

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 A RESPONDENT BASED ON CONSENT ORDER AND
CONSENT ORDER STIPULATION; ISSUANCE OF CONSENT ORDER**

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. 26) issued by the presiding administrative law judge (“ALJ”) terminating the above-captioned investigation as to Respondent Rohrer Aesthetics, LLC and to issue a consent order.

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. 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 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; Cutera, Inc. of Brisbane, California; Jeisys Medical Inc. of Seoul, Republic

of Korea; Cynosure, LLC of Westford, MA; Rohrer Aesthetics, LLC of Homewood, Alabama; Rohrer Aesthetics, Inc. of Homewood, AL; 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 (“OUII”) is also participating in the investigation. *Id.*

On August 30, 2023, Respondent Rohrer Aesthetics, LLC filed a motion to terminate the investigation as to itself based on a consent order stipulation and a proposed consent order. On September 5, 2023, OUII filed a response in support of the motion. No other responses to the motion were filed.

On September 18, 2023, the presiding ALJ issued the subject ID (Order No. 26) granting the motion to terminate. The ALJ found that the consent order stipulation complied with the requirements of Commission Rule 210.21(c)(3) (19 CFR 210.21(c)(3)) and the proposed consent order complied with the requirements of Commission Rule 210.21(c)(4) (19 CFR 210.21(c)(4)). ID at 5-10. The ALJ further found that termination of Rohrer Aesthetics, LLC would be in the public interest. *Id.* at 10. No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID and to issue a consent order with respect to Rohrer Aesthetics, LLC. The investigation is hereby terminated with respect to Rohrer Aesthetics, LLC.

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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', enclosed within a large, loopy oval shape.

Lisa R. Barton
Secretary to the Commission

Issued: October 16, 2023