immediately adjacent vertebral bones.

**[0009]** In another embodiment, the method comprises: (i) approaching a lateral aspect of an ipsilateral facet joint, the ipsilateral facet joint comprising an inferior articulating process of a superior vertebral bone and a superior articulating process of an inferior vertebral bone, (ii) positioning a first segment of an orthopedic implant to abut a lateral side wall of the superior articulating process of the inferior vertebral bone, (iii) positioning a second segment of the orthopedic implant to extend medial to the ipsilateral facet joint, (iv) coupling a first bone fastener to the first segment of the orthopedic implant, (v) advancing the first bone fastener from a lateral aspect to a medial aspect of the ipsilateral facet joint, (vi) coupling a second bone fastener to the second segment of the orthopedic implant, and (vii) advancing the second bone fastener from a medial to a lateral aspect of a contralateral facet joint.

**[0010]** In yet another embodiment, the method includes: approaching a portion of an facet joint, said facet joint comprising an first articulating process of a first vertebral bone and a second articulating process of a second vertebral bone; positioning a first segment of an orthopedic implant to abut at least a portion of said second articulating process of said second vertebral bone; positioning a second segment of said orthopedic implant to extend proximate to said facet joint; coupling a first bone fastener to said first segment of said orthopedic implant; advancing said first bone fastener from a first aspect to a second aspect of said facet joint; coupling a second bone fastener to said second segment of said orthopedic implant; and advancing said second bone fastener from a first aspect to a second aspect of a second facet joint.

**[0011]** In a second aspect, a method of providing decompression of spinal stenosis is disclosed. In one embodiment, the method comprises rigidly fixating the superior articulating process (SAP) of an inferior vertebral bone with the bony segment of an immediately superior vertebral bone. In another embodiment, the method comprises: percutaneously placing an implant such that the superior articulating process (SAP) of the inferior vertebral bone and the superior articulating process (SAP) of the immediately superior vertebral bone are retained in the distracted position.

**[0012]** In a third aspect, an orthopedic implant is disclosed. In one embodiment, the implant includes a body configured to abut a lateral side wall of the superior articulating process of the inferior vertebral bone, and extend medial to the ipsilateral facet joint, and two bone fasteners configured to be accepted within respective portions of the body. The first of the two bone fasteners is configured to be advanced from a lateral aspect to a medial aspect of the ipsilateral facet joint. The second of the two bone fasteners is configured to be advanced from a medial to a lateral aspect of a contralateral facet joint.

**[0013]** In a fourth aspect, a placement instrument for implanting an implant within a subject spine is disclosed. In one embodiment, the placement instrument includes a first tissue dilator configured to be placed through a lateral corridor to a target implant location, one or more second tissue dilators of greater diameter than the first tissue dilator and configured to be placed over the first tissue dilator, and a distraction device configured to be placed over the first and the one or more second tissue dilators. The distraction

device is further configured to be distracted such that the first and the one or more second tissue dilators may be removed and the implant implanted at the target implant location.

[0014] The details of one or more embodiments are set forth in the accompanying drawings and description below. Other features, objects, and advantages will be apparent from the following description, the accompanying drawings and from the claims.

#### BRIEF DESCRIPTION OF THE DRAWINGS

[0015] FIG. 1 provides multiple views of an exemplary spinal vertebral bone.

[0016] FIG. 2A is a view of an exemplary functional spinal unit (FSU), which includes two adjacent vertebrae and the intervertebral disc between them illustrating a posterior surface of the adjacent vertebrae and the articulations between them.

[0017] FIG. 2B is an oblique view of the exemplary FSU of FIG. 2A.

[0018] FIG. 3 is a schematic representation of a patient placed in a lateral decubitus.

[0019] FIG. 4 is a cross sectional view of the torso at the level of the lumbar spine illustrating a flank approach for use with the present disclosure.

[0020] FIG. 5 is a schematic representation of the posterior aspect of a patient.

[0021] FIG. 6A is a side perspective view of a subject spine having an exemplary implant positioned within the L4/L5 disc space.

[0022] FIG. 6B is a side perspective view of a subject spine having an exemplary cylindrical tissue dilator placed between IA and L5.

[0023] FIGS. 7A-7B are side perspective views of a subject spine having a second exemplary tissue dilator placed over the tissue dilator of FIG. 6B.

[0024] FIGS. 8A-8B are side perspective views of a subject spine having a third tissue dilator placed over the tissue dilator of FIGS. 7A-7B.

[0025] FIG. 9A is a side perspective view of a subject spine having exemplary tubular half-receptacles placed over the tissue dilator of FIGS. 8A-8B.

[0026] FIG. 9B is a side perspective view of a subject spine having exemplary tubular half-receptacles in position and having the tissue dilators of FIGS. 6B, 7A-7B, and 8A-8B removed.

[0027] FIGS. 10A-10B are side perspective views of a subject spine having exemplary tubular half-receptacles in a distracted position and prepared for implantation of an exemplary implant.

[0028] FIG. 11 are side perspective views of an exemplary implant for use with the present disclosure.

[0029] FIG. 12 are orthogonal views of the exemplary implant of FIG. 11.

[0030] FIG. 13 is a sectional view of the exemplary implant of FIG. 11.

