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### Expandable Lordotic Interbodies and Related Methods

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#### Abstract

The present disclosure relates to an expandable interbody that includes superior and inferior shells enclosing a control mechanism that includes interlocking proximal and distal cages as well as an adjustment screw that longitudinally translates the distal cage relative to the proximal cage and thereby expands interbody by pushing apart the distal ends of the superior and inferior shells.

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## **Background/Summary**

RELATED APPLICATIONS [0001] This application is a continuation of U.S. application Ser. No. 18/317,796, filed May 15, 2023, which is a continuation of U.S. application Ser. No. 17/190,768, filed Mar. 3, 2021, which claims priority to U.S. Provisional Application Nos. 62/985,610, filed Mar. 5, 2020, and 63/062,663, filed Aug. 7, 2020, the entire contents of both of which are herein incorporated by reference.

### **BACKGROUND**

[0002] The present disclosure relates to expandable implants such as spinal interbody and intervertebral body devices and, more particularly, to vertebral interbodies that are expandable after placement in the spine.

[0003] Fusion cages, as well as other types of interbodies and devices, are frequently utilized in spinal surgery inside a vertebra or in the disc space between respective vertebra (interbody). With interbody devices, one or more such spinal bodies are placed between vertebrae to provide support and promote fusion between adjacent vertebrae. Such fusion may be necessary because of disease, injury, general deterioration, or a congenital problem.

[0004] The goal of most spinal surgeries is to minimize the trauma of the surgery itself. One way to minimize the trauma is to create as small an access port as possible to reach the surgical site; however, a small access port then limits the size of the tools and implants that can pass through the access port.

[0005] A few interbody devices, however, are now being made that are expandable. Expandable interbodies are initially smaller than traditional non-expandable (static) interbodies such that the expandable interbodies may be more easily inserted and/or implanted into the disc space. The expandable interbodies, once positioned in the disc space, are expanded to a desirable size to achieve the amount of expansion necessary for the particular patient.

### **SUMMARY OF THE INVENTION**

[0006] The present disclosure relates to an expandable lordotic interbody that can be inserted into a disc space in a collapsed state so as to minimize trauma to the patient and then expanded to achieve a desired lordosis. The interbody includes superior and inferior shells enclosing a control mechanism. The shells can each include at least one graft window with the respective windows being, in some embodiments, aligned with each other. The control mechanism includes interlocking proximal and distal cages as well as an adjustment screw that longitudinally translates the distal cage relative to the proximal cage. Translation of the distal cage expands the interbody by pushing apart the respective distal ends of the superior and inferior shells.

[0007] According to some embodiments, one or both of the superior shell and the inferior shell includes in a side wall of the shell an angled slot extending distally and toward a central plane that bisects the interbody into superior and inferior halves. The interlocking proximal and distal cages contained within the superior and inferior shells are configured to translate longitudinally relative to each other by way of an adjustment screw that is threadingly engaged with either the proximal or the distal cage.

[0008] In some embodiments, the adjustment screw is threadingly engaged with a distally located threaded bore in the distal cage, while a proximal end of the adjustment screw is secured to the

proximal cage so as to be fixed longitudinally relative to the proximal cage. This can be achieved in some cases with a pin that is inserted into a distal end of the proximal cage, the pin being configured to engage with a radial groove or flange on the adjustment screw.

[0009] In some embodiments, the adjustment screw is threadingly engaged with a distally located threaded bore in the proximal cage, while a distal end of the adjustment screw is configured to abut and, in some embodiments, apply pressure to an inside surface of a distal end of the distal cage. At least a portion of the distal end of the adjustment screw may be tapered or rounded so as to reduce the friction between it and the distal cage. In some embodiments, one or more rods are set in or secured to the distal cage (which are discussed in greater detail below) and are configured to fix the adjustment screw longitudinally relative to the distal cage. In such embodiments, the distal end of the adjustment screw includes a radial groove or flange to engage the rods. In some embodiments, one or more ends of the rods may serve as the lateral projections that slide along the angled slots. In some embodiments, the rods may be integral to the distal cage.

[0010] Whether threadingly engaged with the proximal or distal cage, rotation of the adjustment screw translates the distal cage longitudinally causing its distal end to press against inner surface of the superior and inferior shells. Alternatively, or additionally, lateral projections on the distal cage slide along the slots on the side walls of the superior and inferior shells to press the shells apart. Because the proximal ends of both the superior and inferior shells are pivotally engaged to the proximal end of the proximal cage, the expansive force applied to the shells by the distal cage causes the shells to open in a clamshell fashion so as to achieve lordosis when inserted between two vertebrae in a spine.

[0011] In some embodiments, the distal end of the distal cage includes sloped, tapered, rounded, and/or ramped surfaces. In some embodiments, rods that may have a lower coefficient of friction than the distal cage material are inserted or secured at distal locations on the distal cage as to be a point of contact between the distal cage and the respective inner surfaces of the superior and inferior shells. In some embodiments, the rods are the primary or only point of contact.

[0012] In some embodiments, the expandable interbody includes one or more retention prongs configured to extend or deploy from the interbody when it is expanded. The prongs are sharp and may either embed themselves in the superior and inferior vertebrae or at least resist movement of the interbody. In some embodiments, proximal ends of the retention prongs are secured to or form an integral part of the rods that are set in or pivotally secured to the distal cage. Translation of the distal cage forces the prongs out of respective holes or windows in the superior and inferior shells that may be positioned distally.

[0013] According to some embodiments, the edges of the superior and inferior shells are configured to meet each other to fully or at least partially enclose the control assembly when the interbody is in a collapsed state. In some embodiments, the edge of one shell includes projections, and the edge of the other shell includes corresponding depressions configured to receive the projections to thereby provide additional rigidity to the interbody when in the collapsed state. In some embodiments, the superior and inferior shells at least partially nest within each other when in the collapsed state. In some embodiments, the side walls of the proximal and distal cages are sized and configured to contact inner surfaces of the superior and inferior shells to provide stability or rigidity not only in the collapsed state but also in the expanded state.

[0014] According to some embodiments, the expandable interbody comprises one or more metals, such as steel, cobalt, cobalt-chrome, titanium, or alloys thereof. In some embodiments, the interbody further includes one or more polymers, such as polyether ether ketone (PEEK). In some embodiments, at least a portion of the interbody includes a porous material, such as a porous metal (e.g., one or more layers of porous titanium).

[0015] Also disclosed herein are embodiments of an inserter for use with the expandable interbody. The inserter can include (1) a handle portion with an extension having a cannula extending from a proximal end of the handle to a distal end of the extension, (2) an engagement portion on the distal

end of the extension that includes an engagement mechanism for engaging an expandable interbody and one or more counter torque extensions to prevent the engagement mechanism from rotating the interbody, and (3) an expansion tool extending from the proximal end of the cannula to the distal end of the cannula so as to be inserted into the expandable interbody and engage with and activate the adjustment screw.

[0016] Some embodiments of an inserter include an expansion indicator that may be located on the handle or on the extension portion. The expansion indicator provides a visual indication to a user as to the degree to which the interbody has been expanded when in situ. In some embodiments, the interbody can be “pre-expanded,” meaning that in its collapsed state, the superior and inferior shells are at least partially expanded so as to achieve greater expansion when in the expanded state. In such embodiments, different expansion tools may be used each one corresponding to a different degree of pre-expansion so as to work with the expansion indicator to provide an accurate indication of the degree of expansion.

[0017] Also disclosed herein are methods of implanting and expanding an expandable interbody. Such methods include (1) using an inserter to position the interbody—which may be in a collapsed or pre-expanded state—in an intervertebral disc space, (2) expanding the interbody by rotating a control knob on the inserter to expand the interbody, and (3) releasing or disengaging the expanded interbody from the inserter. Some embodiments further include a step of injecting or inserting a bone growth material into the interbody, which can be achieved through the inserter or using a separate device. In embodiments where the inserter is used, a portion of the inserter is removed to allow the bone growth material to be injected or inserted through the inserter into the interbody.

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## Description

### BRIEF DESCRIPTION OF DRAWINGS

[0018] The embodiments set forth in the drawings are illustrative and exemplary in nature and are not intended to limit the subject matter defined by the claims. The following detailed description of the illustrative embodiments can be better understood when read in conjunction with the following drawings wherein like structure is indicated with like reference numerals and in which:

[0019] FIG. 1 is a perspective frontal view showing an embodiment of an expandable interbody in a collapsed or unexpanded state;

[0020] FIG. 2 is a perspective rear view of the embodiment of FIG. 1 in the unexpanded state;

[0021] FIG. 3 is a lateral view of the embodiment of FIG. 1 in an expanded state.

