IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DD KARMA, LLC, Plaintiff, v. MICHAEL TODD BEAUTY LP and MTTO LLC, Defendants.	)	C.A. No. 17-1434-RGA-MPT

AMENDED COMPLAINT

Plaintiff, DD KARMA, LLC ("DD Karma" or "Plaintiff"), by its attorneys, and for its Amended Complaint against Defendant, MICHAEL TODD BEAUTY, LP, and MTTO LLC (collectively "Defendants"), alleges as follows:

NATURE OF THE ACTION

1. Plaintiff brings this action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code.

THE PARTIES

2. Plaintiff, DD Karma, is a limited liability company organized under the laws of Delaware with its principal place of business at 111 W. Illinois Street, Chicago, Illinois 60654.

3. DD Karma sells its DERMAFLASH device and its "Preflash" pre-treatment cleanser, its "Postflash" post-treatment moisturizer, and its four "Edges," replacement blades, as part of an innovative facial skin care regimen for women. The DERMAFLASH line of products (including rights thereto and revenues therefrom) are DD Karma's primary assets.

4. Defendant, Michael Todd Beauty LP ("Michael Todd"), is a Delaware limited partnership with its principal place of business at 648 SW Port St. Lucie Blvd., Port St. Lucie,

Florida, 34953. Among other grooming and cosmetic products, Michael Todd sells hand held cosmetic devices.

5. Defendant, MTTO LLC ("MTTO") is a Delaware limited liability company with its principal place of business at 648 SW Port St. Lucie Blvd., Port St. Lucie, Florida, 34953. MTTO is the general partner of Michael Todd, as disclosed in the Florida Department of State and the Arizona Secretary of State web sites for the foreign entity registration of Michael Todd.

JURISDICTION AND VENUE

6. This Court has Jurisdiction over this matter pursuant to 28 U.S.C. § 1331 and § 1338(a) and (b).

7. Venue is proper under 28 U.S.C. § 1400(b) because the Defendants are incorporated in Delaware.

BACKGROUND FACTS

Research and Development of Dermaflash

8. DD Karma was founded in or around May 2013 as part of efforts to develop the DERMAFLASH Product and the related facial skin care regimen. DERMAFLASH uses a gentle "edge" (or blade) together with sonic vibration to remove dead surface skin cells, built up debris, and peach fuzz.

9. Research and development of the DERMAFLASH product lasted over two years and cost over one million dollars ($1,000,000).

10. The DERMAFLASH device was the first hand-held device with an electronically powered vibrating blade, making the spa-procedure of dermaplaning safe for at-home-use by non-professionals. This product represents a breakthrough in the beauty industry for at-home skin-care products.

11. In DD Karma's video for the DERMAFLASH, which has been available on its website, www.dermaflash.com, since November 30, 2015, Dara Levy explains that she developed the device as a "first-in-class" alternative to an expensive spa treatment known as "dermaplaning." Dermaplaning is a process normally performed by licensed skin care professionals, such as estheticians, using a surgical scalpel with a delicate touch, to remove the epidermis, i.e., the outer layer of cells in the skin and to remove fine vellus hair, i.e. peach fuzz. The procedure is popular for benefits such as exfoliation, removing facial hair, enhancing application of makeup, improving the efficacy of moisturizers and restoring a youthful appearance to the complexion.

12. Prior razor products focused on shaving unwanted hair, and the focus on promoting and using DERMAFLASH for additional purposes has set it apart. DERMAFLASH is a 2-in-1 multi-tasking device that not only removes peach fuzz but also exfoliates the skin. It is this combination that differentiates DERMAFLASH from a razor. DERMAFLASH also has a safety cage over the blade of the "Edge" to further protect the delicate skin on a woman's face, and again, differentiate it from a razor.

13. An executive for one prominent retail chain described DERMAFLASH as "the first of its kind anti-aging and exfoliating device." One clinical study showed that 89 percent of women reported easier makeup application after using DERMAFLASH, 89 percent reported seeing a positive difference in tone and texture after use, and 96 percent reported that their skin felt soft and supple after use.

14. The original DERMAFLASH kit retailed for $189.00, which included the DERMAFLASH device, a charging base, a power supply cord, Owner's Manual, Quick Start Guide, 0.8 fluid ounces of PREP Cleanser and SMOOTH Moisturizer, each, and 6 Dermaflash

EDGES, (referred to collectively herein as the "DERMAFLASH Kit".) The DERMAFLASH Kit was sold in three versions, a two-tone white and blue, two-tone white and light pink, and two-tone white and lilac.

15. Treatments are recommended weekly, and the original DERMAFLASH Kit provided supplies sufficient for six-weeks of treatments. An image of the two-tone white and blue version of the original 1.0 DERMAFLASH Kit appears below:

16. Refill packages for an additional six weeks of treatments were sold as "THE ESSENTIALS," containing 6 Dermaflash EDGES and eight-tenths of an ounce bottles of PREP Cleanser and SMOOTH Moisturizer, which retail for $39.99. A refill package for twelve weeks of treatments were sold containing 12 Dermaflash EDGES, 2 tubes of PREP Cleanser, and 2 tubes of SOOTH moisturizer for $65 (referred to herein with the six-week refill packages as "The Essentials".)

17. The presentation of Dermaflash's original, THE ESSENTIALS (the six-week refill package), appears below:

THE ESSENTIALS

18. On January 5, 2018, DD Karma introduced a new, 2-speed, LED battery-level indicator version of DERMAFLASH, the "DERMAFLASH LUXE 2.0" or "DERMAFLASH LUXE," on a telecast through a QVC "Worldwide Launch." The DERMAFLASH LUXE is offered in pink and teal, as shown in images for the DERMAFLASH website below:

19. The DERMAFLASH LUXE 2.0 device and kit is sold for $189.00. The kit consists of the DERMAFLASH LUXE 2.0 device, the PREFLASH Cleanser, the POSTFLASH Moisturizer, a Charging Base, a USB Charger + Cord, an instruction booklet, and the Edge Tray with 4 Edges (referred to as the "DERMAFLASH LUXE 2.0 Kit"). An image of the DERMAFLASH LUXE 2.0 Kit from the DERMAFLASH website appears below:

20. The "Essentials" replenishment kit for the DERMAFLASH LUXE 2.0 provides 4 Edges in an Edge Tray, the PREFLASH Cleanser and the POSTFLASH Moisturizer for a retail price of $29.00 (the "Essentials 2.0" and collectively with the DERMAFLASH LUXE 2.0 device, DERMAFLASH and the DERMAFLASH Kit as the "DERMAFLASH Products"). An image of these products is provided below:

DD Karma Introduces the DERMAFLASH Products

21. The first sale of DERMAFLASH was made on or about November 10, 2015. The DERMAFLASH Products are currently available in retail stores in the U.S. including Sephora, Neiman Marcus, and Nordstrom. The device is also sold in over 48 high-end med spas and resort spas, including but not limited to, Woodhouse Day Spa, Ritz-Carlton, Four Seasons Hotel, Meadowood Napa Valley, and Canyon Ranch Spa Club. DERMAFLASH products are also sold online through the websites, dermaflash.com, sephora.com, amazon.com, nordstrom.com, ulta.com, lovelyskin.com, dermstore.com, neimanmarcus.com, macys.com and qvc.com, and on television on the QVC channel.

22. By retailing DERMAFLASH in high-end retailers such as Neiman Marcus Sephora, and Nordstrom, and with quality packaging and a professional presentation, DD Karma

has made DERMAFLASH and the DERMAFLASH Kit famous as the first DIY alternative to the expensive spa treatment known as "dermaplaning."

23. When DERMAFLASH was first offered on the QVC channel in February of 2016, the product sold out. On August 30, 2016 and January 5, 2018, DERMAFLASH was featured as QVC's "Today's Special Value™", Approximately 30,000 units were sold on the August 2016 sale date, and over 26,000 units on the January 2018 sale date. From February 2016 through the present, DERMAFLASH has had forty-seven appearances on the QVC channel.

24. An irreparable injury will result if Defendants' wrongful conduct is not enjoined immediately. Specifically, DD Karma has incurred significant expenses to arrange for appearances to market the DERMAFLASH Products on nation-wide broadcasts, including expenditures for the national rollout of its first infomercial expected in May of 2018, with one-million-dollar minimum in advertising spend for infomercial support on a monthly basis. DD Karma will also be participating in trade shows to market DERMAFLASH throughout the U.S. in May, June, July and August of 2018.

25. Since its introduction on the market in December of 2015, DD Karma has sold more than one hundred twenty-five thousand (125,000) DERMAFLASH Kits, not including THE ESSENTIALS replenishment packages, and has achieved multi-millions in retail sales.

DD Karma's U.S. & International Patents

26. DD Karma owns by assignment United States Design Patent No. D786,499 S, entitled "Hand Held Electronic Cosmetic Device," which issued on May 9, 2017 (the "499 Patent"). A true and correct copy of the '499 Patent is attached hereto as Exhibit A.

27. On October 24, 2013, DD Karma filed a patent application for a "Hand-Held Dermaplaning Device and Dermaplaning Process," based on Dara Levy's invention. This application, Pat. No. US 2015/0073438 AI, was published on March 12, 2015.

28. On March 20, 2018, the U.S. Patent and Trademark Office issued United States Patent No. 9,918,539 B2, entitled "Hand Held Dermaplaning Device and Dermaplaning Process," (the "'539 Patent"), to the owner, DD Karma. A true and correct copy of the '539 Patent is attached hereto as Exhibit B.

29. On June 22, 2015, DD Karma filed an International Industrial Design Registration for the DERMAFLASH product under The Hague Convention (the "Design Registration"), which is available on an International database, known as The Hague Express. A copy of this registration is attached hereto as Exhibit C. Plaintiff's Design Registration designated four different jurisdictions: Japan, Korea, the United States and the European Economic Community ("EEC") countries (2-digit ID is EM).

30. Plaintiff's Design Registration was published on February 19, 2016.

31. To date, the Design Registration has resulted in a Statement of Grant of Protection from the World Intellectual Property Organization (WIPO) for the EEC member countries, a copy of which is attached hereto as Exhibit D. As a result, the physical/aesthetic design of DD Karma's Hand-Held Dermaplaning Device is protected in all member countries of the EEC. These countries include: Austria, Belgium, Bulgaria, Cyprus, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.

32. The term of the protection under the Statement of Grant of Protection for these EEC countries is 5 years or until June 22, 2020 and is renewable up to 25 years.

33. Provided a Grant of Protection is issued by the United States, DD Karma will be entitled to collect infringement damages from February 19, 2016, the date the Plaintiff's Design Registration was published.

Michael Todd and its Dermaflash Knock-Off, "SonicSmooth"

34. On or about September 14, 2017, Michael Todd introduced a product called SONICSMOOTH, Sonic Dermaplaning System."

https://michaeltoddbeauty.com/products/sonicsmooth?variant=41676140037.)

