

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN HYDRODERMABRASION
SYSTEMS AND COMPONENTS
THEREOF II**

Investigation No. 337-TA-1416

**NOTICE OF A COMMISSION DETERMINATION TO DENY COMPLAINANT'S
PETITION FOR RECONSIDERATION OF THE COMMISSION'S DECISION NOT
TO REVIEW AN INITIAL DETERMINATION SETTING A TARGET DATE**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission ("Commission") has determined to deny Complainant's petition for reconsideration of the Commission's decision not to review an initial determination ("ID") (Order No. 5) of the presiding administrative law judge ("ALJ") setting a target date for completion of this investigation to April 10, 2026.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3115. 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, telephone (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 10, 2024, based on a complaint filed on behalf of HydraFacial LLC f/k/a Edge Systems LLC of Long Beach, California ("HydraFacial," or "Complainant"). 89 FR 73446-47 (Sept. 10, 2024). The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain hydrodermabrasion systems and components thereof by reason of the infringement of claims 1-12, 14-20, 22-26, 28-37, and 39-45 of U.S. Patent No. 11,865,287 and claims 1-8 and 11-16 of U.S. Patent No. 9,550,052. The Commission's notice of investigation named as respondents Sinclair Pharma U.S. Inc. of Irvine, California;

Sinclair Pharma Limited of London, United Kingdom; Huadong Medicine Co., Ltd. of Hangzhou, Zhejiang, China; EMA Aesthetics, Ltd. of Dublin, Ireland; Aesthetics Management Partners of Cordova, Tennessee; Advanced Aesthetics Services LLC of Miami, Florida; and H.R. Meditech of Incheon, Republic of Korea. The Office of Unfair Import Investigations is not a party in this investigation.

On September 26, 2024, the ALJ issued an ID (Order No. 5) setting the target date in this investigation. The ID stated that a 19-month target date is set for April 10, 2026, with the Initial Determination on Violation due no later than December 10, 2025. ID at 1.

On October 2, 2024, HydraFacial filed a petition for review of the ID. On October 9, 2024, respondents Aesthetics Management Partners, LLC, Sinclair Pharma U.S. Inc., Sinclair Pharma Limited, Huadong Medicine Co., Ltd., and EMA Aesthetics, Ltd. (“Respondents”) filed an opposition to Complainant’s petition (“Opposition”).¹

On October 28, 2024, the Commission issued a notice of its determination not to review the ID (“Notice”). The notice erroneously indicated that no petitions for review had been filed. As noted above, a petition and an opposition were in fact filed. The Commission makes that correction herein.

On October 28, 2024, HydraFacial filed a petition for reconsideration of the Commission’s Notice based on the erroneous statement. On November 1, 2024, Respondents filed a response to HydraFacial’s petition for reconsideration opposing it.

In its petition for reconsideration, HydraFacial “requests that the Commission reconsider its Determination and review Complainant’s Petition and the arguments contained therein.” Petition for reconsideration at 2. Respondents argue that the target date as set in Order No. 5 should be affirmed. Respondents’ response to petition for reconsideration at 2.

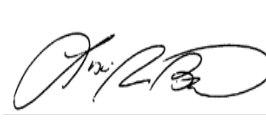
Having reviewed the subject ID (Order No. 5), HydraFacial’s petition for review, Respondents’ Opposition thereto, HydraFacial’s petition for reconsideration of the Commission Notice, and Respondents’ response opposing the petition for reconsideration, the Commission has determined to deny Complainant’s petition for reconsideration of its decision not to review the ID setting a target date to April 10, 2026, but hereby corrects the erroneous statement in its October 28, 2024 notice.

The Commission vote for this determination took place on November 21, 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).

¹ Respondents noted that respondents H.R. Meditech and Advanced Aesthetics Services LLC did not appear in this investigation and did not participate in Respondents’ Opposition. *See* Respondents’ Opposition at 1 n. 1.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a thin black rectangular border.

Lisa R. Barton
Secretary to the Commission

Issued: November 21, 2024