[0031] FIG. 14 is a lateral perspective view of a subject spine having an exemplary implant positioned therein according to the present disclosure.

[0032] FIG. 15 is a posterior view of a subject spine having an exemplary implant positioned therein according to the present disclosure.

[0033] FIG. 16 is an oblique view of a subject spine having an exemplary implant positioned therein according to the present disclosure.

[0034] FIG. 17A is a lateral view of a subject spine having an exemplary screw advanced therein according to the present disclosure.

[0035] FIG. 17B is a posterior view of a subject spine illustrating an exemplary trajectory for advancement of the exemplary screw of FIG. 17A.

[0036] FIG. 17C is an axial plane view of a subject spine illustrating an exemplary trajectory for advancement of the exemplary screw of FIG. 17A.

[0037] FIG. 18 is a posterior view of a subject spine illustrating an exemplary trajectory for advancement of the exemplary screw of FIG. 17A.

[0038] FIG. 19 is a posterior view of a subject spine illustrating an attachment of an exemplary implant.

[0039] FIG. 20 is a perspective view of an exemplary assembled implant according to the present disclosure.

[0040] FIG. 21 is an exploded view of the exemplary implant of FIG. 20.

[0041] FIGS. 22A and 22 B are sectional views of the exemplary implant of FIG. 20.

[0042] FIG. 23 is multiple perspective views of a portion of the assembled implant of FIG. 20.

[0043] FIG. 24A is a side perspective view of a head portion of an exemplary screw for use with the present disclosure.

[0044] FIGS. 24B and 24C are top views illustrating rotation of the exemplary screw of FIG. 24A into an immobilized position.

[0045] FIG. 25 is a lateral perspective view of a subject spine illustrating an attachment of an exemplary implant.

[0046] FIG. 26 is an oblique view of a subject spine illustrating an attachment of an exemplary implant as in FIG. 25.

[0047] All FIGS. © Copyright 2013. Samy Abdou. All rights reserved.

#### OVERVIEW

[0048] In one aspect, improved apparatus and methods for spinal the treatment of abnormal spinal stability and stenosis of the spinal canal by providing decompression and/or fixation thereof are disclosed. In one exemplary implementation, one or more implants are used to fixate the posterior column of a spinal segment compromised of the posterior and inferior immediately adjacent vertebral bones. In one variant, these disclosed devices are used to fixate the posterior column of a spinal segment while another orthopedic implant is placed into the anterior column of the same spinal segment.

[0049] Exemplary methods for implantation are also disclosed. In one particular embodiment, the implant is percutaneously placed and used to provide decompression of spinal stenosis by retaining the superior articulating process (SAP) of the inferior vertebral bone and the superior articulating process (SAP) of the immediately superior vertebral bone in the distracted position.

[0050] The exemplary embodiments of the herein-described methods and devices provide circumferential decompression of the spinal canal via implantation of an anterior and a posterior implant. Specifically, in one particular embodiment, an anterior column implant is used to distract the implanted disc space from a pre-implantation vertical disc space height to the greater vertical disc space height after implantation, and posterior column implant is used to simultaneously distract the posterior column of the

implanted FSU. In this manner, spinal canal is decompressed circumferentially—anteriorly by the anterior implant and posteriorly by the posterior implant.

#### DETAILED DESCRIPTION

**[0051]** In order to promote an understanding of the principals of the disclosure, reference is made to the drawings and the embodiments illustrated therein. Nevertheless, it is understood that the drawings are illustrative and no limitation of the scope of the claims is thereby intended. Any such alterations and further modifications in the illustrated embodiments, and any such further applications of the principles of the disclosed devices as illustrated herein are contemplated as would normally occur to one of ordinary skill in the art.

**[0052]** Described herein are devices, systems and methods for the treatment of abnormal spinal stability and stenosis of the spinal canal. In an embodiment, one or more implants are used to fixate the posterior column of a spinal segment compromised of the superior and inferior immediately adjacent vertebral bones. The disclosed devices may be used alone or implanted into the spinal segment in conjunction with other orthopedic implants. In an exemplary embodiment, these disclosed devices are used to fixate the posterior column of a spinal segment while another orthopedic implant is placed into the anterior column of the same spinal segment. The anterior column implant is installed in the spinal column using a lateral or an anterior approach to the anterior column (these operations are collectively known as ALIF, XLIF, DLIF and the like). In one particular embodiment, the anterior column implant is implanted into the subject first. However, it is appreciated that either the anterior implant or the posterior column implant may be placed first into the subject.

**[0053]** Posterior fixation employs a device and method to rigidly fixate the superior articulating process (SAP) of an inferior vertebral bone with the bony segment of an immediately superior vertebral bone. In one particular embodiment of device use, the implant is percutaneously placed and used to provide decompression of spinal stenosis by retaining the superior articulating process (SAP) of the inferior vertebral bone and the superior articulating process (SAP) of the immediately superior vertebral bone in the distracted position.