35. Michael Todd offers to sell and sells the SONICSMOOTH, Sonic Dermaplaning System, which includes a hand-held cosmetic device (the "SONICSMOOTH Device"), a charging dock and cord, an instruction manual, recommending weekly use, and a following trio of products, including (i) "8 Single Use Safety *Edges* (2-month supply)"; (ii) "Honey and Oat Cleanser-*Prep* 25 ml/.8 fl. oz."; and (iii) "Sonicsmooth *Soothe* After Treatment Gel- 25 ml/.8fl oz." (referred to collectively herein as the "Accused Product System").

36. Michael Todd also offers to sell and sells this trio of products separately from the SONICSMOOTH Device and charging dock as a "SONICSMOOTH Replacement Kit," containing (i) 8 Single Use Safety Edges; (ii) Honey and Oat Cleanser- Prep 25 ml/.8 fl. oz.; and (iii) Sonicsmooth Soothe After Treatment Gel- 25 ml/.8 fl. oz. (referred to collectively herein as the "Accused Product Replacement Kit", and with the Accused Product and the Accused Product System, as the "Accused Products").

37. Michael Todd offers to sell and sells the SONICSMOOTH Sonic Dermaplaning System and the SONICSMOOTH Replacement Kit nationwide on the Internet on at least its own

web site, www.michaeltoddbeauty.com, and on www.ulta.com, www.amazon.com, www.fingerhut.com. and www.beautybrands.com.

38. According to one of its own press releases, dated October 3, 2017, Michael Todd is currently selling its "SONICSMOOTH Sonic Dermaplaning System," at ULTA beauty stores, on HSN (Home Shopping Network), as well as through its own web site and ULTA.com. (*See* Exhibit E.) Michael Todd has also partnered to sell the products in all sixty-one retail stores of Beauty Brands and in Forever 21's new specialty beauty boutique, Riley Rose. (*Id.*) Beauty Brands has stores in Illinois and Indiana, and Riley Rose, opened its first store in California and has plans to open twelve additional stores nationwide. (*Id.*)

39. On information and belief, Defendants' SONICSMOOTH Device is an inferior product which has received insufficient testing and may be unsafe for users. Sale of a confusingly similar, but inferior product, will injure the reputation of DD Karma's DERMAFLASH Products and impair the reputation among consumers attributed to its distinctive mark and trade dress.

Michael Todd's Prior Pattern and Practice of Infringement

40. The "SONICSMOOTH" is not the first of Michael Todd's infringing products, but at least the third major instance in which the company has been sued for violating a competitor's patent rights to a successful cosmetic device.

41. Michael Todd has followed a practice of marketing and selling hand-held cosmetic products created by other inventors after the products have been successfully marketed and sold through other channels. Michael Todd copies these products, and has frequently been charged with infringement of patent and other intellectual property rights based on this conduct.

42. On May 1, 2015, Defendants were sued for selling its imitation "Soniclear facial cleansing system" ("Soniclear"), and thereby infringing the patents to "The Clarisonic Sonic Skin Cleansing System," an extremely successful sonic facial cleansing device and system introduced in 2004 and acquired by L'Oréal, S.A. *See Pacific Bioscience Laboratories, Inc. v. Michael Todd True Organics LP, MTTO LLC,* No. 2:15-cv-00691-JLR (W.D. Wa.) (the "Clarisonic Infringement Suit").

43. On July 16, 2015, the court granted Defendants' motion to stay the Clarisonic Infringement Suit in light of a parallel action involving the same patents and accused products filed by the plaintiff on April 30, 2015 against the Defendants before the United States International Trade Commission ("ITC") action under Section 337 of the Tariff Act of 1930. *See In the Matter of Certain Skin Care Devices, Brushes and Chargers Therefor, and Kits Containing Same,* USITC Inv. No. 337-TA-959.

44. On information and belief, the Clarisonic Infringement Suit was settled based on a licensing agreement between the parties. Specifically, in the public version of the ITC's Commission Opinion, the ITC noted a request by Michael Todd to include a carve-out in the general exclusion order ("GEO") for Michael Todd's products because "as a result of its settlement agreement with PBL [complainant, Pacific Bioscience Laboratories, Inc.] its products are either licensed or subject to a covenant not to sue by PBL." *See In the Matter of Certain Skin Care Devices, Brushes and Chargers Therefor, and Kits Containing Same,* USITC Inv. No. 337-TA-959, Comm'n Op. at 18 (Feb. 13, 2017).

45. The ITC denied this request because the GEO excluded products operating "under license from, or with the permission of, the patent owner or as provided by law." *Id*. at 19.

46. In 2017, Defendants were sued again for infringing a competitor's intellectual property with a knock-off product in the form of it "Sonicblend," automated makeup brush. On January 18, 2017, Worth Beauty LLC sued Defendants for infringing its copyrights and trademarks for the first-of-a-kind, Automated Makeup Brush System™. *See Worth Beauty, LLC v. Michael Todd LP and MTTO LLC,* No. 4:17-cv-00163. This matter remains pending.

47. Plaintiff will be irreparably harmed if its products are confused with those of Michael Todd, a retailer that lacks the high-end, high-quality reputation Plaintiff enjoys among consumers.

48. Michael Todd is, among other things, marketing, manufacturing, using, selling, importing and/or offering to sell the Sonicsmooth Products, which infringe the DD Karma utility and design patents and trademarks and constitute and unfair and deceptive trade practice.

Count I: INFRINGEMENT OF U.S. PATENT NO. 9,918,539 B2

49. DD Karma repeats and incorporates by reference the allegations contained in paragraphs 8 - 52 as if fully set forth herein.

50. Michael Todd offers to sell and sells a line of products called the Sonicsmooth Sonic Dermaplaning System.

51. Michael Todd offers to sell and sells a hand-held dermaplaning device called the Sonicsmooth device (the "Accused Device").

52. Michael Todd offers to sell and sells the Sonicsmooth Sonic Dermaplaning System, consisting of the Sonicsmooth device, a charging dock and cord, an instruction manual, recommending weekly use, and a following trio of products, including (i) "8 Single Use Safety *Edges* (2-month supply)"; (ii) "Honey and Oat Cleanser-*Prep* 25 ml/.8 fl. oz."; and (iii) "Sonicsmooth *Soothe* After Treatment Gel- 25 ml/.8fl oz." (the "Accused Product System" and with the Accused Product, as the "Accused Products").

53. The Accused Device is a portable hand-held dermaplaning device.

54. The Accused Device has a housing for carrying respective components.

55. The Accused Device has a blade assembly having a blade and a safety cage.

56. The Accused Device has a safety cage attached to the blade and a blade configured to remain stationary relative to the safety cage during the use of the dermaplaning device.

57. The Accused Device has a blade assembly carried by the housing to enable the blade to penetrate an epidermis during use.

58. The Accused Device has a safety cage juxtaposed over the blade and constructed and arranged to limit the depth of cut from cutting below the epidermis.

59. The Accused Device has a safety cage, portions of which extend below the cutting edge of the blade.

60. The Accused Device has a vibration generator.

61. The Accused Device's vibration generator is mechanically coupled to the blade assembly for selectively generating vibrations to vibrate the blade assembly at a predetermined frequency.

62. The Accused Device has a power supply for powering the vibration generator.

63. The Accused Device has a switch for selectively connecting the power supply relative to the vibration generator in an on mode of operation, wherein the blade remains stationary relative to the safety cage.

64. The Accused Device has a switch for selectively disconnecting the power supply relative to the vibration generator in an off mode of operation, wherein the blade remains stationary relative to the safety cage.

65. The Accused Device has a housing formed to carry a blade assembly, a vibration generator, a power supply and a switch.

66. Michael Todd has infringed and continues to infringe at least claim 1 of the '539 Patent within the meaning of 35 U.S.C. § 271(a) through the following activities including without limitation, selling and offering to sell the Sonicsmooth Sonic Dermaplaning System, with its Sonicsmooth device, and other handheld dermaplaning devices with different names but with the same or substantially similar designs, features and functionalities as the Accused Products.

67. DD Karma has complied with the notice provisions of 35 U.S.C. § 287.

68. Michael Todd's infringement of the '539 Patent by selling and offering to sell the Accused Products has injured DD Karma and DD Karma is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

69. Michael Todd's infringing activities have injured and will continue to injury DD Karma unless and until this Court enters and injunction prohibiting further infringement and, specifically, enjoining further manufacture, use, sale, offer for sale and/or importation of products that come within the scope of the '539 Patent.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully asks this Court to enter judgment against Defendants, and against its subsidiaries, successors, parents, affiliates, officers, directors, agents, servants and employees, and all persons in active concert or participation with them, granting the following relief:

A. That judgment be entered in favor of Plaintiff and against Defendants on each claim;

B. An award of damages adequate to compensate Plaintiff for the infringement that has occurred, but in no event less than a reasonable royalty as permitted by 35 U.S.C. § 284, together with prejudgment interest from the date the infringement began;

C. Increased damages as permitted under 35 U.S.C. § 284;

D. A finding that this case is exceptional and an award to Plaintiff of its reasonable attorneys' fees and costs as provided by 35 U.S.C. § 285;

E. A preliminary and permanent injunction prohibiting Defendants from infringing the patent in suit; and

F. Such other relief to which Plaintiff is entitled under law, and any other relief this Court or a jury deems just and proper.

JURY DEMAND

Plaintiff demands a trial by jury on all issues presented in this Complaint.

ASHBY & GEDDES

/s/ Andrew C. Mayo

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Dated April 19, 2018

EXHIBIT A

US00D786499S

(12) United States Design Patent

Levy

(10) Patent No.: US D786,499 S
(45) Date of Patent: ** May 9, 2017

(54) **HAND HELD ELECTRONIC COSMETIC DEVICE**

(71) Applicant: **Dara Levy**, Highland Park, IL (US)

(72) Inventor: **Dara Levy**, Highland Park, IL (US)

(**) Term: **15 Years**

(21) Appl. No.: **35/001,037**

(22) Filed: **Jun. 22, 2015**

(80) **Hague Agreement Data**

Int. Filing Date: **Jun. 22, 2015**
Int. Reg. No.: **DM/089329**
Int. Reg. Date: **Jun. 22, 2015**
Int. Reg. Pub. Date: **Feb. 19, 2016**

(51) **LOC (10) Cl.** **28-02**

(52) **U.S. Cl.**
CPC ***A45D 24/22*** (2013.01)
USPC **D28/7**

(58) **Field of Classification Search**
USPC D28/7, 8, 20–22, 30–31, 76, 85, 99; 132/108, 202, 208, 317.32; 401/202–207, 401/261–267; D4/132–135; D24/119, D24/215
CPC .. A45D 34/002; A45D 34/005; A45D 34/007; A45D 34/04; A45D 34/041; A45D 34/042; A45D 34/043; A45D 34/045; A45D 34/046; A45D 34/047; A45D 34/048; A45D 34/06
See application file for complete search history.