[0022] FIG. 4 is an exploded rear view of the embodiment of FIG. 1;

[0023] FIG. 5A is a superior view of the expandable interbody of FIG. 1 in the unexpanded state.

[0024] FIG. 5B is a lateral cross-sectional view of the expandable interbody of FIG. 1 in the unexpanded state taken along line D-D shown in FIG. 5A;

[0025] FIG. 6A is a superior view of the expandable interbody of FIG. 1 in the expanded state.

[0026] FIG. 6B is a lateral cross-sectional view of the expandable interbody of FIG. 1 in the expanded state taken along line D-D shown in FIG. 6A;

[0027] FIG. 7 is a perspective view of an inserter engaged with the expandable interbody of FIG. 1;

[0028] FIG. 8 is a perspective view of the distal portion of the inserter of FIG. 7 disengaged from the expandable interbody of FIG. 1;

[0029] FIG. 9 is a perspective frontal view showing another embodiment of an expandable interbody in a collapsed or unexpanded state;

[0030] FIG. 10 is a perspective frontal view of the embodiment of FIG. 9 in an expanded state;

[0031] FIG. 11 is an exploded frontal view of the embodiment of FIG. 9;

[0032] FIG. 12 is an exploded frontal view of another embodiment of an expandable interbody; and

[0033] FIG. 13 is an exploded frontal view of another embodiment of an expandable interbody.

## DETAILED DESCRIPTION OF THE INVENTION

[0034] The present disclosure relates to expandable and/or dynamic interbody (between adjacent vertebrae), intravertebral-body (inside the vertebrae), and/or spinal stabilization devices that can be used as interbody fusion cages or devices, interbody bodies/body stabilization devices, and/or the like (collectively hereinafter, spinal device(s)) for providing support, stabilization, and/or promoting bone growth between or inside vertebrae that have been destabilized or otherwise damaged due to injury or illness. Particularly, the present disclosure provides various versions of dynamic (expandable and/or expandable and retractable) interbody devices that are usable in a spinal column of a human and that can achieve or promote proper lordosis.

[0035] FIG. 1 illustrates a representative dynamic spinal interbody device or expandable implant or interbody 10. FIG. 1 is a perspective frontal view of interbody 10 in an unexpanded or collapsed state. Interbody 10 includes superior shell 15 and inferior shell 20. A superior surface of superior shell 15 is intended to contact and support an inferior surface of a first vertebral body. Similarly, an inferior surface of inferior shell 20 is intended to contact and be supported by a superior surface of a second vertebral body. In this illustrated embodiment, superior shell 15 and inferior shell 20 include ridges or teeth 22 configured to resist or minimize movement of interbody 10 after being placed in the intervertebral space between the first and second vertebrae. Some embodiments further or alternatively include a roughened surface that can be achieved with a coating and/or a surface treatment. The first and second vertebrae can represent, for example, L1-L2, L2-L3, L3-L4, L4-L5, or even L5-S1 of a human spine. Though interbody 10 could alternatively be used in the thoracic or even the cervical spine.

[0036] Both superior shell 15 and inferior shell 20 are configured to hinge at their respective proximal ends at superior hinge point 25 and inferior hinge point 30. The respective distal ends of superior shell 15 and inferior shell 20 are shown as being tapered or shaped like the nose of a bullet. In some embodiments, the distal end of interbody 10 is not tapered at all, though tapering of the distal end can aid in the insertion of interbody 10 into the intervertebral disc space. In some embodiments, such tapering can consist of relatively straight but angled surfaces, and in some embodiments, such tapering can include one or more curves.

[0037] FIG. 1 illustrates that the edges of superior shell 15 and inferior shell 20, when in an unexpanded state, meet each other so as to form a closed shell. It is seen that superior shell 15 and inferior shell 20 comprise both a horizontal surface and respective side walls. FIG. 1 shows that one side wall of superior shell 15 has an angled slot 35. In this illustrated embodiment, a similar slot is found in the opposing side wall of inferior shell 20 on the side of interbody 10 not visible in FIG. 1. These angled slots extend through superior shell 15 and inferior shell 20, though in some embodiments, the slots do not extend completely through the shells and instead comprise channels or depressions formed on the inner surface of the shells.

[0038] Although not shown, in some embodiments, the edges of the side walls can include projections and corresponding holes or slots for receiving the projections. For example, the inferior surface of the side walls of superior shell 15 can include one or more projections that are received, when in the unexpanded state, by corresponding holes in the superior surface of the side walls of inferior shell 20. Such a configuration can increase the structural integrity or stability of interbody 10 when in an unexpanded state, which can be particularly useful when interbody 10 is inserted into the intervertebral space and may be subject to compaction forces to be positioned correctly.

[0039] FIG. 1 also illustrates that superior shell 15 includes graft window 40. A similar graft window is found in inferior shell 20. These graft windows allow for bone growth through interbody 10 after it has been implanted. These graft windows also allow materials that induce or promote bone growth to be inserted or pushed into interbody 10 and at least partially flow out of interbody 10 to potentially contact and interact with the bony surfaces of the superior and inferior vertebral bodies. In some embodiments, interbody 10 includes only one or no graft windows. In some embodiments, interbody 10 includes three or more graft windows, which may be located in

locations other than those illustrated in FIG. 1. In some embodiments, as is discussed in greater detail below, interbody **10** can achieve in-growth of new bone instead of or in addition to through growth.

[0040] FIG. 2 is a rear perspective view of interbody **10**. This perspective illustrates that interbody **10** includes proximal cage **50**—discussed in greater detail below. FIGS. 1 and 2 illustrate that superior hinge point **25** and inferior hinge point **30** comprise a combination of a set of lateral protrusions from proximal cage **50** that engage with respective proximal hooks on superior shell **15** and inferior cage **20**. Such a configuration allows superior cage **15** and inferior cage **20** to pivot at their respective proximal ends. In some embodiments, such movement can be achieved using a pin extending through proximal cage **50** to as the pivot point. However, the use of the lateral protrusions and hooks shown in the figures not only reduces the number of components but also allows for internally threaded bore **110** to be larger than might be the case if one or more pins are used for superior hinge point **25** and/or inferior hinge point **30**.

[0041] FIG. 2 illustrates that proximal cage **50** includes threaded bore **110** on its proximal end configured to threadingly receive an inserter as illustrated in FIG. 8. In some embodiments, the inserter engages interbody **10** with any number of other suitable engagement means, such as an inserter tube with one or more protruding lobes that insert into a similar keyed shaped hole that allows passage of the tube through the proximal cage and then partially rotate to secure the lobes to the inner wall

[0042] FIG. 3 illustrates interbody **10** in an expanded state in which the distal ends of superior shell **15** and inferior shell **20** are spaced apart while the respective proximal ends pivot about superior hinge point **25** and inferior hinge point **30**. In this expanded state and in the perspective view of FIG. 3, it can be seen that interbody **10** includes a distal cage **45**, a proximal cage **50**, and an adjustment screw **55**. These elements are sometimes referred to herein as the control assembly. Proximal cage **50** and distal cage **45** are configured to interlock with each other—as illustrated in more detail in FIG. 4—so as to allow relative movement or translation between them along a longitudinal axis, which is the longitudinal axis of adjustment screw **55**, which extends through an opening in proximal cage **55** and threadingly engages with a threaded bore found on the distal end of distal cage **45**.

[0043] In the illustrated embodiment, expansion of interbody **10** from the unexpanded state to the expanded state is achieved when adjustment screw **55** is rotated so as to displace distal cage **45** relative to proximal cage **50**. And because superior hinge point **25** and inferior hinge point **30** are located at the proximal end of proximal cage **50**, the longitudinal displacement of distal cage **45** applies a force to one or more interior surfaces of superior shell **15** and inferior shell **20** causing the respective distal ends of the shells to open in a clamshell fashion.

