

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN DERMATOLOGICAL
TREATMENT DEVICES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-1356

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION TERMINATING THE INVESTIGATION AS TO ROHER
AESTHETICS, INC. BASED ON SETTLEMENT**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 38) of the presiding administrative law judge (“ALJ”), terminating the investigation as to respondent Roher Aesthetics, Inc. based on settlement.

FOR FURTHER INFORMATION CONTACT: Benjamin S. Richards, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5453. 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. 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 on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 6, 2023. 88 FR 20551 (Apr. 6, 2023). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain dermatological treatment devices and components thereof by reason of infringement of certain claims of U.S. Patent No. 9,480,836; U.S. Patent No. 10,058,379; U.S. Patent No. 11,406,444; U.S. Patent No. 9,320,536; U.S. Patent No. 9,775,774; and U.S. Patent No. 10,869,812. *Id.* The complaint further alleges that a domestic industry exists. *Id.* The Commission’s notice of investigation named as respondents Sung Hwan E&B Co., LTD. d/b/a SHenB Co. LTD of Seoul, Republic of Korea; Aesthetics Biomedical, Inc. of Phoenix, AZ; Cartessa Aesthetics, LLC of Melville, NY; Lutronic Corporation of Goyang-si, Republic of

Korea; Lutronic Aesthetics, Inc., also known as Lutronic, Inc. of Billerica, MA; Lutronic, LLC of Billerica, MA; Ilooda, Co., Ltd. of Anyang-si, Republic of Korea; Cutera, Inc. of Brisbane, CA; Jeisys Medical Inc. of Seoul, Republic of Korea; Cynosure, LLC of Westford, MA; Rohrer Aesthetics, LLC of Homewood, AL; Rohrer Aesthetics, Inc. of Homewood, AL (“Rohrer, Inc.”); EndyMed Medical Ltd. of Caesarea, Israel; EndyMed Medical, Ltd. of New York, NY; and EndyMed Medical, Inc. of Freehold, NJ. *Id.* at 20552. The Office of Unfair Import Investigations is also participating in the investigation. *Id.*

On October 27, 2023, the ALJ issued the subject ID, which grants a joint motion by complainant Serendia, LLC (“Serendia”) and Rohrer, Inc. to terminate the investigation as to Rohrer, Inc. based on settlement. Order No. 38 at 1-4 (Oct. 27, 2023). The ALJ also grants Serendia’s request to limit service of the confidential version of the underlying settlement agreement. *Id.* at 4. The ID finds that the motion complies with the relevant requirements of Commission Rule 210.21 (19 CFR 210.21), including the requirement that the motion include confidential and public versions of the underlying settlement agreement. The ID further finds that the motion states that “there are no other agreements, written or oral, express or implied, between Serendia and the Rohrer Respondent concerning the subject matter of this Investigation.” The ID finds that no party opposes the relief sought in the motion, and that Rohrer, Inc.’s termination from the investigation is in the public interest. No petitions for review of the subject ID have been received.

The Commission has determined not to review the subject ID. Rohrer, Inc. is terminated from the investigation.

The Commission vote for this determination took place on November 20, 2023.

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: November 20, 2023