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D754,395 S *	4/2016	Yeo	D28/7	

* cited by examiner

Primary Examiner — Richard E Chilcot
(74) *Attorney, Agent, or Firm* — John S. Paniaguas; Clark Hill PLC

(57) **CLAIM**

The ornamental design for the hand held electronic cosmetic device, as shown and described.

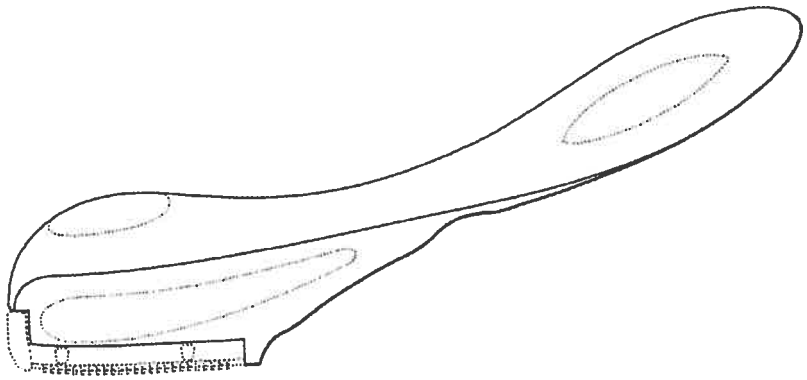
DESCRIPTION

1. Hand held electronic cosmetic device
1.1 : Perspective
1.2 : Top
1.3 : Bottom
1.4 : Left
1.5 : Right
1.6 : Front
1.7 : Back

The device is a rechargeable, handheld beauty device with a blade (plane) that operates through sonic vibration; the user gently glides the device over his/her skin to exfoliate by removing built up debris and dead skin cells.

The broken lines in the drawing description is included for the purpose of illustrating environmental structure and forms no part of the claimed design.

1 Claim, 7 Drawing Sheets



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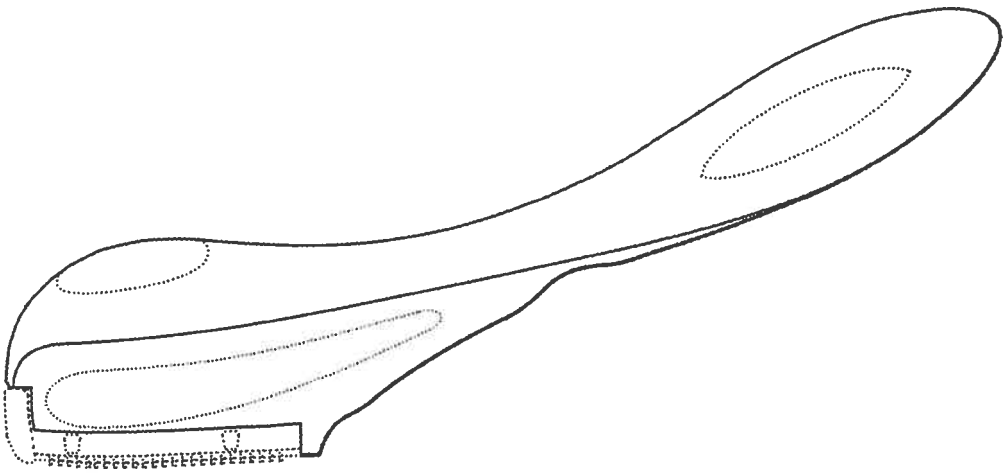

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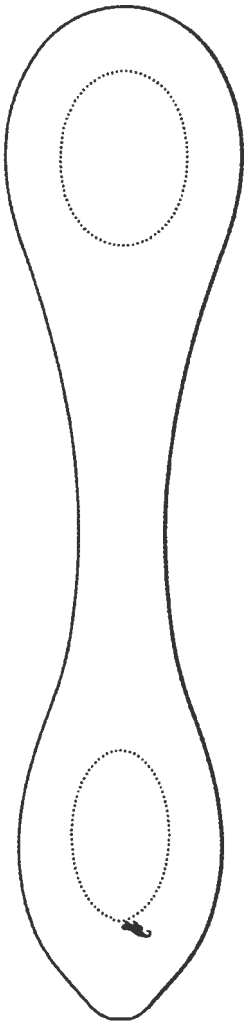

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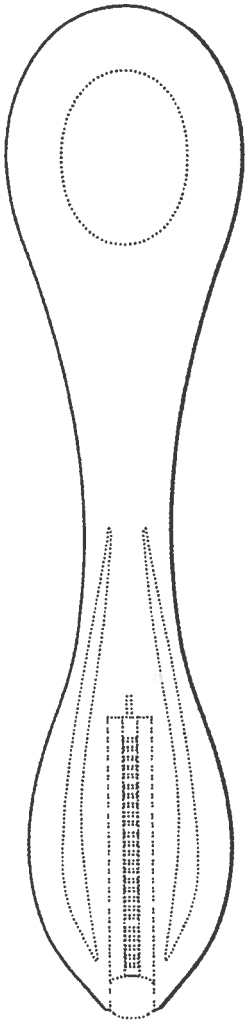

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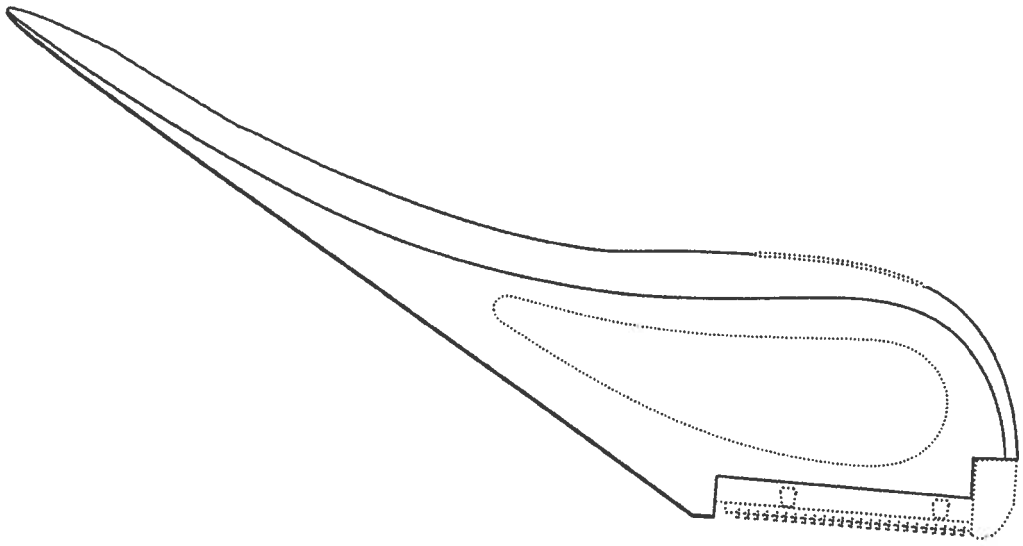

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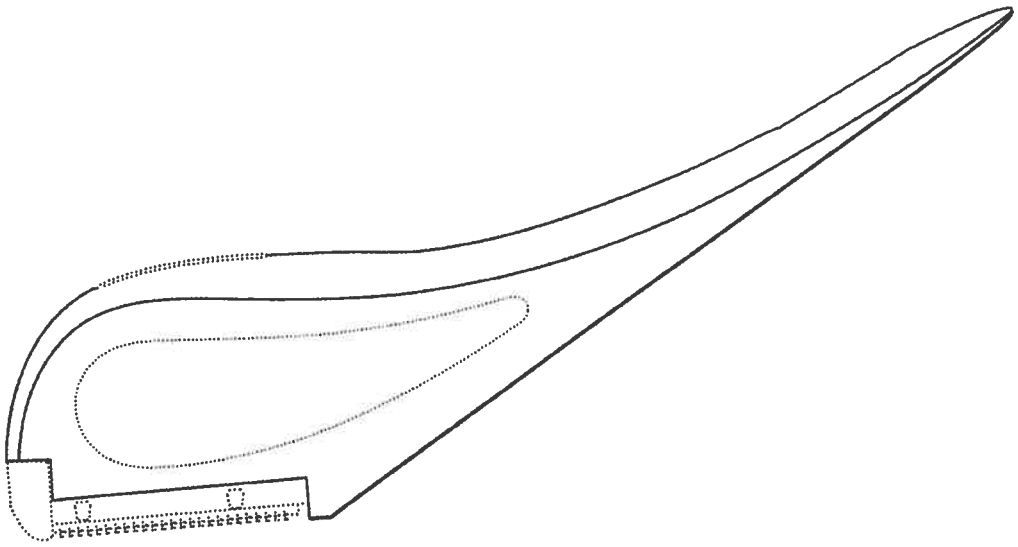

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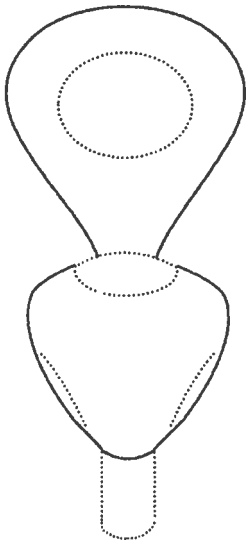

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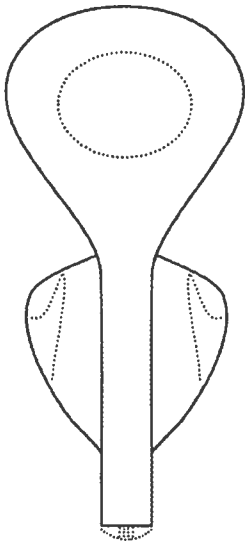

EXHIBIT B

US009918539B2

(12) **United States Patent**
Levy

(10) **Patent No.: US 9,918,539 B2**
(45) **Date of Patent: Mar. 20, 2018**

(54) **HAND HELD DERMAPLANING DEVICE AND DERMAPLANING PROCESS**

(71) Applicant: **DD Karma LLC**, Highland Park, IL (US)

(72) Inventor: **Dara Levy**, Highland Park, IL (US)

(73) Assignee: **DD Karma LLC**, Highland Park, IL (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **14/062,262**

(22) Filed: **Oct. 24, 2013**

(65) **Prior Publication Data**

US 2015/0073438 A1 Mar. 12, 2015

Related U.S. Application Data

(63) Continuation of application No. PCT/US2013/058708, filed on Sep. 9, 2013.

(51) **Int. Cl.**

A45D 44/22	(2006.01)
A61H 23/02	(2006.01)
A61H 7/00	(2006.01)

(52) **U.S. Cl.**

CPC ***A45D 44/22*** (2013.01); *A45D 2200/1054* (2013.01); *A45D 2200/207* (2013.01); *A61H 7/005* (2013.01); *A61H 23/0245* (2013.01); *A61H 23/0263* (2013.01); *A61H 2201/1685* (2013.01); *A61H 2201/5005* (2013.01)

(58) **Field of Classification Search**

CPC A61H 23/0245; A61D 27/38; A45D 44/22; A61B 17/320068; A61B 17/320072; A61B 17/320076

USPC 606/131, 133, 132, 169; 30/40.39

See application file for complete search history.

