

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN RADIO FREQUENCY  
MICRO-NEEDLE DERMATOLOGICAL  
TREATMENT DEVICES AND  
COMPONENTS THEREOF**

**Investigation No. 337-TA-1112**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL  
DETERMINATION EXTENDING THE TARGET DATE FOR COMPLETION OF THE  
INVESTIGATION**

**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. 40) of the presiding administrative law judge (“ALJ”) extending the target date for completion of the above-captioned investigation by six months to May 15, 2020.

**FOR FURTHER INFORMATION CONTACT:** Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, D.C. 20436, telephone (202) 708-2310. 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, SW, Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://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 on May 15, 2018, based on a complaint filed on behalf of Syneron Medical Ltd. of Yokneam Illit, Israel; Candela Corporation of Wayland, Massachusetts; and Massachusetts General Hospital of Boston, Massachusetts. 83 *Fed. Reg.* 22515-16 (May 15, 2018). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain radio frequency micro-needle dermatological treatment devices and components thereof by reason of infringement of certain claims of U.S. Patent Nos. 9,510,899 (“the ’899 patent”) and 9,095,357. The Commission’s notice of investigation named

several respondents. The Office of Unfair Import Investigations is not participating in the investigation. The ALJ previously terminated the '899 patent from the investigation prior to the evidentiary hearing by a summary determination ("SD") of non-infringement; upon review of the SD, the Commission remanded the matter for further proceedings before the ALJ after the hearing. *See* Order No. 21 (Mar. 26, 2019), *reviewed and remanded by* Comm'n Notice (Apr. 25, 2019); Order No. 39 (Jun. 21, 2019).

On July 15, 2019, the ALJ issued the subject ID (Order No. 40) extending the target date of the investigation by six months from November 15, 2019, to May 15, 2020. The ALJ stated that the extension was necessary to accommodate the delay from scheduling an additional hearing regarding the '899 patent. No party petitioned for review of the subject ID.

The Commission has determined not to review the subject ID.

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, stylized oval flourish.

Lisa R. Barton  
Secretary to the Commission

Issued: August 12, 2019