[0044] According to some embodiments, the distal end of proximal cage **50** comprises a threaded bore that threadingly engages with adjustment screw **55**. In such embodiments, distal cage **45** does not have a threaded bore but is configured to receive the force applied by the distal end of adjustment screw **55** when it is advanced through proximal cage **50**. The force applied to distal cage **45** by adjustment screw **55** causes distal cage **45** to translate longitudinally relative to proximal cage **50**, thereby causing the distal ends of superior shell **15** and inferior shell **20** to move apart. Threading adjustment screw **55** with the distal end of proximal cage **50** can, in some embodiments, reduce the amount of friction between adjustment screw **55** and interbody **10** such that less force is required to rotate adjustment screw **55**. Moreover, tapering the distal end of adjustment screw **55** can, in some embodiments, further reduce the friction between adjustment screw **55** and interbody **10**.

[0045] The embodiment illustrated in FIG. 3 includes a tapered distal end on distal cage **45**. In some embodiments, the tapered distal end comprises equally angled surfaces **60**. In some embodiments, a rounded or cylindrical surface is included near the distal end of distal cage **45** along with angled surface **60** or in lieu of angled surface **60**. In the embodiment illustrated in FIG.

3, the cylindrical surface comprises a pin or rod **65** positioned in a cutout on the superior face of distal cage **45**. A corresponding pin or rod may be placed in a cutout on the inferior face of distal cage **45**, though some embodiments utilize only a single rod. In some embodiments, the one or more rods are integral to distal cage **45**. In some embodiments, the rounded or cylindrical surface comprises a material having a lower coefficient of friction than the material that comprises angled surface **60** or the rest of distal cage **45**.

[0046] FIGS. **1-4** illustrate that distal cage **45** includes a lateral projection **70** configured to slide in angled slot **35**. Comparing the expanded state of FIG. **3** to the unexpanded state of FIGS. **1** and **2**, it can be seen that lateral projection **70** moves from a proximal end to a distal end of angled slot **35**. Distal cage **45** includes a second lateral projection on the opposite side of distal cage **45**, the side not visible in FIG. **2**. The second lateral projection, similar to lateral projection **70**, is configured to slide in the angled slot found in the side wall of inferior shell **20**. The exact angle of angled slot **35** in superior shell **15** (and corresponding angled slot **85** in inferior shell **20**) can be selected to achieve a desired lordosis angle and/or a desired rate of expansion for each turn of adjustment screw **55**. In some embodiments, the angle of angled slot **35** is distinct from the angle of angled slot **85** of inferior shell **20** such that rotation of adjustment screw **55** to expand interbody **10** results in uneven expansion of each lateral side of interbody **10**.

[0047] According to some embodiments, one or both of rod **65** and/or rod **80** serves as lateral projection **70** and/or the corresponding lateral projection on the opposite side of distal cage **45**. For example, rod **65** and/or rod **80** need only be extended beyond what is illustrated to be able to extend into the side walls of superior cage **15** and/or inferior cage **20**. Such a configuration can result in fewer components, which not only has the potential to affect the cost of interbody **10** but also its manufacturability and structural integrity.

[0048] In some embodiments, one or both of superior shell **15** and inferior shell **20** includes a porous material, which can be metallic or polymeric or a combination of the two. In some embodiments, one or both of superior shell **15** and inferior shell **20** include a cutout or depression in their exterior surface(s) to accommodate a layer of porous material that is configured to occupy the cutout or depression in the exterior surface(s). In some embodiments, the layer of porous material is simply affixed or secured to the superior and/or inferior surface of interbody **10**, and no cutout is used or required. In some embodiments, the porous material is one or more layers of a porous sheet, such as one or more layers of a sheet of porous titanium. The layer(s) of porous titanium can be diffusion bonded to the exterior surface(s) of superior shell **15** and/or inferior shell **20**. In some embodiments, the porous material surrounds, is adjacent to, or replaces one or both of the graft windows. In some embodiments, the porous material is positioned on one or more side walls in addition to or instead of on a superior or inferior surface of interbody **10**.

[0049] FIG. **4** is an exploded view of the embodiment of FIG. **1** where some aspects of the various components of interbody **10** are better visualized. For example, slot **85** in the side wall of inferior shell **20** is visible as well as the interlocking nature of the respective structures of proximal cage **50** and distal cage **45**. Also illustrated in FIG. **4** is ramped surface **75** of inferior shell **20**. In this illustrated embodiment, both inferior shell **20** and superior shell **15** include respective ramped surfaces toward the distal end of the shells. As explained above, expandable interbody **10** expands when adjustment screw **55** longitudinally displaces distal cage **45** away from or relative to proximal cage **50**. This displacement of distal cage **45** causes the distal portion of distal cage **45** to press against at least one of superior shell **15** and inferior shell **20**. In some embodiments, the tapered end or angled surface **60** of distal cage **45** (and possibly the corresponding angled surface on the inferior side of distal cage **45**) presses against and slides along one or both of the ramped surfaces of superior shell **15** and inferior shell **20**. In some embodiments, the same movement is achieved by virtue of rod **65** and/or rod **80** pressing against and sliding along one or both of the ramped surfaces of superior shell **15** and inferior shell **20**. In some embodiments, the longitudinal displacement of distal cage **45** causes lateral projection **70** to slide along slot **35** (and possibly the corresponding

lateral projection on the opposite side of distal cage **45** sliding along slot **85** found in one side wall of inferior shell **20**), thereby causing the distal ends of superior shell **15** and inferior shell **20** to separate from each other.

[0050] In some embodiments, the mechanism by which expandable interbody **10** expands is a combination of all three structural relationships (tapered end of distal cage **45**, rods **65** and **80**, and lateral projection **70**), a combination of just two of these structural relationships, or just one of the structural relationships.

[0051] FIG. **3** further illustrates that adjustment screw **55**, in this embodiment, includes threaded portion **90**, head **95**, and flange **100** positioned between head **95** and threaded portion **90**. When assembled, adjustment screw **55** extends through an opening in the distal portion of proximal cage **50**, and threaded portion **90** threadingly engages a threaded bore in distal cage **45**. The longitudinal position of adjustment screw **55** is fixed relative to proximal cage by virtue of pin **105**. In this illustrated embodiment, pin **105** slips into a slot on the distal portion of proximal cage **50**. Pin **105** includes prongs or extensions that engage flange **100** of adjustment screw **55** to maintain adjustment screw **55** in a longitudinally fixed orientation relative to proximal cage **50**. In some embodiments, flange **100** is a groove or depression configured to receive pin **105**. In some embodiments, flange **100** is accompanied by a groove or depression. In some embodiments, pin **105** comprises a cylindrical shape and engages with adjustment screw **55** along only one side of adjustment screw **55**.

[0052] The components illustrated in FIG. **4** can be formed of any suitable material, such as one or more metals or one or more polymers. Such materials include titanium, steel, cobalt, gold, platinum, silver, iridium, tantalum, tungsten, and alloys thereof, polyvinylidene fluoride, polyethylene, polypropylene, polydimethylsiloxane, parylene, polyamide, polytetrafluoroethylene, polymethylmethacrylate, polyimide, PEEK, and polyurethane. In some embodiments, one or more of the components illustrated in FIG. **4** includes a porous material. Porous materials can include porous metals as well as porous polymers or a mixture of the two. For example, in some embodiments, one or more components includes or is manufactured from porous titanium. In some embodiments, the porous titanium comprises layered sheets of porous titanium that have been diffusion bonded to each other to form a unitary whole. In some embodiments, one or more of superior shell **15**, inferior shell **20**, distal cage **45**, or proximal cage **50** is manufactured from or includes layered sheets of porous titanium that have been diffusion bonded to each other. When such porous components are used, this allows for bone growth through or into interbody **10** itself rather than just through graft windows.

[0053] An inserter (see FIG. **7**) suitable for use with expandable interbody **10** will have an engagement means (see FIG. **8**) that engages a proximal portion of proximal cage **50**, and the insert will include an adjustment tool portion that extends through threaded bore **110** to mate with head **95** of adjustment screw **55** so as to rotate adjustment screw **55** and thereby expand or collapse interbody **10**.

[0054] FIGS. **5** and **6** are cross-sectional views of expandable interbody **10** in both the unexpanded state (FIG. **5**) and the expanded state (FIG. **6**). These figures illustrate the function of adjustment screw **55** as well as how distal cage **45** interacts with superior shell **15** and inferior shell **20** to force the distal ends of the two shells apart to take interbody **10** from the unexpanded state to the expanded state.

[0055] FIGS. **5** and **6** also illustrate how graft window **40** in superior shell **15** has a corresponding graft window in inferior shell **20** and that the two graft windows along with openings in the respective structures of distal cage **45** and proximal cage **50** (see FIG. **4**) create an opening through the entire depth of interbody **10** to allow for bone through growth.