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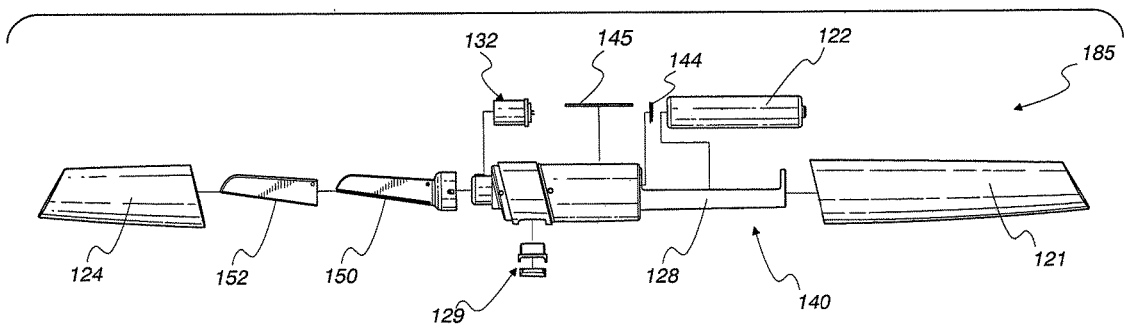
(57) **ABSTRACT**

A method and a hand-held device for dermaplaning is disclosed that includes a blade with a safety cage forming an assembly removably mounted to a housing. The dermaplaning device is configured to limit the depth that the blade can penetrate the skin which makes the device safe for use by non-professionals. The dermaplaning device is electrically powered to cause the blade to vibrate at a predetermined frequency. Various embodiments of the hand-held dermaplaning device are disclosed for vibrating the blade. In accordance with an important aspect of the invention, the blade includes a safety guard for limiting the amount of penetration of the blade into the facial skin to enable the device to be safely used by non-professionals.

14 Claims, 16 Drawing Sheets



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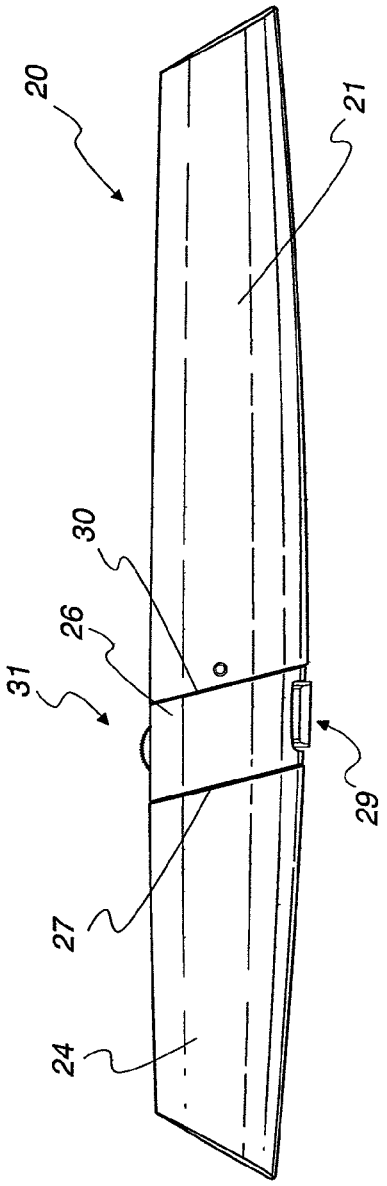
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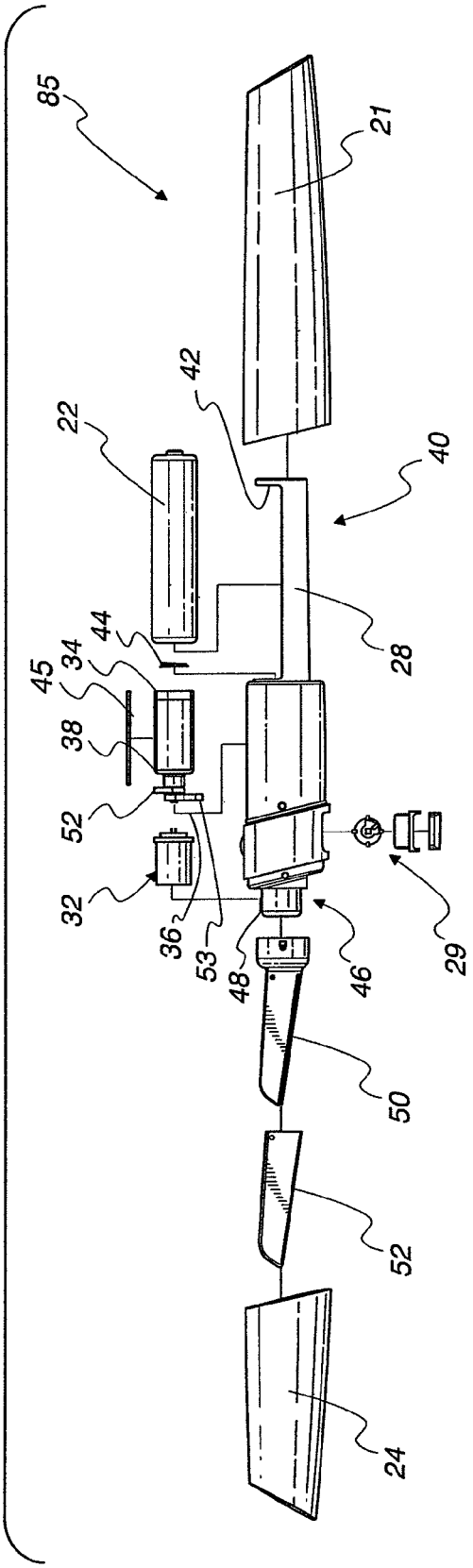
29
27
24

Fig. 1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21
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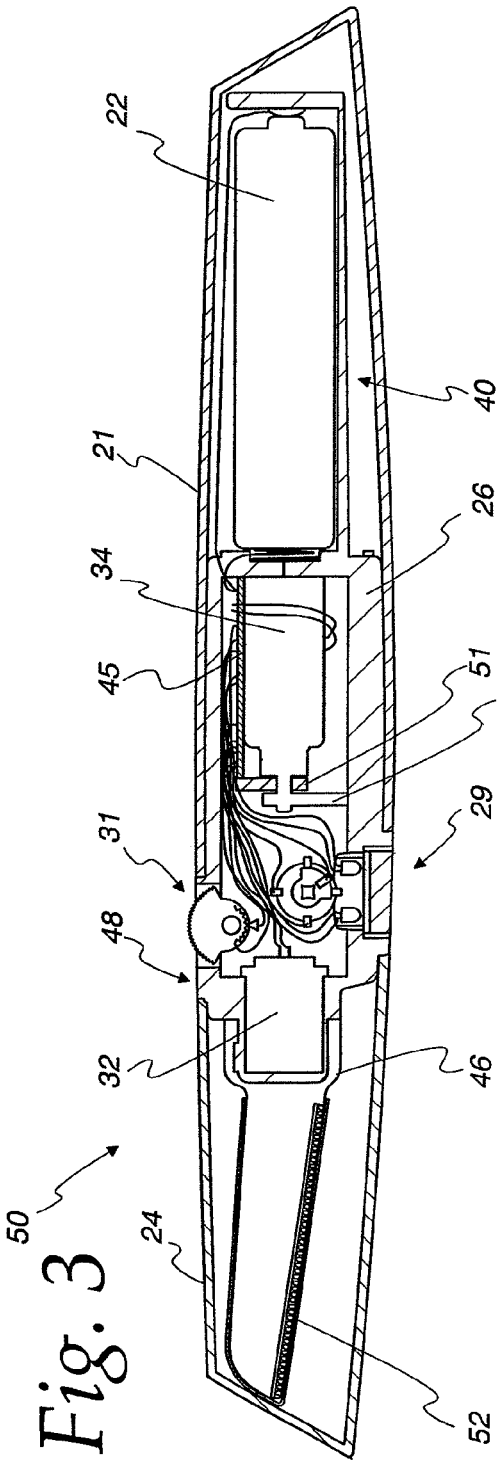
24

Fig. 2



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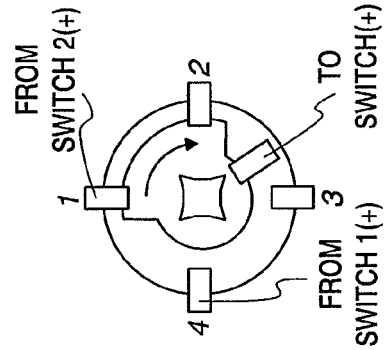


Fig. 4d

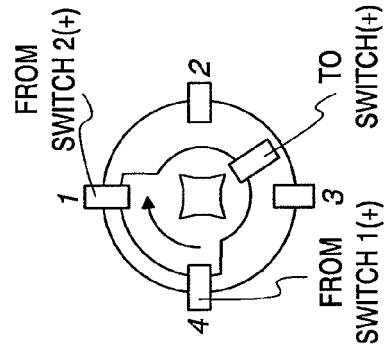


Fig. 4c

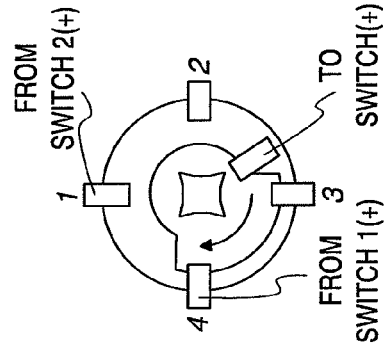


Fig. 4b

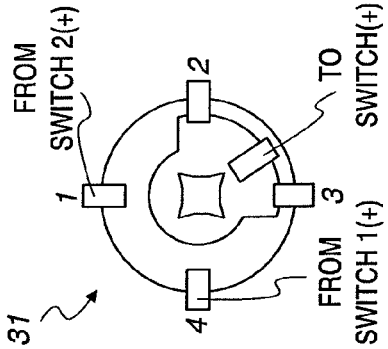
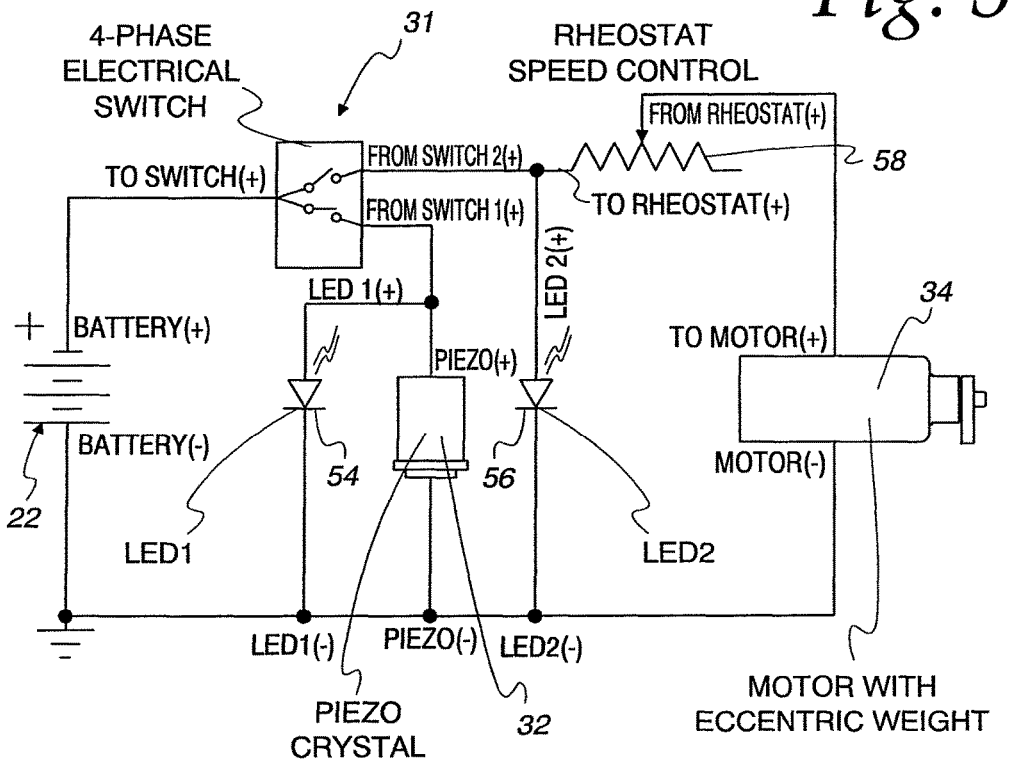


