

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 RESPONDENTS
ILOODA, CO., LTD. AND CUTERA, 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. 53) of the presiding administrative law judge (“ALJ”), terminating the investigation as to Respondents Ilooda, Co., Ltd. (“Ilooda”) and Cutera, Inc. (“Cutera”) 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 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; Aesthetics Biomedical, Inc. of Phoenix, AZ; Cartessa Aesthetics, LLC; 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; Cutera; 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; 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 April 10, 2024, the ALJ issued the subject ID, which grants a joint motion by complainant Serendia, LLC (“Serendia”) and respondents Cutera and Ilooda to terminate the investigation as to Cutera and Ilooda based on settlement. The ALJ also granted the moving parties’ request to limit service of the confidential version of the underlying settlement agreement. The ID found 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 found that the motion states that “there are no other agreements, written or oral, express or implied, between Serendia, Ilooda, and Cutera concerning the subject matter of this Investigation.” The ID found that Ilooda’s and Cutera’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. Cutera and Ilooda are terminated from the investigation.

The Commission vote for this determination took place on May 8, 2024.

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 8, 2024