**[0054]** In one embodiment of a method of device use, both anterior and posterior implants may be placed through a single lateral skin incision or two immediately adjacent skin incisions. Further, this method provides circumferential (i.e., anterior and posterior) expansion and decompression of the spinal canal so as to treat spinal stenosis through simultaneous anterior and posterior decompression of the spinal canal. That is, the anterior column implant is used to distract the implanted disc space from a pre-implantation vertical disc space height to the greater vertical disc space height after implantation. (The term disc space height is well known to those of ordinary skill in the art and generally refers to the vertical distance of the disc space as measured from the inferior bone surface of the vertebral bone forming the superior border of the disc space to the superior bone surface of the vertebral bone forming the inferior border of the disc space.) The posterior column implant is used to simultaneously distract the posterior column of the implanted FSU. In this way, the spinal canal is decompressed circumferentially—anteriorly by the anterior implant and posteri-

orly by the posterior implant. In application within a lateral approach to the spinal column, the method allows the spinal canal to be circumferentially decompressed by a single (or two immediately adjacent) incision(s).

**[0055]** As used herein, the anterior column generally designates a portion of the vertebral body and/or Functional Spinal Unit (FSU) that is situated anterior to the posterior longitudinal ligament. Thus, its use in this application encompasses both the anterior and middle column of Denis (see “The three column spine and its significance in the classification of acute thoracolumbar spinal injuries.” Denis, F. *Spine* 1983 November-December; 8(8):817-31, which is incorporated by reference in its entirety.) The illustrations and definitions of anatomical structures are known to those of ordinary skill in the art. They are described in more detail in *Atlas of Human Anatomy*, by Frank Netter, third edition. Icon Learning Systems, Teterboro, New Jersey. The text is hereby incorporated by reference in its entirety. It should be appreciated that the directional language and terms regarding orientation such as upper, lower, upward, downward etc. are used throughout merely for convenience of description and are not intended to be limiting.

**[0056]** FIG. 1 shows various diagrammatic representations of a spinal vertebral bone **802** in multiple views. For clarity of illustration, the vertebral bone of FIG. 1 and those of other illustrations disclosed herein are represented schematically and it should be appreciated that actual vertebral bodies may include anatomical details that are not shown in these figures. Further, it is understood that the vertebral bones at a given level of the spinal column of a human or animal subject contain anatomical features that may not be present at other levels of the same spinal column. The illustrated vertebral bones are intended to generically represent vertebral bones at any spinal level without limitation. The disclosed devices and methods may be applied at any applicable spinal level.

**[0057]** Vertebral bone **802** contains an anteriorly-placed vertebral body **804**, a centrally placed spinal canal **806** and posteriorly-placed lamina **808**. The pedicle segments **810** of vertebral bone **802** form the lateral aspect of the spinal canal **806** and connect the laminae **808** to the vertebral body **804**. The spinal canal **806** contains neural structures such as the spinal cord and/or nerves. A midline protrusion termed the spinous process SP extends posteriorly from the medial aspect of laminae **808**. A protrusion extends laterally from each side of the posterior aspect of the vertebral bone **802** and is termed the transverse process TP. A right transverse process RTP extends to the right and a left transverse process LTP extends to the left. A superior protrusion extends superiorly above the lamina **808** on each side of the vertebral midline and is termed the superior articulating process SAP. An inferior protrusion extends inferiorly below the lamina **808** on each side of the vertebral midline and is termed the inferior articulating process IAP. Note that the posterior aspect of the pedicle **810** can be accessed at an indentation **811** in the vertebral bone **802** between the lateral aspect of the SAP and the medial aspect of the transverse process TP. In surgery, it can be common practice to anchor a bone fastener into the pedicle portion **810** of a vertebral bone **802** by inserting the fastener through indentation **811** and into the underlying pedicle **810**.

**[0058]** FIGS. 2A and 2B illustrate a (Functional Spinal Unit) FSU, which includes two adjacent vertebrae and the intervertebral disc between them. The intervertebral disc

resides between the inferior surface of the upper vertebral body and the superior surface of the lower vertebral body, although it is not specifically shown in the figures. FIG. 2A shows the posterior surface of the adjacent vertebrae and the articulations between them. FIG. 2B shows an oblique view. The FSU contains a three joint complex between the two vertebral bones, with the intervertebral disc comprising the anterior joint. The posterior joints include a facet joint **814** on each side of the midline, wherein the facet joint **814** contains the articulation between the IAP of the superior vertebral bone and the SAP of the inferior bone.

**[0059]** The interspinous space is generally defined as the space immediately between the spinous processes of a superior vertebral bone and the spinous process of an immediately adjacent inferior vertebral bone. The interspinous space is limited anteriorly by the spinal canal **806** and posteriorly by the posterior tip of the spinous processes. The right lateral aspect of the interspinous space is limited by the right lateral side of the spinous processes whereas the left lateral aspect of the interspinous space is limited by the left lateral side of the spinous processes. Note that the spinous processes of adjacent vertebral bones may be rotated in the axial plane relative to one another because of biological and/or individual variation (schematically shown in FIG. 2). The interspinous space would continue to be defined as residing between the spinous processes of the superior and inferior vertebral bones.

**[0060]** As mentioned above, some device embodiments perform a spacing function wherein they distract and separate the ipsilateral superior articulating processes (SAPs) of each of the inferior and superior vertebral bones of the functional spinal unit to be fixated. It also fixates and immobilizes the SAPs of these two adjacent vertebral bones. These devices can be implanted using a lateral approach with the patient in the lateral decubitus position. (An example of a patient placed in the lateral decubitus in shown in FIG. 3.) While the patient is positioned in the lateral decubitus position, an anterior column implant may be placed through a skin incision at or about "X". The same or a closely adjacent skin incision is also used to place the posterior column implant.