Fig. 4a

Fig. 5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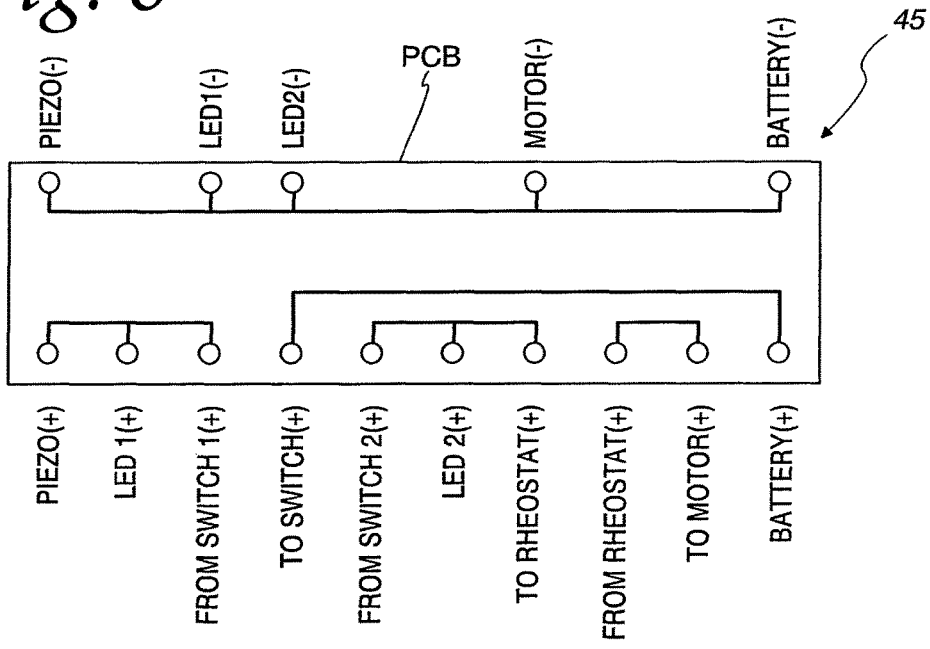
ELECTRICAL
SWITCH
31
RHEOSTAT
SPEED CONTROL
FROM RHEOSTAT(+)
58
TO SWITCH(+)
FROM SWITCH 2(+)
FROM SWITCH 1(+)
TO RHEOSTAT(+)
LED 1(+)
LED 2(+)
34
BATTERY(+)
PIEZO(+)
TO MOTOR(+)
BATTERY(-)
MOTOR(-)
54
56
22
LED1
LED2
LED1(-)
PIEZO(-)
LED2(-)
PIEZO
CRYSTAL
32
MOTOR WITH
ECCENTRIC WEIGHT

Fig. 6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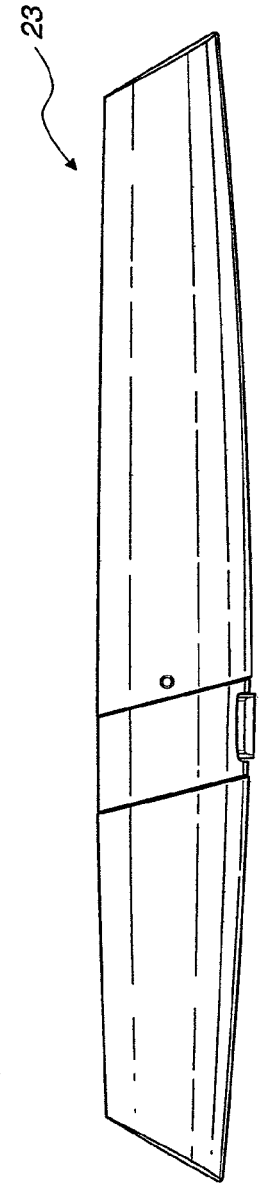
LED1(-)
LED2(-)
PCB
MOTOR(-)
BATTERY(-)
PIEZO(+)
LED 1(+)
FROM SWITCH 1(+)
TO SWITCH(+)
FROM SWITCH 2(+)
LED 2(+)
TO RHEOSTAT(+)
FROM RHEOSTAT(+)
TO MOTOR(+)
BATTERY(+)



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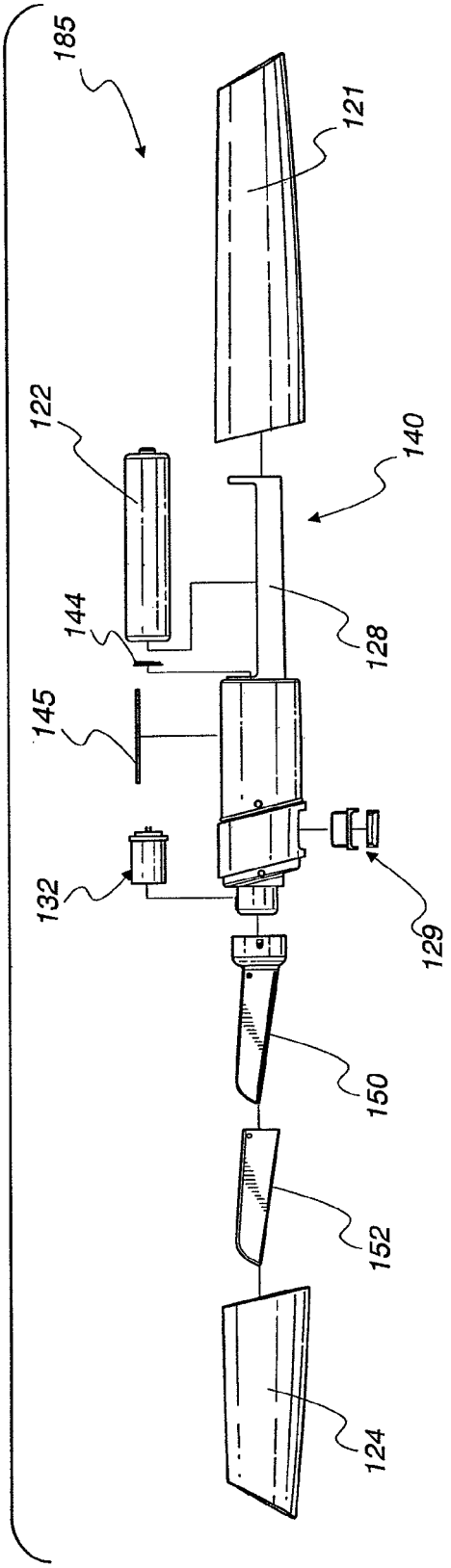


Fig. 8

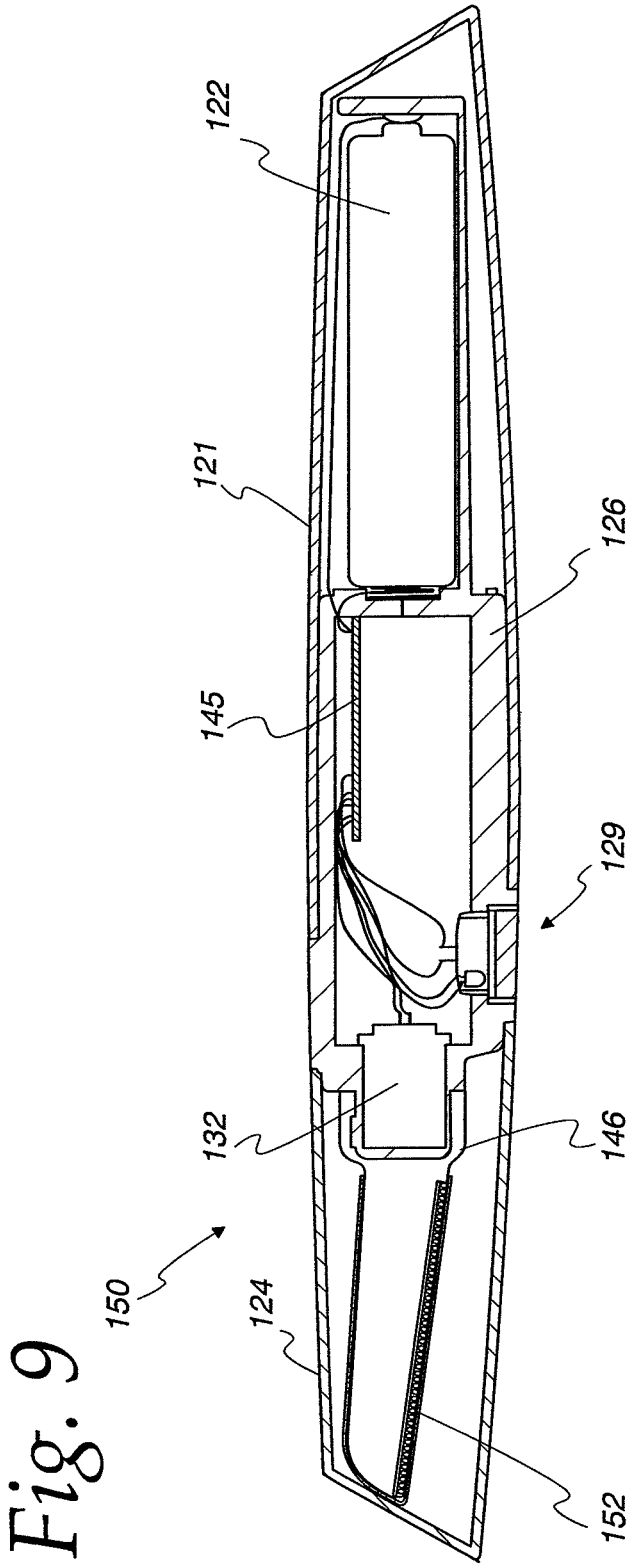
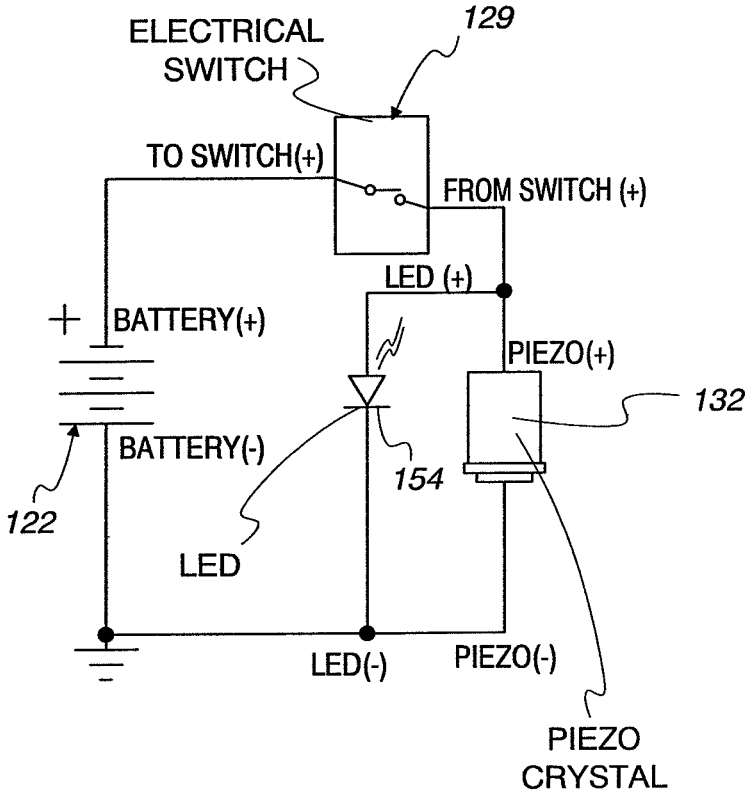


