

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 A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION
WITH RESPECT TO CERTAIN PATENT CLAIMS**

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. 27) issued by the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation with respect to certain asserted patent claims.

FOR FURTHER INFORMATION CONTACT: Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3316. 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 (“Complainant”). 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 claims 1, 2, 5-6, 9-14, 16-17, 19, and 22 of 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 (“the ’379 patent”); claims 1-10 of U.S. Patent No. 11,406,444 (“the ’444 patent”); claims 1-2, 4-5, 8-9, 11-13, and 16-17 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.* 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 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; Cuter, Inc. of Brisbane, California; Jeisys Medical Inc. of Seoul, Republic of Korea; Cynosure, LLC of Westford, Massachusetts; Rohrer Aesthetics, LLC of Homewood, Alabama; Rohrer Aesthetics, Inc. of Homewood, Alabama; EndyMed Medical Ltd. of Caesarea, Israel; EndyMed Medical, Ltd. of New York, New York; and EndyMed Medical, Inc. of Freehold, New Jersey. *Id.* at 20552. The Office of Unfair Import Investigations is also participating in the investigation. *Id.*

On September 20, 2023, Complainant filed a motion for partial termination based on the withdrawal of its allegations as to claims 1, 4-5, 9, 13, and 17 of the '536 patent; claim 13 of the '774 patent; claims 1, 10, 12, 14, 16, and 19 of the '812 patent; claims 2, 5, 11-14, and 17 of the '836 patent; claims 2, 5, and 7-9 of the '379 patent; and claims 1, 2, 5, and 8-9 of the '444 patent.

On September 25, 2023, the presiding ALJ issued the subject ID (Order No. 27) granting the motion for partial termination, finding that the motion complied with Commission Rule 210.21(a)(1). No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID. The investigation is hereby terminated with respect to claims 1, 4-5, 9, 13, and 17 of the '536 patent; claim 13 of the '774 patent; claims 1, 10, 12, 14, 16, and 19 of the '812 patent; claims 2, 5, 11-14, and 17 of the '836 patent; claims 2, 5, and 7-9 of the '379 patent; and claims 1, 2, 5, and 8-9 of the '444 patent.

The Commission vote for this determination took place on October 16, 2023.

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: October 16, 2023