

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AESTHETIC MANAGEMENT PARTNERS, LLC AND AESTHETIC
MANAGEMENT PARTNERS, INC.,
Petitioner,

v.

HYDRAFACIAL LLC,
Patent Owner.

Case No. IPR2025-01169
Patent No. 9,550,052

PETITIONER'S SUPPLEMENTAL BRIEF

LISTING OF EXHIBITS

Exhibit	Description
1001	U.S. Pat. No. 9,550,052 to Ignon (“the ’052 patent”)
1002	Excerpts from the Prosecution History of the ’052 patent (“the Prosecution History”)
1003	Declaration of Mr. Eric Simon
1004	U.S. Patent Publication No. 2003/0212415 (“Karasiuk”)
1005	U.S. Patent No. 5,199,604 (“Palmer”)
1006	U.S. Patent Publication No. 2003/0093089 (“Greenberg”)
1007	U.S. Patent No. 6,390,815 (“Pond”)
1008	U.S. Patent No. 6,684,880 (“Trueba”)
1009	U.S. Patent No. 4,512,764 (“Wunsch 1982”)
1010	U.S. Patent Publication No. 2003/0018252 (“Duchon”)
1011	U.S. Patent No. 4,215,476 (“Armstrong”)
1012	Friedman, et al., Chemical peels, dermabrasion, and laser therapy, Disease-a-Month 55.4 (2009): 223-235 (“Friedman”)
1013	Burgess, Cheryl M., Cosmetic dermatology, Heidelberg, Germany: Springer, 2005 (“Burgess”)
1014	Pickering, J. A., Touch-sensitive screens: the technologies and their application, International Journal of Man-Machine Studies 25.3 (1986): 249-269 (“Pickering”)
1015	Friedman, Mark J. et al., The AMSA injection: A new concept for local anesthesia of maxillary teeth using a computer-controlled injection system. Quintessence Int 29 (1998): 297-303 (“Friedman 1998”)
1016	Lee, Woan-Ruoh, et al., Lasers and microdermabrasion enhance and control topical delivery of vitamin C, Journal of investigative dermatology 121.5 (2003): 1118-1125 (“Lee”)
1017	U.S. Patent No. 6,511,486 (“Mercier”)
1018	U.S. Patent Publication No. 2001/0049511 (“Coleman”)
1019	U.S. Patent No. 6,428,518 (“Brengele”)
1020	U.S. Patent No. 4,559,036 (“Wunsch”)

Exhibit	Description
1021	U.S. Patent No. 6,099,511 (“Devos”)
1022	U.S. Patent No. 5,163,902 (“Lynn”)
1023	U.S. Patent No. 5,190,525 (“Oswald”)
1024	U.S. Patent No. 6,673,082 (“Mallett”)
1025	Rajan, Poonam, et al., Skin barrier changes induced by aluminum oxide and sodium chloride microdermabrasion, <i>Dermatologic surgery</i> 28.5 (2002): 390-393 (“Rajan”)
1026	Karimipour, Darius J., et al., Molecular analysis of aggressive microdermabrasion in photoaged skin, <i>Archives of dermatology</i> 145.10 (2009): 1114-1122 (“Karimipour”)
1027	U.S. Patent No. 6,241,739 (“Waldron”)
1028	U.S. Patent No. 3,865,352 (“Nelson”)
1029	Nayler, Gordon. Dictionary of mechanical engineering. SAE International, 1996 (“Nayler”)
1030	Declaration of Harold Walbrink
1031	D.I. 80, Scheduling Order, <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. Jul. 29, 2025)
1032	RESERVED
1033	RESERVED
1034	D.I. 19, Joint Motion to Invoke the Statutory Stay, <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. Aug. 12, 2024)
1035	Table of currently pending cases where Patent Owner HydraFacial asserts the ’052 patent against other parties
1036	Timelines Illustrating the Relevant Events In Eunsung IPRs and AMP IPRs
1037	D.I. 10, Waiver of Service Filed by Plaintiff, <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. Aug. 12, 2024)
1038	D.I. 134, Defendant’s Opening Claim Construction Brief, <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. Jan. 6, 2026)

