



INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1408]

Certain Hydrodermabrasion Systems and Components Thereof; Notice of Vacatur of the Commission's Final Determination and Mootness of the Investigation by the Federal Circuit Due to Patent Expiration

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission's ("Commission") final determination in the above-captioned investigation has been vacated by the U.S. Court of Appeals for the Federal Circuit ("Federal Circuit") and the investigation is terminated as moot as ordered by the Federal Circuit. The investigation was previously terminated on March 23, 2026.

FOR FURTHER INFORMATION CONTACT: Jonathan D. Link, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3103. 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: On July 17, 2024, the Commission instituted this investigation based on a complaint filed on behalf of HydraFacial LLC, f/k/a Edge Systems LLC, of Long Beach, California ("HydraFacial"). 89 FR 58188-89 (July 17, 2024). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based on the importation into the United States, the sale for importation, or sale within the United States after importation of certain hydrodermabrasion systems and components thereof by

reason of the infringement of certain claims of U.S. Patent No. 11,865,287 patent (“the ’287 patent”). *Id.* The complaint further alleges that an industry in the United States exists as required by section 337. *Id.* The Commission’s notice of investigation named as respondents Cartessa Aesthetics, LLC (“Cartessa”) of Melville, New York; and Eunsung Global Corp. of Republic of Korea. *Id.* The Office of Unfair Import Investigations is not participating in this investigation. *Id.*

On January 21, 2025, the Commission terminated the investigation as to Eunsung based on a consent order. Order No. 19 (Dec. 19, 2024), *unreviewed by Comm’n Notice* (Jan. 21, 2025).

On March 23, 2026, the Commission terminated the investigation with a final determination finding a violation of the asserted claims of the ’287 patent under section 337 by Cartessa. 91 FR 14713-714 (Mar. 26, 2026). However, the Commission suspended enforcement of any remedial orders because the ’287 patent would expire on March 29, 2026, during the 60-day period of Presidential review. *Id.* Respondent appealed the Commission’s final determination to the Federal Circuit.

While the appeal was pending, the ’287 patent expired, and pursuant to their terms, the remedial orders are no longer in effect. Cartessa moved to dismiss the appeal as moot and vacate the Commission opinion. The Commission did not oppose. HydraFacial did not oppose dismissal but opposed vacating the Commission opinion.

On July 23, 2026, the Federal Circuit issued an order vacating the Commission’s final determination and remanding the investigation to the Commission with instructions to “dismiss the investigation as moot.” *Cartessa Aesthetics, LLC v. United States Int’l Trade Commission*, Appeal Nos. 26-1582, 26-1881 (Fed. Cir. July 23, 2026). The Federal Circuit issued the mandate on September 15, 2026.

Because the present investigation was previously terminated, the Commission confirms via this notice that Investigation No. 337-TA-1408 is terminated as moot. The Commission's final determination was vacated per the Federal Circuit's order. *Id.*

The Commission vote for this determination took place on October 3, 2026.

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.

Issued: October 2, 2026.

Lisa Barton,

Secretary to the Commission.

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