[0056] FIG. **5** illustrates superior shell **15** and inferior shell **20** of interbody **10** as defining separate planes that are substantially parallel when interbody **10** is in the unexpanded state. In the unexpanded state, the respective superior and inferior surfaces of superior shell **15** and inferior



shell **20** may be substantially parallel, or they may exhibit a slight angle, such as about 0.5°, about 1°, about 1.5°, about 2°, between about 0° and about 1°, between about 0.2° and about 1.2°, or between about 0.5° and about 2°. In some embodiments, the angle between the respective superior and inferior surfaces may be less than about 5°, less than about 4°, less than about 3°, or less than about 2°. According to some embodiments, an initial or pre-expanded angle between the respective superior and inferior surfaces greater than 0° may facilitate a larger angle when in the expanded state.

[0057] According to some embodiments, an initial angle is achieved through the design of superior shell **15** and inferior shell **20** rather than or in conjunction with pre-expanding interbody **10**. In some embodiments, superior shell **15** and/or inferior shell **20** are thicker toward their respective distal ends. Designing superior shell **15** and/or inferior shell **20** in such a manner can be used to achieve an initial angle of about 1° to about 15° including any angle there between. In some embodiments, the resulting initial angle is at least about 1°, at least about 3°, at least about 5°, at least about 7°, at least about 9°, at least about 11°, at least about 13°, less than about 14°, less than about 12°, less than about 10°, less than about 8°, less than about 6°, and/or less than about 4°.

[0058] In some embodiments, the internal components of interbody **10** are identical between an embodiment having an initial angle and one that does not. In other words, where one embodiment without an initial angle can achieve an expanded angle of about 20°, the same internal components used in an embodiment with thicker shells that has an initial angle of about 10° may achieve an expanded angle of about 30°.

[0059] The length of interbody **10**—defined as the distance between the most proximal and the most distal portions of superior shell **15** (or inferior shell **20**)—can be any suitable value. In some embodiments, the length is from about 14 mm to about 41 mm including any value there between. In some embodiments, the length of interbody **10** is about 20 mm, about 22.5 mm, about 25 mm, about 27.5 mm, about 30 mm, about 32.5 mm, at least about 20 mm, at least about 25 mm, at least about 30 mm, at least about 35 mm, less than about 40 mm, less than about 37 mm, less than about 33 mm, less than about 27 mm, between about 15 mm and about 25 mm, between about 20 mm and about 30 mm, or between about 25 mm and about 35 mm.

[0060] The width of interbody **10**—defined as the distance between the outside edge of the respective side walls of superior shell **15** (or inferior shell **20**)—can be any suitable value. In some embodiments, the value of the width is selected to provide maximum stability to the superior and inferior vertebrae. In some embodiments, the width is from about 7 mm to about 27 mm including any value there between. In some embodiments, this value is about 8 mm, about 10 mm, about 12 mm, about 14 mm, about 16 mm, about 18 mm, about 20 mm, about 22 mm, about 24 mm, about 26 mm, at least about 7.5 mm, at least about 12.5 mm, at least about 17.5, at least about 22.5, less than about 27 mm, less than about 23 mm, less than about 19 mm, less than about 15 mm, between about 7 mm and about 13 mm, between about 9 mm and about 15 mm, between about 11 mm and about 17 mm, between about 13 mm and about 19 mm, between about 15 mm and about 21 mm, between about 17 mm and about 23 mm, or between about 19 mm and about 25 mm.

[0061] FIG. **6** illustrates that the angle between the respective planes defined by superior shell **15** and inferior shell **20** in the expanded state can be from about 4° to about 40° including any value there between. In some embodiments, the angle is about 10°, about 15°, about 20°, about 25°, about 30°, or about 35°. In some embodiments, the angle in the expanded state is at least about 5°, at least about 10°, at least about 15°, at least about 20°, at least about 25°, at least about 30°, between about 5° and about 10°, between about 7.5° and about 12.5°, between about 10° and about 15°, between about 12.5° and about 17.5°, between about 15° and about 20°, between about 17.5° and about 22.5°, between about 20° and about 25°, between about 22.5° and about 27.5°, between about 25° and about 30, or even between about 27.5° and about 32.5°.

[0062] FIG. **7** illustrates inserter **115** for use with interbody **10**. Inserter **115** includes a distal end configured to engage the proximal end of interbody **10** and a proximal end configured to be

handled and manipulated by a user (e.g., a surgeon). Inserter **115** includes expansion tool **120** that includes handle **125** and a rod (not shown). The rod extends through a lumen that runs the length of inserter **115** and extends at least partially beyond the distal end of inserter **115** so as to extend at least partially into interbody **10** when inserter **115** is engaged with interbody **10**. The distal end of the rod of expansion tool **120** is configured to engage head **95** of adjustment screw **55**. Thus, rotation of handle **125** causes the rod of expansion tool **120** to rotate, which in turn causes adjustment screw **55** to rotate thereby expanding or collapsing interbody **10**.

[0063] The distal end of inserter **115** includes a threaded engagement portion **150** (see FIG. **8**) and lateral extensions **130**. Engagement portion **150** is configured to engage with threaded bore **110** of proximal cage **50**. Lateral extensions **130** provide a counter torque to the rotation applied by engagement portion **150** so as to hold interbody **10** in place while engagement portion **150** is rotated to cause inserter **115** to either engage with or disengage from interbody **10**. Manipulation of engagement portion **150** is accomplished by rotating engagement knob **135** located toward the proximal end of inserter **115**.

[0064] FIG. **8** illustrates that engagement portion **150** is hollow. This allows expansion tool **120** to pass through engagement portion **150** and extend into interbody **10** passing through the proximal portion of proximal cage **50** to engage with adjustment screw **55**. Although not illustrated, expansion tool **120** can be removed from inserter **115** to allow for biologics or bone-growth-promoting materials to be injected into interbody **10** through inserter **115**.

[0065] Additionally, in some embodiments, lateral extensions **130** come into contact with the respective proximal edges of the side walls of superior shell **15** and inferior shell **20** particularly when interbody **10** is in the unexpanded state. Such a configuration allows inserter **115** to distribute an insertion or compaction force to the shell portions rather than have proximal cage **50** receive the entire insertion force.

[0066] The proximal portion of inserter **115** includes surfaces that facilitate the use of inserter **10** to insert, extract, expand, or collapse interbody **10**. In the embodiment illustrated in FIG. **7**, the proximal portion of inserter **115** includes flat surfaces that are easy for a surgeon to grip. The proximal portion may also include expansion indicator **140** that provides an indication of the amount or degree of expansion of interbody **10**. This may be particularly helpful to the surgeon as the expansion may not be visible when interbody **10** has been inserted into the intervertebral space. Moreover, fluoroscopic images are not likely to provide the surgeon with precise information as to the expansion angle achieved in situ. Expansion indicator **140** may provide a percentage value of the expansion. For example, if interbody **10** has been designed to achieve an angle of  $20^{\circ}$  when fully expanded, expansion indicator **140** will indicate what percentage of that angle has been achieved. When interbody **10** is in its unexpanded state (before being inserted), expansion indicator **140** will show 0% expansion. When interbody **10** has been expanded to about  $10^{\circ}$ , expansion indicator **140** will show 50% expansion, and when interbody **10** has been expanded to about  $20^{\circ}$ , expansion indicator **140** will show 100% expansion. In some embodiments, expansion indicator **140** is configured to provide the actual degree or angle of expansion.

[0067] According to some embodiments, the unexpanded state of interbody **10** is defined as a configuration where the angle between the superior and inferior planes is greater than  $0^{\circ}$ . Such a configuration may advantageously allow for a greater degree or angle of expansion for the final expanded state. In some embodiments, the initial angle is between about  $0.5^{\circ}$  and about  $10^{\circ}$  including any angle there between. In some embodiments, the initial angle is about  $1^{\circ}$ , about  $1.5^{\circ}$ , about  $2^{\circ}$ , about  $2.5^{\circ}$ , about  $3^{\circ}$ , about  $3.5^{\circ}$ , about  $4^{\circ}$ , about  $4.5^{\circ}$ , greater than about  $1^{\circ}$ , greater than about  $3^{\circ}$ , less than about  $9^{\circ}$ , less than about  $7^{\circ}$ , between about  $0.5^{\circ}$  and about  $3.5^{\circ}$ , between about  $2.5^{\circ}$  and about  $5.5^{\circ}$ , between about  $4.5^{\circ}$  and about  $7.5^{\circ}$ , between about  $6.5^{\circ}$  and about  $9.5^{\circ}$ .