Fig. 9

Fig. 10


ELECTRICAL SWITCH
129
TO SWITCH(+)
FROM SWITCH (+)
LED (+)
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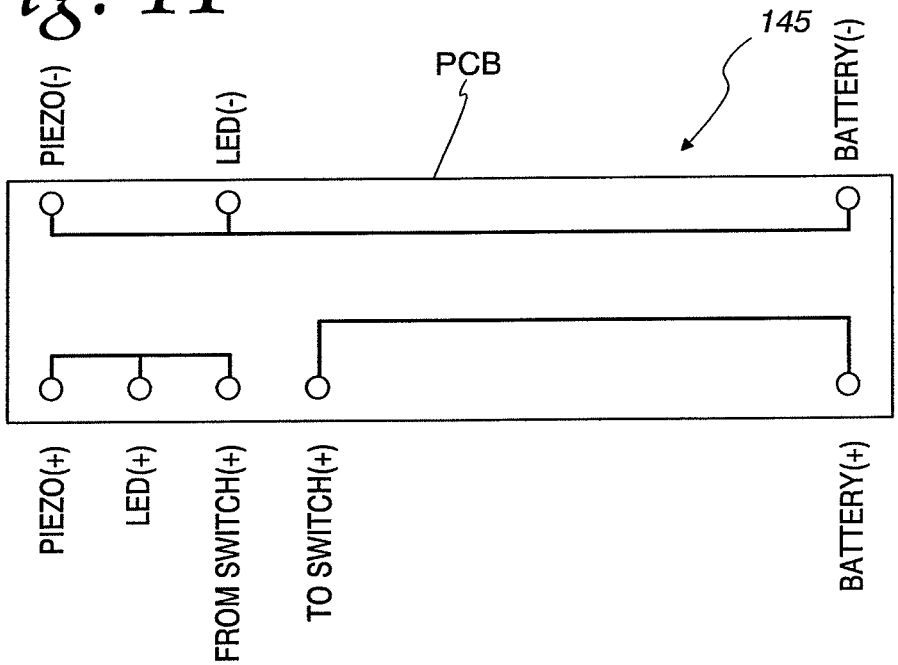
PIEZO(+)
132
BATTERY(-)
154
122
LED
LED(-)
PIEZO(-)
PIEZO CRYSTAL

Fig. 11


145
PCB
PIEZO(-)
LED(-)
BATTERY(-)
PIEZO(+)
LED(+)
FROM SWITCH(+)
TO SWITCH(+)
BATTERY(+)

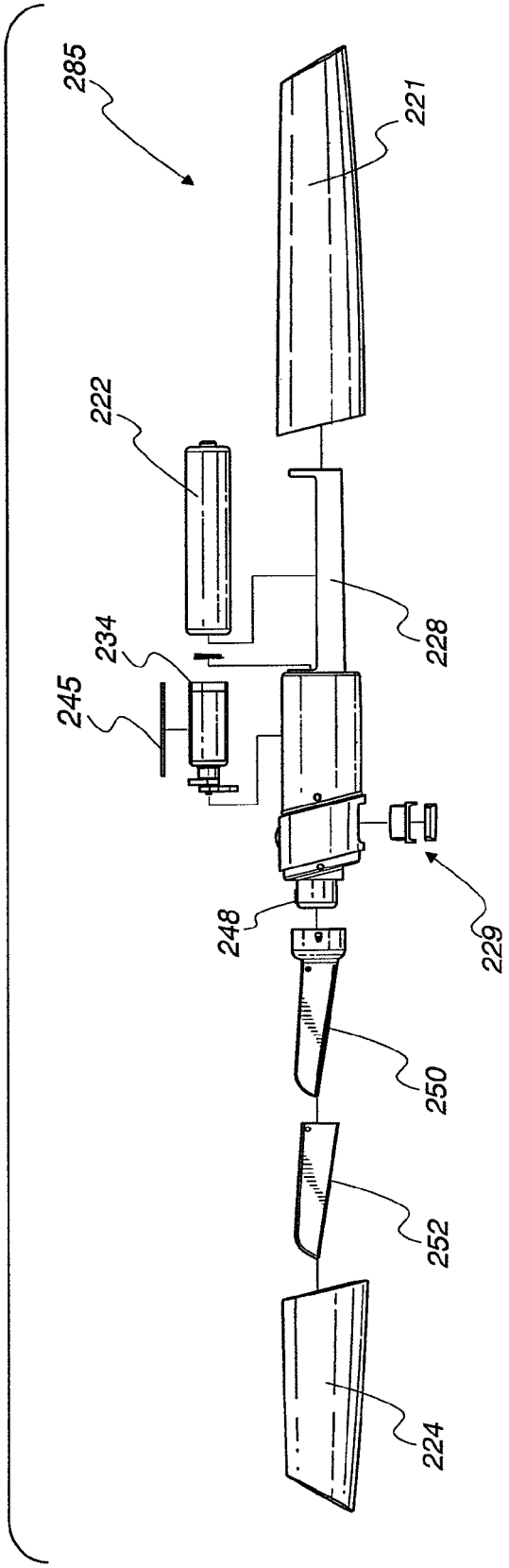


Fig. 12

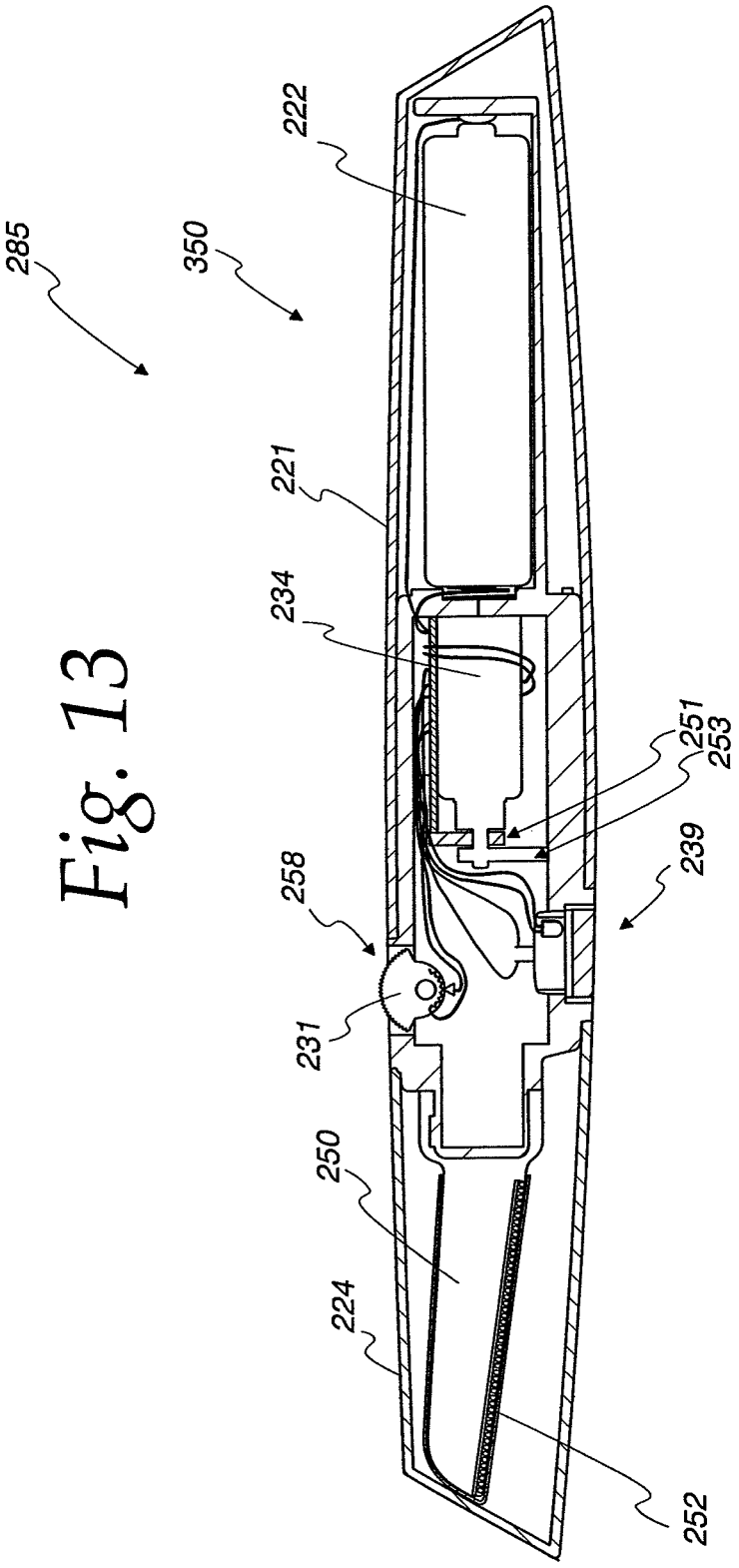
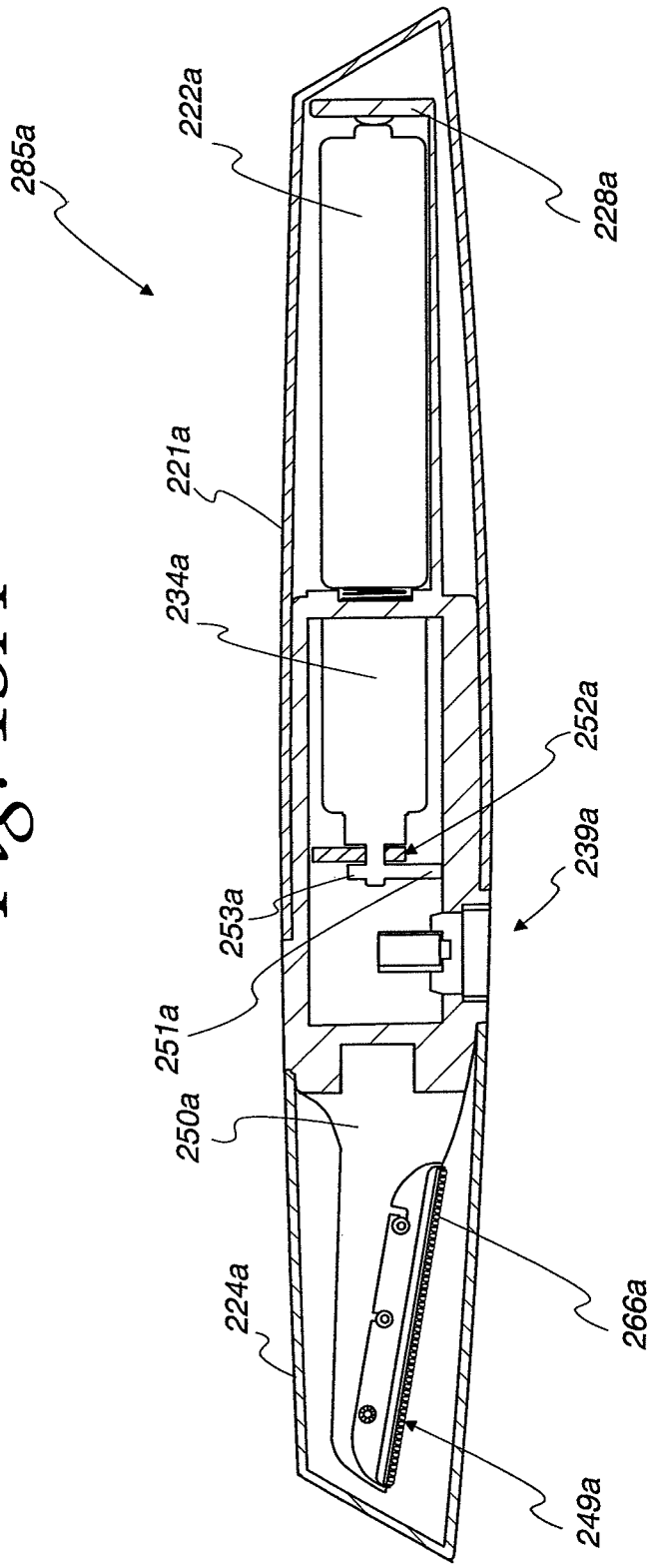


