

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN ELECTRIC SKIN CARE
DEVICES, BRUSHES AND CHARGERS
THEREFOR, AND KITS CONTAINING
THE SAME**

Investigation No. 337-TA-959

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL
DETERMINATION FINDING RESPONDENTS OUR FAMILY JEWELS, INC. D/B/A
EPIPÜR SKINCARE; ANEX CORPORATION; AND KOREAN BEAUTY CO., LTD. IN
DEFAULT**

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 an initial determination (“ID”) (Order No. 18) of the presiding administrative law judge (“ALJ”) finding respondents Our Family Jewels, Inc. d/b/a/ Epiür Skincare (“Our Family Jewels”); ANEX Corporation (“ANEX”); and Korean Beauty Co., Ltd. (“Korean Beauty”) in default.

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 are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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 under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), on June 25, 2015, based on a complaint filed by Pacific Bioscience Laboratories, Inc. of Redmond, Washington (“PBL”). 80 *Fed. Reg.* 36576-77 (Jun. 25, 2015). The amended complaint, as supplemented, alleges a violation of Section 337 by reason of infringement of certain claims of U.S. Patent Nos. 7,320,691 and 7,386,906, and U.S. Design Patent No. D523,809 by numerous respondents. The amended complaint further alleges violations of Section 337 based upon the

importation into the United States, or in the sale of certain electric skin care devices, brushes and chargers therefor, and kits containing the same, by reason of trade dress infringement, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* The Commission's Office of Unfair Import Investigations ("OUII") was also named as a party.

On September 9, 2015, the ALJ issued Order No. 12, granting a motion for an order to show cause filed by complainant PBL. In that order, respondents Our Family Jewels, Accord Media, LLC d/b/a Truth in Aging ("Accord Media"), ANEX, and Korean Beauty were ordered to show cause why they should not be held in default for failing to respond to the complaint and notice of investigation.

The order set a deadline of September 25, 2015. On September 23, 2015, PBL submitted a notice that it was in contact with Accord Media and they had reached an agreement in principle regarding the dispute at issue in this investigation. No responses from any of the above-referenced respondents were received.

On September 28, 2015, the ALJ issued an ID (Order No. 18). The ALJ found that respondents Our Family Jewels, ANEX, and Korean Beauty failed to answer the complaint and notice of investigation and failed to show cause why they should not be found in default. The ALJ stated that, accordingly, these respondents are found in default. The ALJ further stated that respondents Our Family Jewels, ANEX, and Korean Beauty therefore waived their right to appear, be served with documents, and to contest the allegations at issue in this investigation. Order No. 18 at 2. No party petitioned for review of the subject ID, and the Commission has determined not to review it.

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 C.F.R. Part 210).

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

Issued: October 22, 2015