[0068] As discussed above, rotation of expansion tool **120** not only expands interbody **10** but, in some embodiments, affects expansion indicator **140** so as to provide a surgeon with an indication of the degree or percentage expansion achieved by interbody **10** when in situ. In some

embodiments where interbody **10** comes initially pre-expanded (e.g. where the minimum angle is greater than  $0^\circ$ ), expansion tool **120** communicates with expansion indicator **140** to provide such an indication of pre-expansion. For example, a different expansion tool **120** may be provided for each degree or percentage of pre-expansion. In other words, where interbody **10** comes with  $1^\circ$  pre-expansion as well as  $5^\circ$  pre-expansion, one specific expansion tool **120** is used for each so that when inserter **115** is coupled to the interbody with  $1^\circ$  of pre-expansion, that fact is communicated by expansion tool **120** to expansion indicator **140**. When using the interbody with  $5^\circ$  of pre-expansion, a different expansion tool **120** is used. For example, if interbody **10** is initially pre-expanded to  $5^\circ$  and is capable of achieving an expanded state of  $25^\circ$ , then expansion tool **120** is configured to cause expansion indicator **140** to show the initial percentage of expansion as 20%. Thus, when the surgeon inserts interbody **10**, she is reminded by the expansion indicator **140** that interbody **10** is pre-expanded or comes with an initial degree of expansion greater than  $0^\circ$ . However, in some embodiments, no such pre-expansion is indicated by expansion indicator **140**. [0069] Inserter **115** illustrated in FIG. 7 includes a notch toward the proximal end. This notch (and an optional corresponding notch located on the underside of inserter **115**) is configured to engage a counter torque instrument (not shown). Such an instrument can be used to hold inserter **115** in place and prevent it from twisting when handle **125** of expansion tool **120** is rotated to expand interbody **10**.

[0070] Interbody **10** may be surgically implanted in a patient using any number of suitable methods. In some embodiments, a method of implanting interbody **10** includes the initial step of engaging the distal end of inserter **115** to the proximal end of proximal cage **50**. This is done by bringing the distal tip of inserter **115** into contact with the proximal end of proximal cage **50** and rotating engagement knob **135**, which in turn rotates engagement portion **150** causing the threads of engagement portion **150** to engage the threads of threaded bore **110** in proximal cage **50**.

Engagement knob **135** is rotated until lateral extensions **130** are fully advanced into the respective slots on the proximal end of interbody **10** formed in the proximal end of proximal cage **50** as well as in the proximal ends of the respective side walls of superior shell **15** and inferior shell **20**. With inserter **115** engaged with interbody **10**, adjustment tool **120** can be inserted through inserter **115** to bring its distal end into engagement with adjustment screw **55**. In some embodiments, expansion tool **120** is already in place in inserter **115** before inserter **115** is engaged with interbody **10**.

[0071] Interbody **10** is then positioned in the intervertebral disc space and positioned as desired. Positioning interbody **10** in a desired location can be achieved using fluoroscopy. To this end, one or more of the components of interbody **10** can be at least partially radiopaque. In some embodiments, interbody **10** includes one or more radiopaque markers whose primary purpose is to aid in proper positioning of interbody **10** in the intervertebral disc space. In some embodiments, expansion tool **120** is not inserted through inserter **115** until interbody **10** has been properly positioned in the intervertebral disc space. In embodiments where interbody **10** is positioned prior to insertion of expansion tool **120**, the proximal end of inserter **115** can be constructed to receive and withstand hammer blows that may be required to properly position interbody **10**.

[0072] With interbody **10** properly positioned, expansion tool **120**—which may need to be inserted through inserter **115** at this stage—is rotated to cause adjustment screw **55** to rotate, thereby causing distal cage **45** to move longitudinally relative to proximal cage **50**. Movement of distal cage **45** away from proximal cage **50** applies an outward pressure on superior cage **15** and inferior cage **20**. In some embodiments, this outward pressure comes from lateral projection **70** (and the corresponding lateral projection on the opposite side of distal cage **45**) sliding along angled slot **35** and angled slot **85**, respectively. In some embodiments, this outward pressure comes from the tapered distal end of distal cage **45** pressing against sloped surfaces on the interior of superior cage **15** and inferior cage **20**. In some embodiments, this outward pressure comes from rods **65**, **80** pressing against sloped surfaces on the interior of superior cage **15** and inferior cage **20**. In some embodiments, this outward pressure comes from a combination of two or more of these structural

interactions.

[0073] Interbody **10** is expanded by continuing to rotate expansion tool **120** until a desired amount of expansion is achieved. The amount of expansion can be observed using expansion indicator **140**, which indicates the amount of expansion in degrees of expansion or percent expansion or any other suitable manner.

[0074] Once the desired amount of expansion is achieved, expansion tool **120** is removed from inserter **115**. In some embodiments, biologics or materials that promote bone growth are then injected into interbody **10** by injecting them through the cannulated structure of inserter **115**. In some embodiment, such materials are injected into interbody **10** or the space surrounding interbody **10** after inserter has been disengaged from interbody **10**. Disengagement is achieved by turning engagement knob **135** until the distal tip of inserter **115** can be freely withdrawn from the surgical space without affecting the positioning of interbody **10**.

[0075] FIG. **9** illustrates an alternative embodiment of an expandable interbody **210** that includes superior shell **215** and inferior shell **220**. Many aspects of interbody **210** are similar to the aspects of interbody **10** (including superior hinge point **225**, inferior hinge point **230**, proximal cage **250**, lateral projection **270**, angled slot **235**, teeth **222**, and graft window **240**); however, superior shell **215** and inferior shell **220** each include openings in the superior and inferior surfaces, respectively, toward the distal end of interbody **210**. In the perspective shown in FIG. **9**, only superior opening **212** is visible, though this embodiment includes a corresponding opening in inferior shell **220**. In some embodiments, only one shell has such an opening.

[0076] FIG. **10** illustrates that when interbody **210** is expanded (by virtue of angled slopes **260** pressing against the inside surfaces of superior shell **215** and inferior shell **220** and/or lateral projection **270** sliding along angled slot **235** along with the not-shown lateral projection sliding along angled slot **285** and/or rods **265**, **280** sliding along internal ramped surfaces of superior shell **215** and inferior shell **220**), not only do the distal ends of superior shell **215** and inferior shell **220** separate in a clamshell fashion to engage with superior and inferior vertebral bodies, but retention prongs extend through the openings found in the superior shell **215** and inferior shell **220** so as to prevent, limit, or mitigate movement or migration of interbody **210** in the intervertebral space. As with interbody **10**, interbody **210** includes superior rod **265** and inferior rod **280**; however, in this embodiment, superior rod **265** serves as the point of connection and hinge point for superior retention prong **214** that extends through superior opening **212** when interbody **210** is expanded. Correspondingly, inferior rod **80** serves as the point of connection and hinge point for inferior retention prong **216** that extends through an inferior opening. Some embodiments include only a single deployable retention prong. In some embodiments, the retention prongs are integral to the rods. In some embodiments, the retention prongs pivot freely about the rods. The longitudinal translation of distal cage **245** distally forces superior retention prong **214** and inferior retention prong **216** to press against and slide along their respective openings so as to extend or deploy from interbody **210**. Inversely, a proximal translation of distal cage **245** will retract superior retention prong **214** and inferior retention prong **216** back into interbody **210**.

[0077] FIG. **11** is an exploded view of interbody **210** in which it can be seen how superior retention prong **214** and inferior retention prong **216** are connected to superior rod **265** and inferior rod **280**, respectively. In some embodiments, the two components are fused, bonded, bound, or adhered together, or they may comprise a unitary piece.

[0078] FIG. **11** also illustrates that the distal end of proximal cage **250** includes threaded bore **224**. In this embodiment, distal cage **245** does not have a threaded bore. That means that adjustment screw **255** threads into threaded bore **224** and, when rotated, the longitudinal displacement of adjustment screw **255** in the distal direction causes the distal end of adjustment screw **255** (which is shown as being smooth or rounded, though it may also be tapered to reduce friction on some or all of the distal surface of the tip) to press against the distal end of distal cage **245**, thereby displacing distal cage **45** and causing distal cage **45** to press open the distal ends of superior shell **215** and

inferior shell **220**. In some embodiments, the distal end of adjustment screw **255** is held in place within the distal end of distal cage **245** with a pin that allows adjustment screw **255** to freely rotate. In some embodiments, the distal end of adjustment screw **255** is configured to have a snap-fit engagement with distal cage **245**.