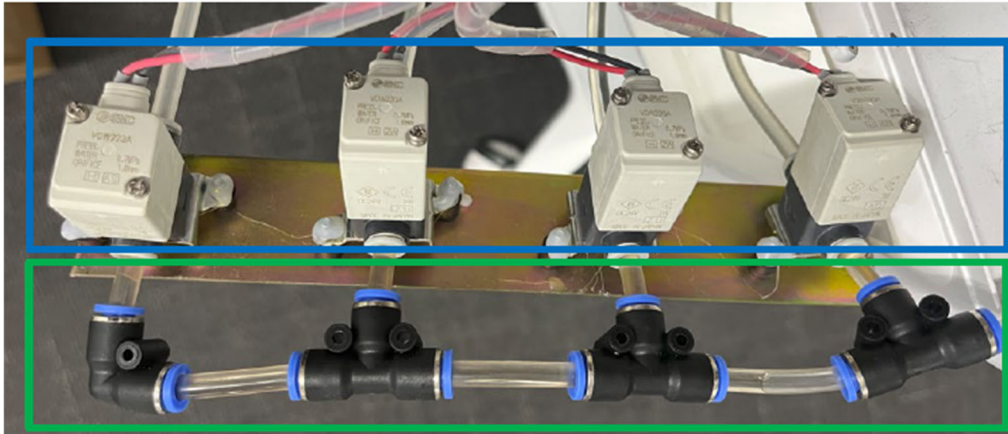
Exhibit	Description
1039	D.I. 133, Plaintiff HydraFacial LLC's Opening Claim Construction Brief, <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. Jan. 6, 2026)
1040	Email from Green, Vanessa, Final Claim Construction Chart (Dec. 18, 2025) (with attachment)
1041	Defendant AMP's Final Claim Construction and Disclosures under LPR 4.2(c), <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. Dec. 18, 2025)
1042	Email from Riccio, Nicole, RE: HydraFacial v. AMP - HydraFacial's Proposed Terms for Construction (Sept. 26, 2025)
1043	Email from Boettcher, Christian, HydraFacial v. AMP - HydraFacial's Proposed Terms for Construction (Sept. 26, 2025)
1044	Email from Boettcher, Christian, RE: HydraFacial v. AMP - HydraFacial's Proposed Terms for Construction (Oct. 17, 2025)
1045	D.I. 42-1, Memorandum of Points and Authorities in Support of Plaintiff's Motion for a Preliminary Injunction, <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. June 13, 2025)
1046	D.I. 42-2, Expert Declaration of Karl Leinsing, MSME, PE in Support of HydraFacial LLC's Motion for Preliminary Injunction, <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. June 13, 2025)
1047	Defendant AMP's Preliminary Claim Construction and Disclosures under LPR 4.2(a) and 4.2(b), <i>HydraFacial LLC v. Aesthetic Management Partners, LLC</i> , No. 2:24-cv-02480 (W.D. Tenn. Oct. 30, 2025)

The meaning of the claim language that Patent Owner (“PO”) contends was inconsistently argued in this IPR—“the manifold is configured to control a flow of treatment material”—has *never been in dispute*. Notably, despite basing its request for this briefing on an argument made in Petitioner’s opposition to PO’s preliminary injunction motion in **July 2025** (EX2175, 10), PO never identified this claim language for construction—not in its preliminary identification of claim terms in September 2025 (EX1043), nor in its final identification of claim terms in October 2025 (EX1044), nor in its final claim construction disclosure in December 2025 (EX1040), nor in its *Markman* brief in January 2026 (EX1039). Petitioner likewise never identified it. EX1038, EX1041, EX1042, EX1047.

In an earlier IPR, the Acting Director identified the patent challenged herein as subject to “*material error*” by the Examiner during prosecution. *Eunsung Global Corp. v. HydraFacial LLC*, IPR2025-00445, Paper 14, 2-3 (July 10, 2025). Having settled that IPR to avoid a trial, PO now tries to manufacture an inconsistency where none exists in a last-minute attempt to avoid a trial over the same prior art about which the Examiner materially erred.

