

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN NON-INVASIVE AESTHETIC  
BODY-CONTOURING DEVICES,  
COMPONENTS THEREOF, AND METHODS  
OF USING THE SAME**

**Investigation No. 337-TA-1219**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW  
AN INITIAL DETERMINATION EXTENDING THE TARGET DATE**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 18) extending the target date for completion of the above-captioned investigation by one month to February 9, 2022, and the deadline for issuing the final ID to October 8, 2021.

**FOR FURTHER INFORMATION CONTACT:** Panyin A. Hughes, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3042. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On September 9, 2020, the Commission instituted this investigation based on a complaint filed by BTL Industries, Inc. ("BTL") of Marlborough, Massachusetts. 85 FR 55687-88 (Sept. 9, 2020). The complaint alleged violations of section 337 based on the importation into the United States, the sale for importation, or the sale within the United States after importation of certain non-invasive aesthetic body-contouring devices, components thereof, and methods of using the same by reason of infringement of certain claims of U.S. Patent Nos. 10,632,321; 10,695,575; 10,695,576; 10,709,894; 10,709,895; and 10,478,634. *Id.* at 55687. The Commission's notice of investigation named the following six respondents: Allergan Limited of Dublin, Ireland; Allergan USA, Inc. of Madison, New Jersey; Allergan, Inc. of Madison, New Jersey; Zeltiq Aesthetics, Inc. of Pleasanton, California; Zeltiq Ireland Unlimited Company of Galway, Ireland; and Zimmer MedizinSysteme GmbH of Neu-

Ulm, Germany (collectively, “Respondents”). The Office of Unfair Import Investigations was not named as a party in this investigation. *Id.*

On April 24, 2020, the ALJ issued the subject ID (Order No. 18) extending the target date by one month to accommodate the parties’ joint motion to modify the procedural schedule due to “outstanding fact and expert discovery.” ID at 2. The subject ID extends the target date from January 7, 2022 to February 9, 2022, and the deadline for issuing the final ID from September 7, 2021 to October 8, 2021. The ALJ issued the order as an ID because the new target date is more than 16 months from the date of institution. *See* 19 CFR 210.51(a)(1). No petitions for review were filed.

The Commission has determined not to review the subject ID. The target date is now February 9, 2022, and the deadline for issuing the final ID is October 8, 2021.

The Commission vote for this determination took place on May 17, 2021.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR Part 210).

By order of the Commission.



Lisa R. Barton  
Secretary to the Commission

Issued: May 17, 2021