[0079] In some embodiments, a resistance element (not illustrated) can be incorporated into proximal cage **250**, preferably at the distal end of proximal cage **250**. Such a resistance element may comprise a threaded interior through which adjustment screw **255** is threaded. However, unlike the threaded bore **224** of proximal cage **245**, the resistance element is configured to apply at least some resistance to the rotation of adjustment screw **255**. Such resistance can prevent expandable interbody **210** from inadvertently collapsing and decreasing in volume during a surgical procedure and/or after surgery. The resistance element can comprise any number of suitable materials, such as a metal (e.g., steel, titanium, alloys thereof, etc.) or a polymer (polyvinylidene fluoride, polyethylene, polypropylene, polydimethylsiloxane, parylene, polyamide, polytetrafluoroethylene, polymethylmethacrylate, silicone, polyimide, PEEK, and polyurethane or a combination thereof). In some embodiments, the resistance element is internally threaded though in some embodiments, the resistance element is not internally threaded but simply applies a frictional force against adjustment screw **255**.

[0080] FIG. **12** illustrates an alternative embodiment of an expandable interbody **310** that differs from expandable interbody **310** largely in the design of adjustment screw **355** and how it interacts with proximal cage **350** and distal cage **345**. Other aspects of expandable interbody **310** largely mirror those of expandable interbody **210**: superior shell **315**, inferior shell **320**, superior hinge point **325**, inferior hinge point **330**, proximal cage **350**, lateral projection **370**, angled slot **335**, angled slot **385**, teeth **322**, superior opening **212**. Also present in interbody **310** are superior retention prong **314** and inferior retention prong **316**. Similar to interbody **210**, the point of rotation of superior prong **314** is superior rod **365**, and the point of rotation of the inferior prong **316** is inferior rod **380**; however, in interbody **310** both superior rod **365** and inferior rod **380** have been configured to engage with the distal end of adjustment screw **355**, which in some embodiments includes a flange or groove toward the distal end of adjustment screw **355** to accommodate superior rod **365** and inferior rod **380**. This engagement with adjustment screw **355** allows adjustment screw **355** to draw back distal cage **345** so as to collapse or at least partially collapse interbody **310**. This configuration can reduce the number of components needed to achieve the desired expansion and contraction of interbody **310**.

[0081] FIG. **12** also illustrates that the distal end of adjustment screw **355** includes a partially tapered tip. This design, in some embodiments, reduces the amount of friction between the distal end of adjustment screw **355** and distal cage **345**.

[0082] Also illustrated in FIG. **12** is resistance element **333** that includes a threaded through hole configured to receive adjustment screw **355** and apply a resistance to inadvertent or undesirable rotation of adjustment screw **355**. Resistance element **333** is configured to be received by proximal cage **350** and may comprise a material distinct from proximal cage **350**. For example, resistance element **333** may comprise a polymer, such as PEEK, in contrast with proximal cage **245**, which may comprise a metal, such as titanium or a titanium alloy.

[0083] FIG. **13** illustrates an alternative embodiment of an expandable interbody **410** that differs from expandable interbody **310** not only because interbody **410** lacks superior and inferior prongs **314**, **316** but largely in the design of adjustment screw **455**, which in this illustrated embodiment is a twin screw comprising first screw **455A** and second screw **455B**. First screw **455A** contains a threaded bore that threadingly engages the exterior threads of second screw **455B**. This design increases the amount of translation or displacement of distal cage **445** relative to proximal cage **450**. Rotation of first screw **455A**, which is threadingly engaged with threaded bore **424** of proximal cage **450**, translates first screw **455A** relative to proximal cage **450**. This rotation also causes translation of second screw **455**, the distal end of which is engaged with and rotationally fixed

to distal cage **445** by way of cross pin **455C**. Cross pin **455C** is in turn secured to distal cage **445** by crimping an edge **455D** of the hole through which the cross pin is inserted during assembly.

[0084] According to some embodiments, the use of a twin screw as in this illustrated embodiment reduces the friction between screw **455** and distal cage **445**, such that less torque is required to expand interbody **410**. In some embodiments, cross pin **455C** is not needed to secure second screw **455B** to distal cage **445**, which can be achieved simply with a friction fit with the distal end of second screw **455B**. However, the use of cross pin **455C** may facilitate closure of interbody **410**, such as if it needs to be repositioned or removed from the intervertebral space.

[0085] Similar to other embodiments disclosed here, interbody **410** includes a superior rod **465** and an inferior rod **480**. As in some other embodiments, these rods are positioned and designed to slide in angled slot **435** and angled slot **485**, respectively. This illustrated embodiment shows that these rods can be configured to engage the superior shell **415** and inferior shell **420** only by way of their respective angled slots.

[0086] As in some other embodiments, superior shell **415** and inferior shell **420** include graft windows as well as protrusions, teeth, or anti-migration features **422**. Also, the respective shells at their proximal end include hinge points, which in this embodiment comprise not just a curved aspect but further include a curved wall. Thus, each of superior hinge point **425** and inferior hinge point **430** pivot about the respective proximal engagement features on proximal cage **450**, but the additional curved wall may provide additional stability to the overall interbody **410**.

#### Embodiments

[0087] The following embodiments are provided as examples only of specific configurations, materials, arrangements, etc. contemplated by the author of this disclosure:

[0088] Embodiment 1. An expandable interbody comprising: [0089] a superior shell having a proximal end and a distal end, the superior shell defining a superior surface extending from the proximal end to the distal end configured to engage an inferior surface of a first vertebral body, the superior shell further comprising a pair of side walls, wherein at least one side wall includes a first angled slot extending distally and away from the superior surface along the side wall; [0090] an inferior shell having a proximal end and a distal end, the inferior shell defining an inferior surface extending from the proximal end to the distal end configured to engage a superior surface of a second vertebral body, the inferior shell further comprising a pair of side walls, wherein at least one side wall includes a second angled slot extending distally and away from the inferior surface along the side wall; and [0091] a control assembly situated between the superior and inferior shells, the control assembly comprising interlocking proximal and distal cages and an adjustment screw defining a longitudinal axis, the proximal cage comprising proximal and distal bores, the distal cage comprising a proximal bore, and the adjustment screw extending through the distal bore of the proximal cage; [0092] wherein a proximal portion of the proximal cage includes a pair of superior hinge points about which the superior shell pivots and a pair of inferior hinge points about which the inferior shell pivots; [0093] wherein the distal cage includes a first lateral projection configured to engage the first angled slot and a second lateral projection configured to engage the second angled slot; and [0094] wherein rotation of the adjustment screw causes the distal cage to translate along the longitudinal axis, which in turn causes the respective distal ends of the superior and inferior shells to move apart from an unexpanded state to an expanded state.

[0095] Embodiment 2. The expandable interbody of embodiment 1, wherein the adjustment screw is a twin screw comprising a proximal screw and a distal screw, the proximal screw having a threaded bore open at its distal end with the distal screw threadingly engaged in the threaded bore.

[0096] Embodiment 3. The expandable interbody of embodiment 2, wherein a distal end of the distal screw engages the distal cage such that the distal screw is rotationally fixed relative to the distal cage.

[0097] Embodiment 4. The expandable interbody of embodiment 1, 2, or 3, wherein the distal bore of the proximal cage is threaded, and wherein the adjustment screw threadingly engages the

threaded distal bore of the proximal cage.

[0098] Embodiment 5. The expandable interbody of embodiment 1, 2, 3, or 4, wherein a distal end of the adjustment screw is configured to abut an inner surface on the distal end of the distal cage.

[0099] Embodiment 6. The expandable interbody of embodiment 1, 2, 3, 4, or 5, wherein the distal cage further comprises a retention pin configured to hold the adjustment screw in place longitudinally relative to the distal cage.

[0100] Embodiment 7. The expandable interbody of embodiment 1, 2, 3, 4, 5, or 6, wherein the distal end of the adjustment screw is at least partially tapered.