**[0061]** It is contemplated that the fixation devices described herein are particularly adapted to be placed through a lateral surgical approach to the spine that starts with a surgical incision within the patient's flank (i.e., side aspect of the abdominal cavity). The fixation devices described herein are also particularly adapted for use in stabilizing the posterior aspect of a spinal segment when a second orthopedic implant is implanted into the disc space of that segment using a lateral, or flank, approach to the disc space. While the lateral approach is employed in the above-described method of use, the implantation procedure of the device is by no means limited to a lateral approach to the interspinous space. That is, it is appreciated that the fixation devices described herein may be used with any surgical approach to the posterior aspect of the spine and the disclosed fixation devices can be positioned in the spine using any appropriate surgical method and/or surgical corridor.

**[0062]** As noted, the fixation devices may be implanted into the lumbar spine using a flank incision and a lateral approach. The spinal level of desired device implantation can be localized under X-ray guidance. Referring to FIG. 4, a skin incision can be placed in the flank at the approximate cephalad-caudal level of the implantation site on the spine.

FIG. 4 illustrates a cross sectional view of the torso at the level of the lumbar spine. For clarity of illustration, the contents are represented schematically and those skilled in the art will appreciate that an actual cross section of the human torso may include anatomical details not shown in FIG. 4.

**[0063]** In preparation for percutaneous placement of the implant into a spinal level, the patient can be, but is not necessarily, placed in a prone or lateral decubitus position. (An example of a patient placed in a lateral decubitus in shown in FIG. 3.) The level of the spine that is to be implanted can be localized on X-ray in at least one plane. After the customary sterile preparation of the operative site, the surgeon can localize an incision point on the skin that is substantially directly lateral to the spinal segment that is to be implanted. FIG. 5 shows a schematic representation of the posterior aspect of a patient. Lines Y approximate the lateral extent of the transverse processes of the spinal column. Assuming that the spinal level to be accessed is at line Z, the surgeon can make an incision at or about circle X.

**[0064]** A lateral corridor "Y" (FIG. 4) can be made from the flank, through the psoas muscle **116** and onto the lateral aspect of the disc space at the spinal level to be implanted. An implant can be placed through the corridor Y and into disc space or onto the spine. The procedure is known to those skilled in the art and known by differing names, such as the "XLIF" procedure (see "Extreme Lateral Interbody Fusion (XLIF): a novel surgical technique for anterior lumbar interbody fusion." By Ozgur, Aryan et al. in *Spine J.* 2006 July-August; 6(4):435-43, which is hereby incorporated by reference in its entirety.) Variations of the operation are also known as Direct Lateral Interbody Fusion (DLIF) and the like.

**[0065]** A second lateral corridor "Z" (FIG. 4) can be made from the flank, through the posterior tissues lateral to the spine and onto the lateral aspect of the ipsilateral SAP of the superior and inferior vertebral bones to be immobilized. While Corridor Y and Corridor Z are shown schematically as exiting the skin **118** of the flank at two different sites, both corridors can be made through a single, common skin incision on the patient's flank. That is, a single incision is made through the skin **118** then a first sub-cutaneous trajectory is used to form the anterior Corridor Y and a second sub-cutaneous trajectory is used to form the posterior Corridor Z. The devices disclosed herein can be implanted into the posterior aspect of a functional spinal unit using a Corridor Z and, at the same operation, an implant can be placed into or onto the anterior column (including disc space) of the same functional spinal unit using a Corridor Y.

**[0066]** An exemplary method of device implantation is now illustrated. In an embodiment, a functional spinal unit FSU can be targeted for immobilization and fusion. FIG. 6A shows an illustrated spine with implant **305** positioned within the L4/L5 disc space. The level to be fused is the functional spinal unit FSU that includes the L4 and L5 vertebral bones and the intervening disc. An anterior column implant **305** is implanted into the L4/L5 disc space. In one particular embodiment, the anterior column implant is placed first, and the posterior column implant is subsequently placed. In one embodiment, the implant **305** is placed into the disc space using a true lateral, trans-psoas approach, wherein a lateral surgical corridor such as Corridor Y (FIG. 4) is used to access the disc space. A lateral



corridor, such as Corridor Z, can be used to implant fixation device **105**. In one embodiment, the anterior implant **305** is implanted first. It is noted that a different level of the spine may be targeted for immobilization in another embodiment. For clarity of illustration, the vertebral bones of the illustrations presented herein are represented schematically and those skilled in the art will appreciate that actual vertebral bodies may include anatomical details that are not shown in these figures. It is also understood that the totality of the operation—from selection of the target level to implant to the final placement of implant—can be performed under X-ray guidance. Further, the operation can be performed using percutaneous or minimally invasive surgical techniques with or without the aid of electrophysiological monitoring. The later include techniques such as electromyography (EMG), somato-sensory and motor evoked potential and the like. The techniques are intended to alert the operating surgeon to the presence of nerves and other neural elements within the surgical corridor. EMG identification of nerves permits the surgeon to navigate the surgical site with increased safety and to lessen the possibility of nerve injury.