Fig. 13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266a
249a

Fig. 13A

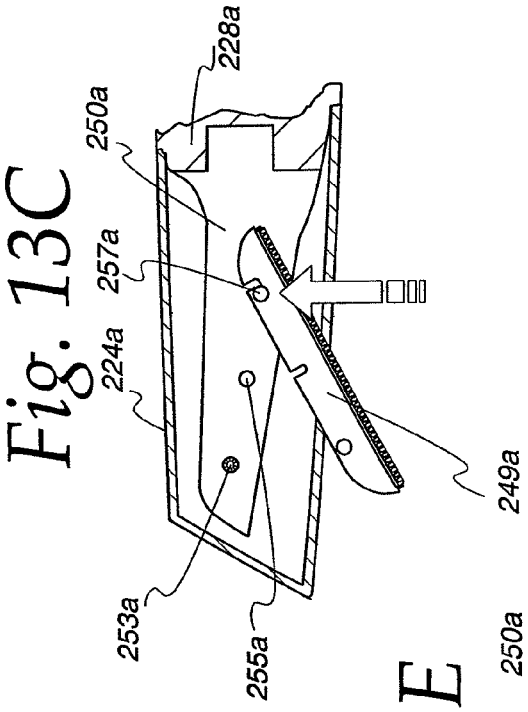
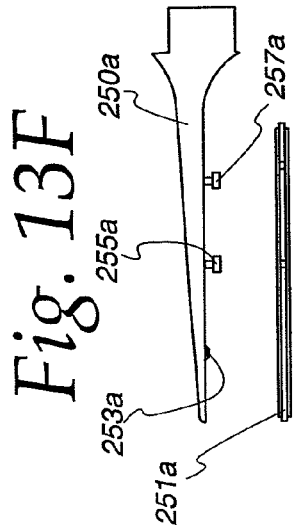


Fig. 13C



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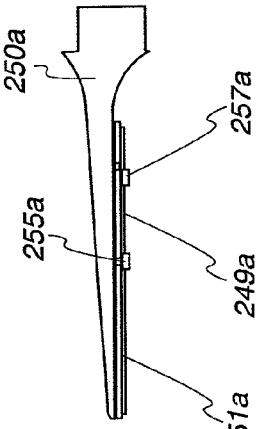
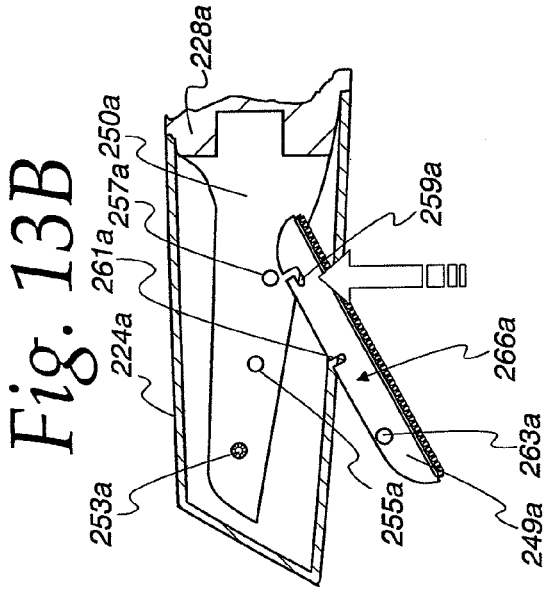


Fig. 13E



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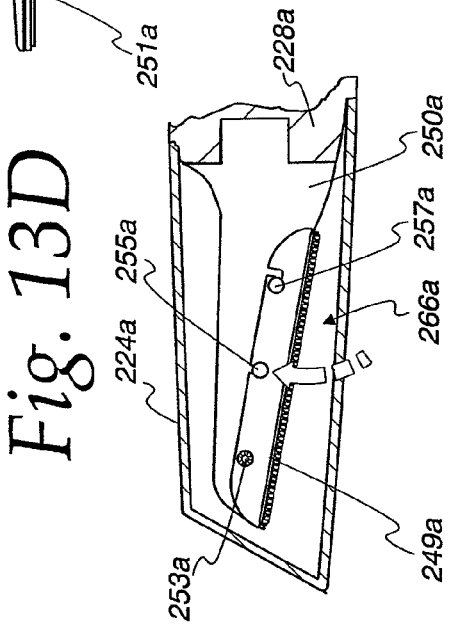

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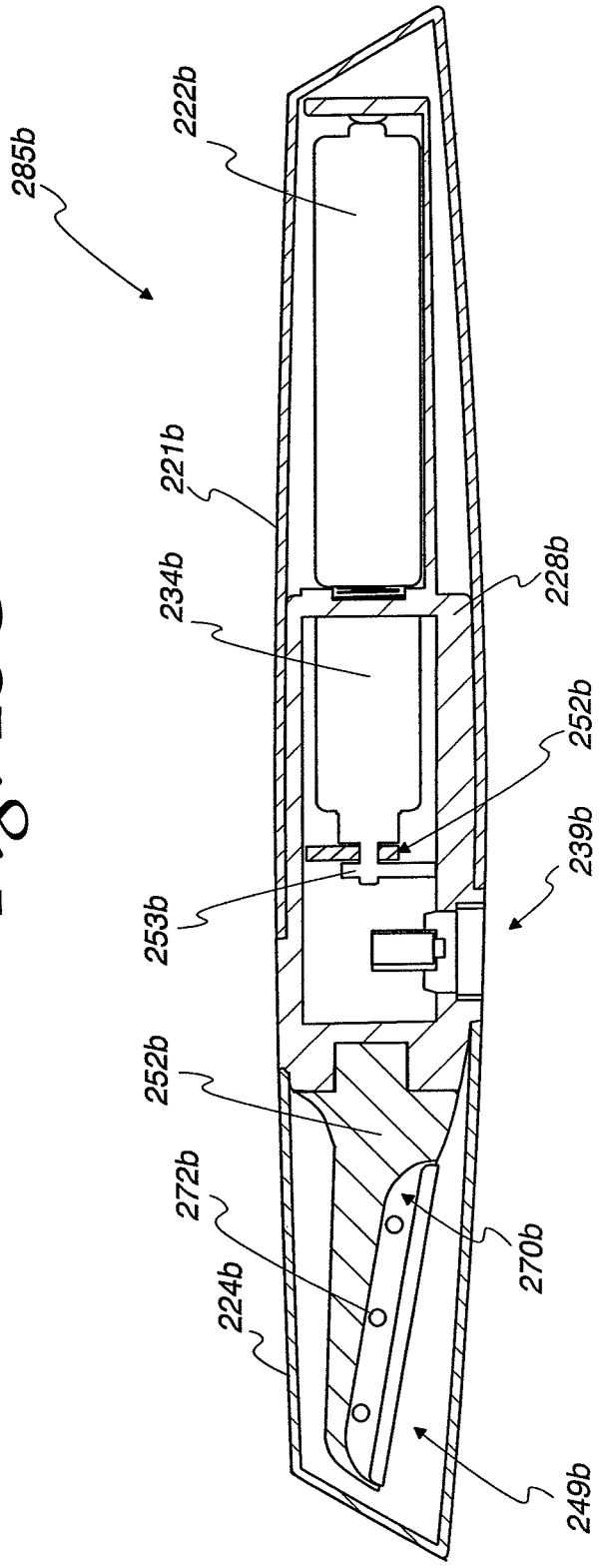
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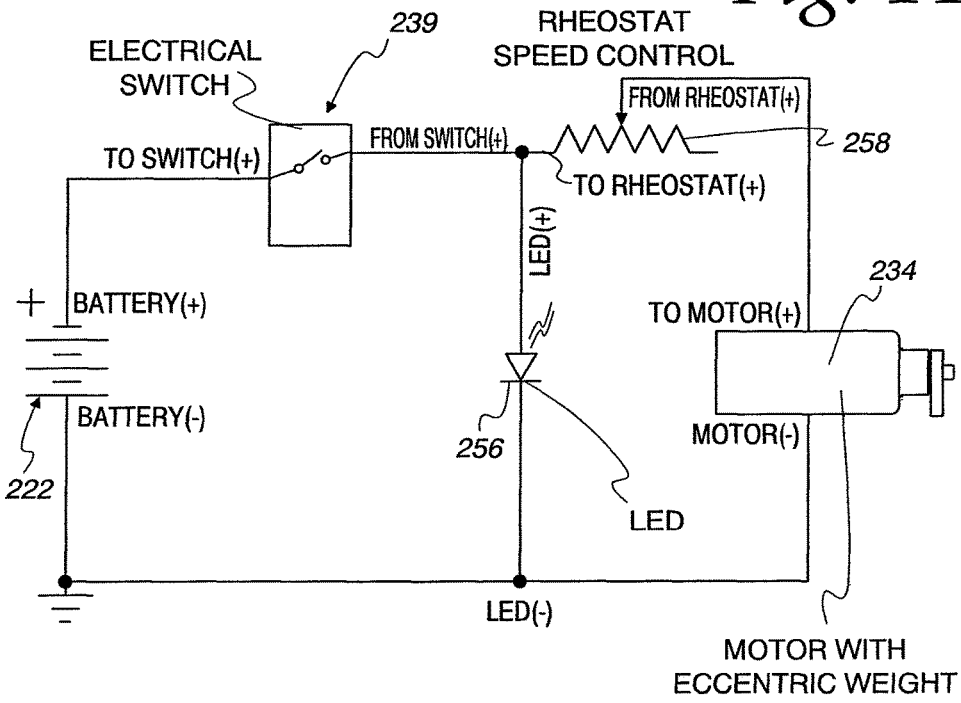
252b
272b
270b
224b
249b