Like all claim language that is *not* subject to claim construction, the language in question of course must still be *applied* (whether to an accused product or to a prior art reference). Petitioner’s application of the claim language is the same in the district court and in the Petition herein.

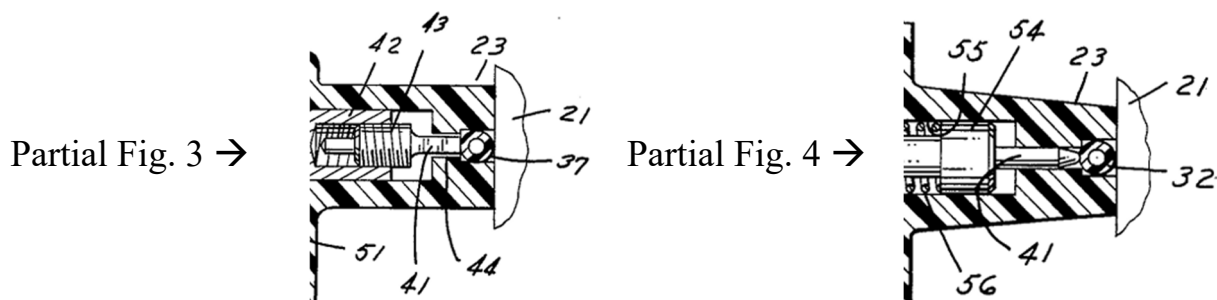
In opposition to PO’s preliminary injunction motion, Petitioner simply explained that the tubes PO and its expert identified as the accused “manifold” (green box below) (EX1045 at 6; EX1046 at 33) are “*always open*,” and thus cannot control flow” as required by the claim limitation in question. EX2175 at 10. Rather, those tubes are connected to separate and independent upstream components containing valves (blue box below) that control flow of fluid *before it can even enter the tubes comprising the manifold. Id.*



EX2176 at 5-7. The valves are thus not part of the manifold but instead are located elsewhere in the console—all as contemplated by the ’052 patent in an alternative embodiment. EX1001, 9:4-8, 18:27-34. In this way, the accused “manifold” is itself incapable of “controlling a flow of treatment material.”

The Wunsch (EX1020) manifold works differently from the accused products and plainly meets the claim language. As the Petition explained, in Wunsch the “manifold selector 17” includes tubes through which fluid flows, in a configuration very different from the AMP product accused of infringement.

Wunsch's manifold selector 17 *includes valve elements that press against the flexible tubes of the manifold*, so that *the manifold tubes themselves are closed* ("pinched off to prevent fluid flow"), controlling fluid flow, exactly as required by the claim language. Petition, 69-78; EX1020, 6:13-26, 7:18-56. Figs. 3-4 (copied-in-part below) show how manifold selector 17 *includes* tubes 32, 37 and valve 40's element 41 that can press against the tubes, so the manifold itself controls fluid flow. *Id.*; see also *id.*, 5:4-10.



As can be appreciated, not only did Petitioner never take inconsistent claim construction positions; Petitioner also applied the phrase "the manifold is configured to control a flow of treatment material" consistently in both forums.

Presumably aware of the weakness of its position on the Wunsch grounds (1D-1F), PO briefed and mischaracterized the Palmer grounds (1A-1C) *without authorization*. EX3002. That argument should thus be stricken. In any event, the Acting Director already rejected it in the earlier-settled IPR on the '052 patent. IPR2025-00445, Paper 8, 19-21; Paper 14.

Respectfully submitted,

Date: January 12, 2026

/Scott A. McKeown/

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CERTIFICATE OF SERVICE UNDER 37 C.F.R. § 42.6 (E)(4)

I certify that on January 12, 2026, a copy of the foregoing document, including any exhibits filed therewith, is being served via electronic mail, as previously consented to by Patent Owner, upon the following:

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