**[0067]** A corridor Z is developed through the soft tissues from the skin incision to the lateral aspect of the SAP of the inferior vertebral bone of the FSU to be fused. The corridor can be developed using a variety of methods. As is known in the art, a wire or tissue dilator of small diameter may be percutaneously passed onto the lateral aspect of the target SAP using radiographic guidance. A dilator of larger diameter is then passed over the initial dilator. The process is repeated/reiterated with tissue dilators of progressively greater diameter until the desired size corridor is developed.

**[0068]** As an alternative step, an expandable retractor may be placed at a desired point of the iterative dilation process and the corridor can be expanded by direct expansion of the retractor. This process is illustrated in FIGS. **6-10**. FIG. **6A** shows the anterior column implant **305** having been placed into the L4/5 disc space. Implant **305** is placed the disc space by developing a lateral corridor Y (substantially similar to that of FIG. **4**). Tissue dilators are placed from the skin, through the psoas muscle and guided onto the ipsilateral side of the L4/5 disc space. The soft tissue is sequentially dilated by passing dilators of progressively greater diameter and then positioning a tissue distractor as the final dilation step. (While sequential dilation is not shown for placement of implant **305** into anterior column, it is shown in FIGS. **6-10** for placement of implant **105** into the posterior column. The procedure for implant **305** placement is similar to that shown in FIGS. **6-10**.) The distractor is opened and an L4/5 discectomy is performed. The implant **305** may be a fusion implant comprised of an internal cavity configured to house a bone graft material. The implant **305** is sized to extend fully from the ipsilateral lateral border of the implanted disc space (L4/5 in this illustration) to the contralateral lateral border of the disc space. In this way, the implant is positioned to rest upon the epipheseal ring of the vertebral bones that border the implanted disc space.

**[0069]** FIG. **6B** shows a cylindrical tissue dilator **900** placed through a lateral corridor, such as Corridor Z, to a region that is substantially in between the ipsilateral SAP of L4 and ipsilateral SAP of L5. In one particular embodiment, the distal tip of the tissue dilator is positioned in proximity to the lateral aspect of the superior portion of the ipsilateral SAP of L5. FIGS. **7A-7B** show the placement of a second tissue dilator **905** of greater diameter over the first tissue

dilator **900**. FIGS. **8A-8B** show the placement of a third tissue dilator **910** of still greater diameter over the second tissue dilator **905**. FIGS. **9A-9B** illustrate the placement of a distraction device having tubular half-receptacles **915** that are of greater diameter than the third tissue dilator **910**. Half-receptacles **915** can be advanced to target location by advancing the distractor atop the third tissue dilator **910**. After placement of receptacles **915**, the tissue dilators can be removed leaving a central channel **920** to the inter-spinous space (FIG. **9B**). The distraction device **925** can be used to distract each half receptacle **915**, as shown in FIG. **10A**. FIG. **10B** shows implant **105** immediately prior to advancement through channel **920** and onto the spine. (FIGS. **14-16** illustrate the implanted implant **105** after removal of the distraction device **925**/receptacles **915**.) Note that the distraction device **925** illustrated is generic and that one of ordinary skill in art can provide other distraction devices or even sequential tissue dilatation with progressively larger tissue dilators that may produce the expanded tissue channel for device implantation. Further, each dilatation step can be checked by intra-operative x-rays at the time of each tissue dilator placement. EMG (and other electrophysiological monitoring techniques) may be utilized to identify nerve elements and increase procedure safety.

**[0070]** An embodiment of the implant **105** is shown in perspective viewed in FIG. **11**. The device is shown in orthogonal views in FIG. **12** and in sectional views in FIG. **13**. Implant **105** includes a generally flat, elongate platform having a first surface **120** that contains bone-engaging members **1202** and an opposite, second surface **123**. Members **1202** may generally have a tapered tip and members **1202** may be conical, pyramidal (with three or four sides, for example) or comprised of any appropriate geometric configuration.

**[0071]** The first surface **120** can have one or more elements **126**. Elements **126** can contain an internal bore **1262** that extends in the direction of the long axis of element **126** and from its first end to its second end. While not shown, it is further contemplated that the circumferential wall of element **126** may contain at least one full thickness hole **1266** that extends from inner bore **1262** to the outer surface of element **126**; the hole would permit the communication between the contents of bore **1262** and structures external to element **126**. For example, bone forming material that is positioned within bore **1262** can form a bone fusion mass across the hole(s) and fuse with the bone members that are positioned outside of element **126** and in proximity to it. Finally, one or more full thickness bores **128** extend from surface **123** to **120**.

**[0072]** In use, implant **105** is passed through the developed corridor Z (and through the distracted port of distractor **925**) and onto the region between the lateral aspect of the ipsilateral SAP of the L4 and L5 vertebral bones. (Note, the term “ipsilateral” is used here to specify that the implant is positioned on the same side of the mid-sagittal plane (a vertical plane through the midline of the subject’s body that divides it into a right half and a left half) as the site of the skin incision. Likewise, the term “contralateral” would specify a position on the opposite side of the mid-sagittal plane from the site of skin incision.) A view of the lateral surface of the spine is shown in FIG. **14** with implant **105** positioned in the posterior column and implant **305** positioned in the anterior column. FIG. **15** shows a view of the posterior aspect of the spine while FIG. **16** illustrates an

oblique view. In one embodiment, a bone screw is positioned into bore **128** and used to fixate the adjacent L4/5 facet joint. That is, bone screw **201** is advanced from lateral to medial direction through the lateral wall of the ipsilateral SAP of the L5 vertebral bone, through the space of the ipsilateral L4/5 joint and into the ipsilateral IAP of the L4 vertebral bone. In this way, screw **201** rigidly affixes and immobilizes the ipsilateral L4/5 facet joint by providing screw fixation of the SAP of L5 onto the IAP of L4 of that joint. Note that spike members **1202** may be also driven into the lateral surface of the ipsilateral SAP of L5 in order to provide additional fixation of implant **105** onto bone.

