

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 TO EXTEND THE TARGET DATE
FOR COMPLETION OF THIS INVESTIGATION**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined to extend the target date for completion of this investigation from April 21, 2025 to May 14, 2025.

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. 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, based on a complaint filed by Serendia, LLC of Lake Forest, CA (“Serendia”). 88 FR 20551-52 (Apr. 6, 2023). The complaint, as supplemented, alleged 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 claims 1, 2, 5, 6, 9, 14, 16, 17, 19, and 22 U.S. Patent No. 9,480,836 (“the ’836 patent”); claims 1-5, 7-10, and 15 of U.S. Patent No. 10,058,379; claims 1-10 of U.S. Patent No. 11,406,444 (the ’444 patent”); claims 1, 2, 4, 5, 8, 9, 11-13, 16, and 17 of U.S. Patent No. 9,320,536 (“the ’536 patent”); claims 1 and 6-15 of U.S. Patent No. 9,775,774 (“the ’774 patent”); and claims 1, 5-7, 9, 10, and 12-19 of U.S. Patent No. 10,869,812 (“the ’812 patent”). *Id.* at 20551. The complaint further alleged 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, Arizona; Cartessa Aesthetics, LLC of Melville, New York; Lutronic Corporation of Goyang-si, Republic of Korea; Lutronic Aesthetics, Inc., also known as Lutronic, Inc. of Billerica, Massachusetts; Lutronic, LLC of Billerica,

Massachusetts; Ilooda, Co., Ltd. of Anyang-si, Republic of Korea; Cutera, Inc. of Brisbane, California; Rohrer Aesthetics, LLC of Homewood, Alabama; Rohrer Aesthetics, Inc. of Homewood, Alabama; Jeisys Medical Inc. of Seoul, Republic of Korea; Cynosure, LLC of Westford, Massachusetts; and EndyMed Medical Ltd. of Caesarea, Israel; EndyMed Medical, Ltd. of New York, New York; and EndyMed Medical, Inc. of Freehold, New Jersey (together, “EndyMed”). *Id.* at 20552. The Office of Unfair Import Investigations (“OUII”) is also participating in the investigation. *Id.*

The Commission subsequently terminated the investigation as to the pending asserted patent claims except for claims 1, 9, and 22 of the ’836 patent; claims 11 and 16 of the ’536 patent; claim 14 of the ’774 patent; and claims 5, 13, and 18 of the ’812 patent, which remain pending in this investigation. *See* Order No. 16 (June 29, 2023), unreviewed by Comm’n Notice (July 20, 2023); Order No. 27 (Sept. 25, 2023), unreviewed by Comm’n Notice (Oct. 16, 2023); Order No. 43 (Nov. 8, 2023), unreviewed by Comm’n Notice (Dec. 12, 2023).

The Commission also subsequently terminated the investigation as to all respondents except for EndyMed. *See* Order No. 26 (Sept. 18, 2023), unreviewed by Comm’n Notice (Oct. 16, 2023); Order No. 38 (Oct. 27, 2023), unreviewed by Comm’n Notice (Nov. 20, 2023); Order No. 45 (Nov. 15, 2023), unreviewed by Comm’n Notice (Dec. 15, 2023); Order No. 47 (Nov. 20, 2023), unreviewed by Comm’n Notice (Dec. 15, 2023); Order No. 53 (Apr. 11, 2024), unreviewed by Comm’n Notice (May 8, 2024); Order No. 51 (Dec. 13, 2023), unreviewed by Comm’n Notice (Jan. 10, 2024); Order No. 64 (Dec. 18, 2024), unreviewed by Comm’n Notice (Jan. 17, 2025)..

The presiding administrative law judge (“ALJ”) held a *Markman* hearing on July 13, 2023, and issued a *Markman* Order on October 25, 2023, construing certain disputed claim terms. Order No. 35 (Oct. 25, 2023). The *Markman* Order found the asserted claims of the ’444 patent indefinite and terminated the investigation as the ’444 patent.

The ALJ held an evidentiary hearing on November 1-2, 6-7, 2023 and December 11-12, 2023, and received post-hearing briefs thereafter.

On December 19, 2024, the ALJ issued the final Initial Determination (“ID”) finding a violation of section 337 as to claims 1, 9, and 22 of the ’836 patent; claims 11 and 16 of the ’536 patent; claim 14 of the ’774 patent; and claims 5, 13, and 18 of the ’812 patent.

On January 10, 2025, Serendia and EndyMed filed respective petitions for review of the ID. On January 21, 2025, the parties, including OUII, filed responses to the petitions.

On February 28, 2025, the Commission determined to review the final ID in part and asked the parties to brief certain issues. 90 FR 11433-36 (Mar. 6, 2023). On March 14, 2025, the parties filed initial submissions in response to the Commission’s request for briefing. On March 21, 2025, the parties filed reply submissions.

The Commission has determined to extend the target for completion of the investigation from April 21, 2025 to May 14, 2025.

The Commission vote for this determination took place on April 7, 2025.

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.

A handwritten signature in black ink, appearing to read "Lisa R. Barton", enclosed within a large, loopy oval flourish.

Lisa R. Barton
Secretary to the Commission

Issued: April 8, 2025