[0101] Embodiment 8. The expandable interbody of embodiment 1, wherein the distal cage further comprises a distal bore that is threaded, and wherein the adjustment screw is threadingly engaged with the threaded distal bore.

[0102] Embodiment 9. The expandable interbody of embodiment 8, wherein the proximal cage further comprises a retention pin configured to hold the adjustment screw in place longitudinally relative to the proximal cage.

[0103] Embodiment 10. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, or 9, wherein the distal cage further comprises distal ramped surfaces configured to slidably engage respective ramp surfaces on the superior and inferior shells.

[0104] Embodiment 11. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, or 10, wherein the distal cage further comprises a superior rounded surface and an inferior rounded surface each configured to slidably engage respective interior surfaces of the superior and inferior shells.

[0105] Embodiment 12. The expandable interbody of embodiment 11, wherein the superior and inferior rounded surfaces are rods secured to the distal cage.

[0106] Embodiment 13. The expandable interbody of embodiment 12, wherein the rods serve as both the first and the second lateral projections of the distal cage.

[0107] Embodiment 14. The expandable interbody of embodiment 12 or 13, wherein the rods comprise a material having a lower coefficient of friction than the material comprising the distal cage.

[0108] Embodiment 15. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, or 14, further comprising deployable superior and/or inferior retention prongs configured to deploy when the expandable interbody is transitioned from the unexpanded state to the expanded state.

[0109] Embodiment 16. The expandable interbody of embodiment 15, wherein the superior and/or inferior retention prongs are configured to retract when the expandable interbody is transitioned from the expanded state to the unexpanded state.

[0110] Embodiment 17. The expandable interbody of embodiment 15 or 16, [0111] wherein the superior shell comprises a superior opening in the superior surface toward the distal end of the superior shell, the superior opening configured to allow the deployable superior retention prong to pass there through when deployed, and [0112] wherein the inferior shell comprises an inferior opening in the inferior surface toward the distal end of the inferior shell, the inferior opening configured to allow the deployable inferior retention prong to pass there through when deployed.

[0113] Embodiment 18. The expandable interbody of embodiment 15, 16, or 17, wherein the superior and/or inferior retention prongs are rotatably connected to the distal cage of the control assembly.

[0114] Embodiment 19. The expandable interbody of embodiment 18, wherein translation of the distal cage along the longitudinal axis causes the superior and/or inferior retention prongs to deploy or retract.

[0115] Embodiment 20. The expandable interbody of embodiment 15, 16, 17, 18, or 19, as depending from embodiment 12, 13, or 14, wherein the superior and/or inferior retention prongs are attached to the respective rods of the distal cage.

[0116] Embodiment 21. The expandable interbody of embodiment 20, wherein the rods of the distal cage are configured to engage the distal end of the adjustment screw that comprises a radial recess for receiving at least a portion of the rods, wherein this engagement longitudinally fixes the distal cage relative to the adjustment screw.

[0117] Embodiment 22. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, or 21, wherein the superior and inferior hinge points comprise respective lateral projections configured to engage proximal portions of the superior and inferior cages, respectively.

[0118] Embodiment 23. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, or 22, wherein in the unexpanded state, respective side walls of the superior and inferior shells contact each other to enclose the control assembly.

[0119] Embodiment 24. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, or 23, wherein the respective distal ends of the superior and inferior shells are curved so as to enclose the distal end of the distal cage when the interbody is in the unexpanded state.

[0120] Embodiment 25. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, or 24, wherein the superior shell, inferior shell, proximal cage, and distal cage each have at least one opening there through extending from the superior surface of the superior shell to the inferior surface of the inferior shell so as to define a channel for bone growth.

[0121] Embodiment 26. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, or 25, wherein the expandable interbody comprises a titanium alloy.

[0122] Embodiment 27. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, or 26, wherein the interbody further comprises a resistance element configured to resist rotation of the adjustment screw.

[0123] Embodiment 28. The expandable interbody of embodiment 27, wherein the resistance element comprises a polymer.

[0124] Embodiment 29. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, or 28, wherein at least one of the superior shell, inferior shell, proximal cage, distal cage, and adjustment screw comprises a porous material.

[0125] Embodiment 30. The expandable interbody of embodiment 29, wherein the porous material comprises two or more layers of porous sheets that have been bonded together to form a uniform material.

[0126] Embodiment 31. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, or 30, wherein the superior and inferior shells are configured to at least partially nest within each other when the interbody is in the unexpanded state.

[0127] Embodiment 32. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, or 31, wherein the proximal and distal cages further comprise side walls configured to contact respective inside surfaces of the side walls of the superior and inferior shells to provide structural support to the interbody.

[0128] Embodiment 33. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, or 32, wherein an edge of at least one side wall of the superior shell comprises one or more projections and an edge of at least one side wall of the inferior shell comprises one or more depressions configured to receive the one or more projections of the superior shell so as to provide the interbody with greater structural integrity when the interbody is in the unexpanded state.

[0129] Embodiment 34. The expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,



12, 13, 14, 15, 16, 17, 18, 19 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, or 33, wherein the superior surface of the superior shell and/or the inferior surface of the inferior shell further comprises a layer of a porous material positioned within a cutout or depression in the superior and/or inferior surfaces.

[0130] Embodiment 35. The expandable interbody of embodiment 34, wherein the layer of porous material comprises one or more sheets of porous titanium alloy.

[0131] Embodiment 36. An inserter for use with the expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, or 35, the inserter comprising: [0132] a handle portion that includes an extension portion with a cannula extending from a proximal end of the handle to a distal end of the extension portion; [0133] an engagement portion located on a distal end of the extension portion, the engagement portion including an engagement mechanism configured to engage the interbody, and at least one counter torque extension configured to prevent the interbody from rotating while the engagement mechanism engages with or disengages from the interbody; and [0134] an expansion tool comprising a handle and an extension configured to slide through and rotate within the cannula of the handle portion, the extension comprising a tip configured extend into the interbody so as to engage with the adjustment screw; [0135] wherein rotation of the expansion tool when engaged with the adjustment screw causes the interbody to transition from the unexpanded state to the expanded state or from the expanded state to the unexpanded state.

[0136] Embodiment 37. The inserter of embodiment 36, wherein the handle further comprises an engagement knob configured to rotate the engagement mechanism.

[0137] Embodiment 38. The inserter of embodiment 36 or 37, wherein the handle further comprises an expansion indicator configured to indicate the degree of expansion of the interbody achieved by rotating the expansion tool.

[0138] Embodiment 39. The inserter of embodiment 38, wherein the expansion tool is configured to provide an initial degree of expansion of the interbody.

[0139] Embodiment 40. The inserter of embodiment 39, wherein the initial degree of expansion is greater than about 0°, greater than about 2°, greater than about 4°, or greater than about 6°.

[0140] Embodiment 41. A method of implanting the expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, or 35, the method comprising: [0141] with an inserter, positioning the interbody in a collapsed state in an intervertebral disc space; [0142] expanding the interbody by rotating a control knob on the inserter that in turn rotates the adjustment screw; and [0143] releasing the expanded interbody from the inserter.

[0144] Embodiment 42. The method of embodiment 41, further comprising, before releasing the expanded interbody from the inserter, injecting a material that promotes bone growth into the interbody through an opening in the proximal end of the interbody.

[0145] Embodiment 43. A method of implanting the expandable interbody of embodiment 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, or 35, the method comprising: [0146] with the inserter of embodiment 36, 37, 38, 39, or 40, positioning the interbody in a collapsed state in an intervertebral disc space; [0147] expanding the interbody by rotating a control knob on the inserter that in turn rotates the adjustment screw; and [0148] releasing the expanded interbody from the inserter.

[0149] Embodiment 44. The method of embodiment 42, further comprising, before releasing the expanded interbody from the inserter, injecting a material that promotes bone growth into the interbody through a proximal opening in the cannula.

[0150] While particular embodiments have been illustrated and described herein, it should be understood that various other changes and modifications may be made without departing from the spirit and scope of the claimed subject matter. Moreover, although various aspects of the claimed subject matter have been described herein, such aspects need not be utilized in combination. It

should be noted that the instrument, system, and method described herein is illustrated in a posterior approach, but that the instrument, system, and method described herein may be used in other surgical procedures to include a lateral or an anterior approach.

