

**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 THE COMMISSION'S DETERMINATION NOT TO
REVIEW AN INITIAL DETERMINATION TERMINATING THE
INVESTIGATION WITH RESPECT TO THREE RESPONDENTS**

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) issued by the presiding administrative law judge ("ALJ") that terminates the investigation with respect to Sung Hwan E&B Co., Ltd. d/b/a/ SHEnB Co., Ltd. of Seoul, Republic of Korea; Aesthetics Biomedical, Inc. of Phoenix, Arizona; and Cartessa Aesthetics of Hockessin, Delaware (collectively, the "SHEnB respondents").

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone (202) 708-5468. 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 (<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 on May 15, 2018, based on a complaint filed by Syneron Medical Ltd. of Yokneam Illit, Israel; Candela Corporation of Wayland, Massachusetts; and General Hospital Corporation d/b/a Massachusetts General Hospital of Boston, Massachusetts (together, "Complainants"). 83 FR 22515-16. 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, and the sale within the United States after importation of certain radio frequency micro-needle dermatological treatment devices and components thereof that infringe one or more of claims 1, 2, 4, 9-11, 15, 20, and 21 of U.S. Patent No. 9,510,899 and claims 1, 2, 4, 9-12, 17, and 18 of U.S. Patent No. 9,095,357. *Id.* at 22515. The Commission's notice of investigation named numerous respondents, including the SHEnB respondents. *Id.* at 22516. The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On March 7, 2019, Complainants and the SHEnB respondents filed a joint motion to terminate the investigation with respect to the SHEnB respondents pursuant to a settlement agreement. No party filed a response to the motion.

On March 20, 2019, the ALJ issued the subject ID, granting the motion pursuant to Commission Rule 210.21(b) (19 CFR 210.21(b)) and terminating the investigation with respect to the SHEnB respondents. The ALJ found that the motion complied with Rule 210.21(b) and that there is no evidence that termination by settlement has any adverse effect on the public interest. No petitions for review of the ID were filed.

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.



Lisa R. Barton
Secretary to the Commission

Issued: April 11, 2019