**[0073]** As can be seen in FIGS. **14** to **16**, element **126** of the implant **105** is positioned posterior to the ipsilateral pars interarticularis of the L4 vertebral bone. In this position, the superior surface of element **126** abuts the inferior surface of the ipsilateral SAP of L4 vertebral bone whereas the inferior surface of element **126** abuts the superior surface of the ipsilateral SAP of the L5 vertebral bone. In this way, element **126** functions as a spacer that prevents the movement of the ipsilateral SAP of L4 towards the ipsilateral SAP of L5, and thus prevents vertebral extension. Element **126** also distracts the SAP of L4 and L5 from a lesser pre-implantation distance to a greater post-implantation distance—and the amount of distraction is dependent on the size of element **126** (i.e., the distance between the outer superior surface and outer inferior surface of element **206**). Element **126** can have an internal bore, as shown, or it can be a solid member. Further, element **126** can be manufactured from a rigid material and/or a compressible/resilient material wherein the implant provides a cushioned stop to vertebral extension (whereas a rigid material would provide a “hard” stop to vertebral extension). In an embodiment, element **126** can have full thickness bore holes that extend from the exterior wall of element **126** to internal bore **1262**. In this way, a bone forming material can be placed within bore **1262** and used to form a fusion across the full thickness bore holes of the exterior walls of element **126** so as to fuse the bone forming material of bore **1262** with the ipsilateral SAP of L4, the ipsilateral SAP of L5 or both. (Note that fusion with both the SAP of L4 and L5 would effectively fuse the L4 and L5 vertebral bones by forming a solid fusion mass from the inferior aspect of the SAP of L4 through bores **1262** and onto the SAP of L5.) In addition, a screw **205** may be also passed thorough bore **1262** (with or without concurrent bone forming material within bore **1262**) and onto the spinous process of the L4 vertebral bone to provide an additional point of bony fixation for implant **105**. Finally, note that the superior aspect of element **126** may be also positioned to abut the inferior aspect of the ipsilateral L3 LAP and so as to concurrently limit the extent of vertebral extension between the L3 and L4 vertebral bones. That is, element **126** extends across distance “M” (FIG. **18**), which extends from the inferior surface of the ipsilateral L3 IAP (approximated by Line A) to the superior surface of the ipsilateral L5 LAP (approximated by Line B), and necessarily limits vertebral extension between the L3 and L5 vertebral bones.

**[0074]** It is further contemplated that a bone screw **211** may be used to fixate the contralateral L4/5 facet joint (i.e., the L4/5 facet joint that is contralateral to the site of skin incision). Screw **211** is shown in FIGS. **15** and **16**. The screw is used to traverse the contralateral L4/5 facet joint from a medial to lateral direction, wherein the screw enters the contralateral L4 IAP, crosses the contralateral L4/5 facet

joint space and then enters the contralateral L5 SAP. The trajectory of facet screw placement is shown in FIG. **17**. To place screw **201** into the ipsilateral L4/5 facet, the lateral surface of the ipsilateral L5 SAP is identified on radiographic imaging. The screw **201** is advanced into the lateral surface of the ipsilateral L5 SAP at or about the region “X” of FIG. **17A** (note that a lateral view of the spine is shown in FIG. **17A**). The screw **201** is advanced medially through the facet joint space and into the ipsilateral L4 LAP. The placement trajectory of screw **201** is approximated by trajectory “A” of FIGS. **17B** and **17C**. (FIG. **17B** illustrates the posterior aspect of the vertebral bones. FIG. **17C** shows an axial plane view of the vertebrae.)

**[0075]** To place a screw **211** into the contralateral L4/5 joint, the lateral surface of the ipsilateral L5 SAP is identified on radiographic imaging and the screw **211** is passed immediately posterior to the ipsilateral L4/5 joint (which is concurrently posterior to the ipsilateral L5 SAP) as shown by region “Y” of FIG. **17A**. The placement trajectory of screw **211** is approximated by trajectory “B” of FIGS. **17B** and **18**. Note that screw **211** is advanced through the L4/5 interspinous space (between the spinous processes of L4 and L5) and onto the medial aspect of the contralateral L4 IAP. The screw **211** is advanced into the contralateral L4 IAP, across the contralateral L4/5 facet joint space and into the contralateral L5 SAP. In an exemplary screw trajectory, screw **211** is aimed anteriorly after it passes the posterior edge of the ipsilateral L4/5 joint—as shown by trajectory “B” in FIG. **17C**.