[0151] Unless otherwise indicated, all numbers expressing quantities of ingredients, properties such as molecular weight, reaction conditions, and so forth used in the specification and claims are to be understood as being modified in all instances by the term “about.” Accordingly, unless indicated to the contrary, the numerical parameters set forth in the specification and attached claims are approximations that may vary depending upon the desired properties sought to be obtained by the embodiments of the present disclosure. At the very least, and not as an attempt to limit the application of the doctrine of equivalents to the scope of the claims, each numerical parameter should at least be construed in light of the number of reported significant digits and by applying ordinary rounding techniques. Notwithstanding that the numerical ranges and parameters setting forth the broad scope of the present disclosure are approximations, the numerical values set forth in the specific examples are reported as precisely as possible. Any numerical value, however, inherently contains certain errors necessarily resulting from the standard deviation found in their respective testing measurements. In one embodiment, the terms “about” and “approximately” refer to numerical parameters within 10% of the indicated range.

[0152] The terms “a,” “an,” “the,” and similar referents used in the context of describing the embodiments of the present disclosure (especially in the context of the following claims) are to be construed to cover both the singular and the plural, unless otherwise indicated herein or clearly contradicted by context. Recitation of ranges of values herein is merely intended to serve as a shorthand method of referring individually to each separate value falling within the range. Unless otherwise indicated herein, each individual value is incorporated into the specification as if it were individually recited herein. All methods described herein can be performed in any suitable order unless otherwise indicated herein or otherwise clearly contradicted by context. The use of any and all examples, or exemplary language (e.g., “such as”) provided herein is intended merely to better illuminate the embodiments of the present disclosure and does not pose a limitation on the scope of the present disclosure. No language in the specification should be construed as indicating any non-claimed element essential to the practice of the embodiments of the present disclosure.

[0153] Groupings of alternative elements or embodiments disclosed herein are not to be construed as limitations. Each group member may be referred to and claimed individually or in any combination with other members of the group or other elements found herein. It is anticipated that one or more members of a group may be included in, or deleted from, a group for reasons of convenience and/or patentability. When any such inclusion or deletion occurs, the specification is deemed to contain the group as modified thus fulfilling the written description of all Markush groups used in the appended claims.

[0154] Certain embodiments are described herein, including the best mode known to the inventor for carrying out the embodiments of the present disclosure. Of course, variations on these described embodiments will become apparent to those of ordinary skill in the art upon reading the foregoing description. The inventor expects skilled artisans to employ such variations as appropriate, and the inventor intends for the embodiments of the present disclosure to be practiced otherwise than specifically described herein. Accordingly, this disclosure includes all modifications and equivalents of the subject matter recited in the claims appended hereto as permitted by applicable law. Moreover, any combination of the above-described elements in all possible variations thereof is encompassed by the present disclosure unless otherwise indicated herein or otherwise clearly contradicted by context.

[0155] Specific embodiments disclosed herein may be further limited in the claims using consisting of or consisting essentially of language. When used in the claims, whether as filed or added per amendment, the transition term “consisting of” excludes any element, step, or ingredient not specified in the claims. The transition term “consisting essentially of” limits the scope of a claim to

the specified materials or steps and those that do not materially affect the basic and novel characteristic(s). Embodiments of this disclosure so claimed are inherently or expressly described and enabled herein.

[0156] Furthermore, if any references have been made to patents and printed publications throughout this disclosure, each of these references and printed publications are individually incorporated herein by reference in their entirety.

[0157] In closing, it is to be understood that the embodiments disclosed herein are illustrative of the principles of the present disclosure. Other modifications that may be employed are within the scope of this disclosure. Thus, by way of example, but not of limitation, alternative configurations of the embodiments of the present disclosure may be utilized in accordance with the teachings herein. Accordingly, the present disclosure is not limited to that precisely as shown and described.

## Claims

1. An expandable interbody comprising: a superior shell; an inferior shell; and a control assembly situated between the superior and inferior shells, the control assembly comprising interlocking proximal and distal cages and an adjustment screw defining an axis, the adjustment screw configured to engage the proximal and distal cages and to adjust their position relative to each other along the axis when the adjustment screw is rotated; wherein the proximal and distal cages are configured to slidably engage each other and provide stability to each other as they are adjusted by the adjustment screw; wherein the proximal ends of the superior and inferior shells are configured to pivotally engage respective portions of the proximal cage; and wherein translation of the distal cage along the axis causes respective distal ends of the superior and inferior shells to move apart from an unexpanded state to an expanded state.
2. The expandable interbody of claim 1, wherein the proximal and distal cages each comprise a plurality of respective planar surfaces, wherein at least some of the planar surfaces of the proximal cage are configured to slidably engage at least some of the planar surfaces of the distal cage.
3. The expandable interbody of claim 1, wherein the proximal cage comprises a pair of lateral walls, and the distal cage comprises a pair of lateral walls; and wherein at least a portion of the proximal cage lateral walls is configured to slidably engage or support at least a portion of the distal cage lateral walls.
4. The expandable interbody of claim 1, wherein the proximal and distal cages provide stability to each other irrespective of whether the interbody is in the unexpanded state or the expanded state.
5. The expandable interbody of claim 1, wherein the proximal and distal cages are configured to slidably engage at least a portion of respective side walls of the superior and inferior shells so as to provide stability to the shells irrespective of whether they are in the unexpanded state or the expanded state.
6. The expandable interbody of claim 5, wherein the proximal and distal cages each comprise at least a pair of side walls; wherein each side wall of the proximal cage is coplanar with a respective side wall of the distal cage.
7. The expandable interbody of claim 5, wherein the respective pairs of side walls are configured to slidably engage interior planar surfaces of the superior and inferior shells, respectively.
8. The expandable interbody of claim 1, wherein respective distal ends of the superior and inferior shells, in the unexpanded state, fully enclose a distal end of the distal cage.
9. The expandable interbody of claim 1, wherein the adjustment screw is a twin screw comprising a proximal screw and a distal screw, the proximal screw having a threaded bore open at its distal end with the distal screw threadably engaged in the threaded bore.
10. The expandable interbody of claim 9, wherein a distal end of the distal screw engages the distal cage such that the distal screw is rotationally fixed relative to the distal cage.
11. The expandable interbody of claim 1, wherein the distal cage further comprises a retention pin

configured to hold the adjustment screw in place relative to the distal cage.

- 12.** The expandable interbody of claim 1, wherein the distal cage further comprises distal ramped surfaces configured to slidably engage respective ramp surfaces on the superior and inferior shells.
  - 13.** The expandable interbody of claim 1, wherein the distal cage further comprises a superior rounded surface and an inferior rounded surface each configured to slidably engage respective interior surfaces of the superior and inferior shells.
  - 14.** The expandable interbody of claim 1, wherein the pivotal engagement between the proximal cage and the superior and inferior shells, respectively, is achieved with a pair of superior extensions on the proximal cage configured to engage a portion of the superior shell and a pair of inferior extensions on the proximal cage configured to engage a portion of the inferior shell.
  - 15.** The expandable interbody of claim 14, wherein each of the respective portions of the superior and inferior shells comprises a pair of curved projections that extend proximally from the superior and inferior shells.
  - 16.** An interbody system comprising: the expandable interbody of claim 1; and an inserter configured to engage the expandable interbody, the inserter comprising: a handle portion that includes an extension portion with a cannula extending from a proximal end of the handle to a distal end of the extension portion; an engagement portion located on a distal end of the extension portion, the engagement portion including an engagement mechanism configured to engage the expandable interbody, and at least one counter torque extension configured to prevent the interbody from rotating while the engagement mechanism engages with or disengages from the interbody; and an expansion tool comprising a handle and an extension configured to slide through and rotate within the cannula of the handle portion, the extension comprising a tip configured to extend into the expandable interbody so as to engage with the adjustment screw; wherein rotation of the expansion tool when engaged with the adjustment screw causes the expandable interbody to transition from the unexpanded state to the expanded state or from the expanded state to the unexpanded state.
  - 17.** The interbody system of claim 16, wherein the handle further comprises an engagement knob configured to rotate the engagement mechanism.
  - 18.** The interbody system of claim 16, wherein the handle further comprises an expansion indicator configured to indicate the degree of expansion of the expandable interbody achieved by rotating the expansion tool.
  - 19.** The interbody system of claim 16, wherein the expansion tool is configured to provide an initial degree of expansion of the expandable interbody.
  - 20.** The interbody system of claim 19, wherein the initial degree of expansion is greater than about 0°, greater than about 2°, greater than about 4°, or greater than about 6°.
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