

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

HYDRAFACIAL LLC, fka EDGE
SYSTEMS LLC,

Plaintiff,

v.

LUVO MEDICAL TECHNOLOGIES INC.;
CLARION MEDICAL TECHNOLOGIES,
INC.; EUNSUNG GLOBAL CORP.; and
HEALTHCARE MARKETS, INC., dba
POWERED BY MRP,

Defendants.

ORDER STAYING CASE

Case No. 2:24-cv-00587-TC

Judge Tena Campbell

On September 18, 2024, the court ordered Plaintiff HydraFacial LLC, fka Edge Systems LLC (HydraFacial), Defendant Eunsung Global Corporation (Eunsung), and Defendant Healthcare Markets, Inc., dba Powered by MRP (MRP) to respond within 14 days with any objections to a stay of this patent infringement action in its entirety pending two investigations conducted by the U.S. International Trade Commission (ITC). (See Order dated Sept. 18, 2024, ECF No. 32.) Those investigations are ITC Investigation No. 337-TA-1408 (the 1408 Investigation) and ITC Investigation No. 337-TA-1417 (the 1417 Investigation).

Eunsung does not object to a stay and also notes that it has filed a petition for inter partes review (the IPR petition) with the U.S. Patent and Trademark Office (USPTO), concerning one of the patents at issue in this lawsuit. (Eunsung's Resp., ECF No. 39 at 3–5.) MRP also maintains that the action should be stayed. (Joint Resp., ECF No. 40.) The two remaining defendants in this action, Luvo Medical Technologies Inc. (Luvo) and Clarion Medical

Technologies, Inc. (Clarion), are now represented by counsel and join in that request. (Id.) HydraFacial did not respond with any objections to a stay.

The court has already imposed mandatory stays related to three of the patents at issue. (See ECF No. 32.) Given the lack of any objections and the similarity of all six patents for which HydraFacial alleges infringement, the court finds that a stay of the action in its entirety is warranted. HydraFacial initiated this action on August 16, 2024, and the Defendants have yet to file answers to the Complaint. Because the matter is in the early stages of litigation, the court finds that HydraFacial will not suffer undue prejudice from a stay. Moreover, a stay will be judicially efficient, as parallel proceedings would involve duplicative discovery, claim construction hearings, and expert reports.

The court therefore stays the case until the conclusion of both the 1408 and 1417 Investigations and any appeals. If the IPR petition is still pending at that time, the court will consider whether to extend the stay until the resolution of that proceeding.

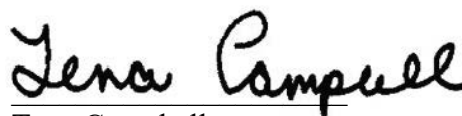
ORDER

For the foregoing reasons, the court ORDERS as follows:

1. The Clerk of Court is directed to STAY this proceeding in its entirety.
2. The Motion for Extension of Time (ECF No. 38) is TERMINATED AS MOOT.
3. One year from the date of this order, the parties must file a joint status report updating the court about the status of the 1408 and 1417 Investigations and the IPR petition.

DATED this 3rd day of October, 2024.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

Tena Campbell
United States District Judge