**[0076]** It is understood that while screws **201** and **211** have been shown implanted with implant **105**, they may alternatively be implanted alone. That is, after placement of implant **305** through the lateral flank incision and corridor Y, the same lateral skin incision (or a separate but immediately adjacent lateral skin incision) is used to advance a facet screw **201** into the ipsilateral L4/5 facet joint as described above and shown in FIG. **17** (using trajectory A). Similarly, screw **211** is advanced (through the same skin incision used to place screw **201**) across the vertebral midline and into the contralateral L4/5 facet joint using trajectory B and as described above and shown in FIG. **17**. Note that these facet screws may be placed alone and without the concurrent placement of device **105**. Whether or not device **105** is employed, a distractor may be positioned between the ipsilateral L4 SAP and ipsilateral L5 SAP to distract the posterior aspect of the L4 and L5 vertebral bones and decompress the spinal canal. The distraction is performed before placement of either screw **201** or **211**. The distraction is then removed after placement of one or both screws **201** and **211**, wherein the screws maintain the vertebral bones in the distracted position. Alternatively, another method of distraction of the posterior elements may be employed before facet screw placement. For example, the distraction device may be positioned within the inter-spinous space and used to distract the spinous process of the superior vertebral bone (i.e., L4) from the spinous process of the inferior vertebral bone (i.e., L5). After placement of facet screws **201** and/or **211**, the distraction device may be removed (if intended for temporary use) or left positioned within the subjective (if intended for implantation).

**[0077]** FIG. **19** shows an embodiment of implant **105** wherein the contralateral L4/5 facet screw is placed directly through bore **1262**. In this variation, a screw **205** may be passed thorough bore **1262** (with or without concurrent bone

forming material within bore 1262) and into the contralateral L4/5 facet screw. In this trajectory, screw 205 may extend through a portion of the contralateral L4 lamina. Additional screws (such as independent screw 211) may be placed into the contralateral L4/5 facet joint, if desired. Additionally, element 126 can have full thickness bore holes that extend from the exterior wall of element 126 to internal bore 1262. In this way, a bone forming material can be placed within bore 1262 and used to form a fusion with the adjacent bone across the full thickness bore holes of the exterior walls of element 126.

[0078] In one embodiment, a locking feature/mechanism may be present to directly lock screw 201 and/or screw 205 to implant 105. The locking mechanism prevents screw back-out. The locking feature also rigidly immobilizes screw 201 and/or 205 to member 105 so that screw rotation is abolished. While illustrated here, a locking feature may be added to any device embodiment that is disclosed in this application. Further, any of the many known screw-to-plate locking mechanism may be alternatively used.

[0079] FIGS. 20-23 illustrate the embodiment of implant 105 that is shown affixed to bone in FIG. 19. The device contains locking features as will be discussed below. Implant 105 is shown in FIG. 20 (perspective views), FIG. 21 (exploded view) and FIG. 22 (sectional views). Implant 105 includes a generally flat, elongate platform having a first surface 120 that contains bone-engaging members 1202 and an opposite, second surface 123. Members 1202 may generally have a tapered tip and members 1202 may be conical, pyramidal or comprised of any appropriate geometric configuration.

[0080] As illustrated in FIG. 23, element 126 can contain an internal bore 1262 that extends in the direction of the long axis of the element 126 and from its first end to its second end. The circumferential wall of element 126 may contain one or more full thickness cut-outs (for example, 1266) that extend from inner bore 1262 to the outer surface of element 126. A first end of bore 1262 permits the passage of both the threaded shank and the head portion of screw 205, whereas the opposing second end of bore 1262 is sized to be of greater diameter than the shank of screw 205, but of lesser diameter than its head portion. In this way, the head of screw 205 is retained within bore 1262 when the screw 205 is passed there through. The wall of bore 1262 is at least partially threaded (1264). Locking member 270 is sized to fit within bore 1262 and has threads 272 that cooperatively engage threads 1264 of element 126. An indentation 274 is positioned at a first end of member 270 and configured to accept a driver that can exert a rotational force onto member 270. The opposing end of member 270 has a curvilinear or conical cavity 278 that permits the head portion of screw 205 to rotationally move therein. With forceful advancement of member 270 within bore 1262, the head portion of screw 205 can be captured and rigidly immobilized within cavity 278.

[0081] One or more full thickness bores 128 extend from surface 123 to 120 and are configured to accept the head portion of screw 201. The opening of bore 128 onto surface 120 is sized to be of greater diameter than the shank of screw 201, but of lesser diameter than its head portion. In this way, the head of screw 201 is retained within bore 128 when the screw 201 is passed there through. A locking screw 290 has threads 2902 and an indentation on its head portion that accepts a complimentary driver. A cut-out 2904 is positioned

on a side of the head of screw 290—as shown in FIG. 24A. When cut-out 2904 is aligned with bore 280 (as shown in FIG. 24B), the head of screw 201 is free to rotate within bore 280. With rotation of screw 290 to the position illustrated in FIG. 24C, the head portion of screw 201 is at least retained within bore 280. The head of screw 201 may be rigidly immobilized relative to implant 105 when screw 290 is positioned as shown in FIG. 24C.

[0082] Implant 105 was shown attached to bone in FIG. 19 and again in FIG. 25. With surface 120 positioned to abut lateral surface of the ipsilateral L5 SAP, element 126 may be implanted at the illustrated position (posterior to the Pars interarticularis of L4), rotated to rest at position “S” (posterior to the Pars Interarticularis of L5), or positioned at any point there between (as depicted by range “R”). Since element 126 remains positioned substantially posterior the ipsilateral L4/5 facet joint, screw 205 is in position to directly reach and fixate the contralateral L4/5 facet joint.

[0083] In FIG. 26, element 126 is positioned substantially at the position “S” of FIG. 25 and separates the ipsilateral L5 SAP and ipsilateral SI SAP. Screw 205 may be positioned directly into the contra lateral L4/5 joint. Alternatively, screw 205 may be affixed to L5 spinous process. An additional screw 211 may be placed into the contra-lateral L4/5 facet joint. (Note that in this construct, L4/L5 FSU is immobilized and will be fused, while L5/SI FSU remains mobile but with the vertebral extension thereof is limited by element 126.)

[0084] The disclosed device embodiments or any of their components can be made of any biologically adaptable or compatible materials. Materials considered acceptable for biological implantation are well known and include, but are not limited to, stainless steel, titanium, tantalum, combination metallic alloys, various plastics (such as PEEK and the like), resins, ceramics, biologically absorbable materials and the like. Any components may be also coated/made with osteo-conductive (such as demineralized bone matrix, hydroxyapatite, and the like) and/or osteo-inductive (such as Transforming Growth Factor “TGF- $\beta$ ,” Platelet-Derived Growth Factor “PDGF,” Bone-Morphogenic Protein “BMP,” and the like) bio-active materials that promote bone formation. Further, any surface may be made with a porous ingrowth surface (such as titanium wire mesh, plasma-sprayed titanium, tantalum, porous CoCr, and the like), provided with a bioactive coating, made using tantalum, and/or helical rosette carbon nanotubes (or other carbon nanotube-based coating) in order to promote bone in-growth or establish a mineralized connection between the bone and the implant, and reduce the likelihood of implant loosening. Lastly, the system or any of its components can also be entirely or partially made of a shape memory material or other deformable material.

[0085] While this specification contains many specifics, these should not be construed as limitations on the scope of what is claimed or of what may be claimed, but rather as descriptions of features specific to particular embodiments. Certain features that are described in this specification in the context of separate embodiments can also be implemented in combination in a single embodiment. Conversely, various features that are described in the context of a single embodiment can also be implemented in multiple embodiments separately or in any suitable sub-combination. Moreover, although features may be described above as acting in certain combinations and even initially claimed as such, one

or more features from a claimed combination can in some cases be excised from the combination, and the claimed combination may be directed to a sub-combination or a variation of a sub-combination. Similarly, while operations are depicted in the drawings in a particular order, this should not be understood as requiring that such operations be performed in the particular order shown or in sequential order, or that all illustrated operations be performed, to achieve desirable results. Only a few examples and implementations are disclosed. Variations, modifications and enhancements to the described examples and implementations and other implementations may be made based on what is disclosed. It is recognized that while certain embodiments of the disclosure are described in terms of a specific sequence of steps of a method, these descriptions are only illustrative of the broader methods, and may be modified as required by the particular application. Certain steps may be rendered unnecessary or optional under certain circumstances. Additionally, certain steps or functionality may be added to the disclosed embodiments, or the order of performance of two or more steps permuted. All such variations are considered to be encompassed within the disclosure and claimed herein.

**[0086]** While the above detailed description has shown, described, and pointed out novel features as applied to various embodiments, it will be understood that various omissions, substitutions, and changes in the form and details of the device or process illustrated may be made by those skilled in the art without departing from the contents of the disclosure. The foregoing description is of the best mode presently contemplated. This description is in no way meant to be limiting, but rather should be taken as illustrative of the general principles embodied herein. The scope of the present disclosure should be determined with reference to the claims.

1.-5. (canceled)

6. A method for immobilization of a facet joint, comprising:

approaching a lateral aspect of a first facet joint that comprises an articulation between an inferior articulat-

ing process of a superior vertebral bone and a superior articulating process of an immediately inferior vertebral bone;

positioning a first segment of an orthopedic implant to abut a lateral side wall of said superior articulating process of said inferior vertebral bone;

positioning a second segment of said orthopedic implant to extend medial to a lateral side wall of said first facet joint;

attaching said first segment to said lateral side wall of said superior articulating process of said inferior vertebral bone; and

attaching said second segment to said lateral side wall of said first facet joint.

7. An orthopedic implant configured for attachment to and immobilization of a facet joint, said orthopedic implant comprising:

an elongate platform having a first end and a second opposing end; and

an elongate element disposed at said second end of said elongate platform,

wherein said first end is configured to be attached to a lateral side wall of a superior articular process of an inferior vertebral bone of said facet joint, and

wherein said elongate element is configured to be attached to a lateral side wall of a superior vertebral bone said facet joint.

8. An orthopedic implant configured for attachment to and immobilization of a facet joint including a superior vertebral bone and an immediately inferior vertebral bone, said orthopedic implant comprising:

an anterior column implant configured to be positioned within a space between said superior vertebral bone and said inferior vertebral bone; and

a posterior column implant configured to be attached to a lateral side wall of a superior articular process of said inferior vertebral bone and a lateral side wall of said superior vertebral bone,

wherein said orthopedic implant provides circumferential decompression to said facet joint.

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