Fig. 13G

Fig. 14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TO SWITCH(+)
FROM SWITCH(+)
TO RHEOSTAT(+)
LED(+)
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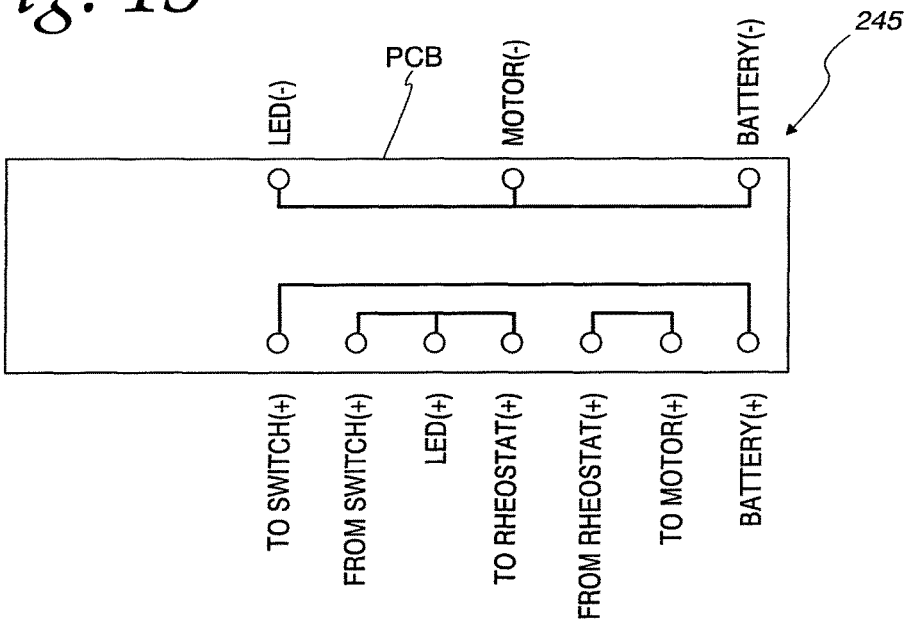
BATTERY(+)
TO MOTOR(+)
BATTERY(-)
256
MOTOR(-)
222
LED
LED(-)
MOTOR WITH ECCENTRIC WEIGHT

Fig. 15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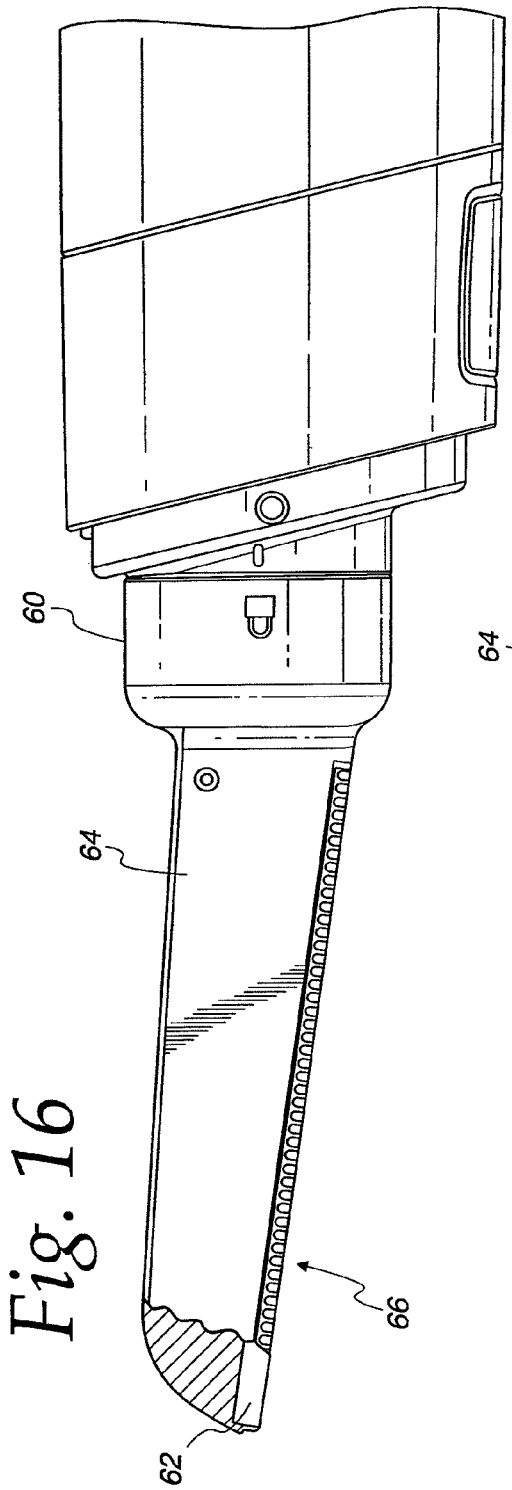
LED(+)
TO RHEOSTAT(+)
FROM RHEOSTAT(+)
TO MOTOR(+)
BATTERY(+)



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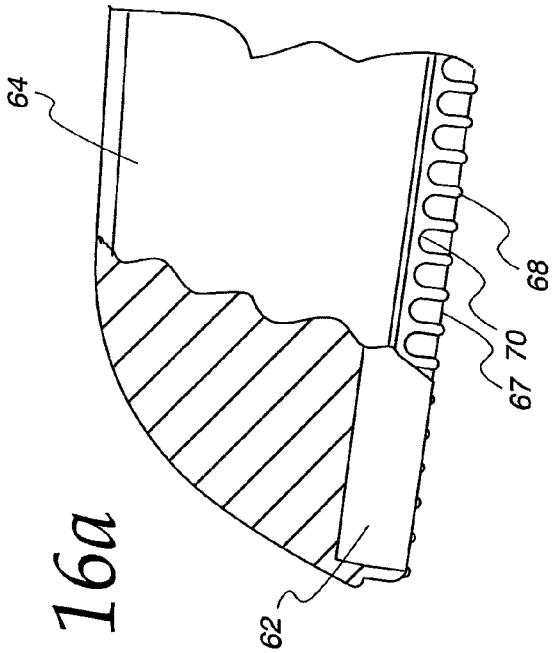


Fig. 16a

Fig. 17

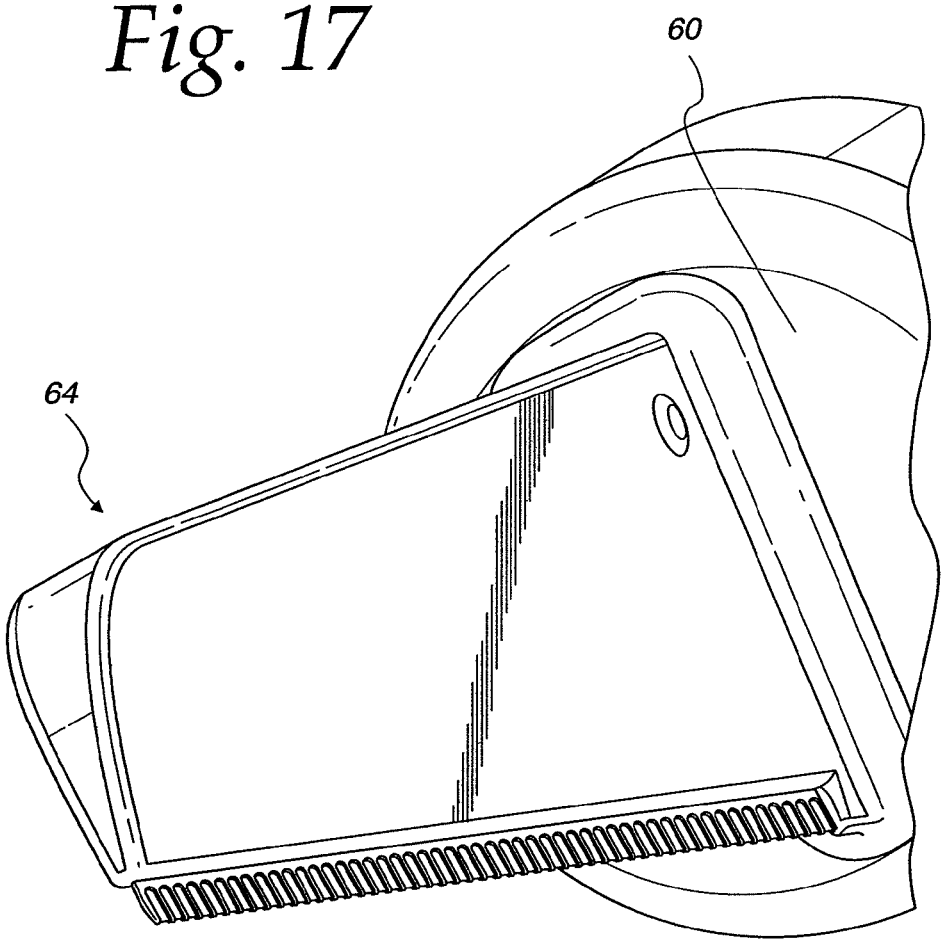


Fig. 18

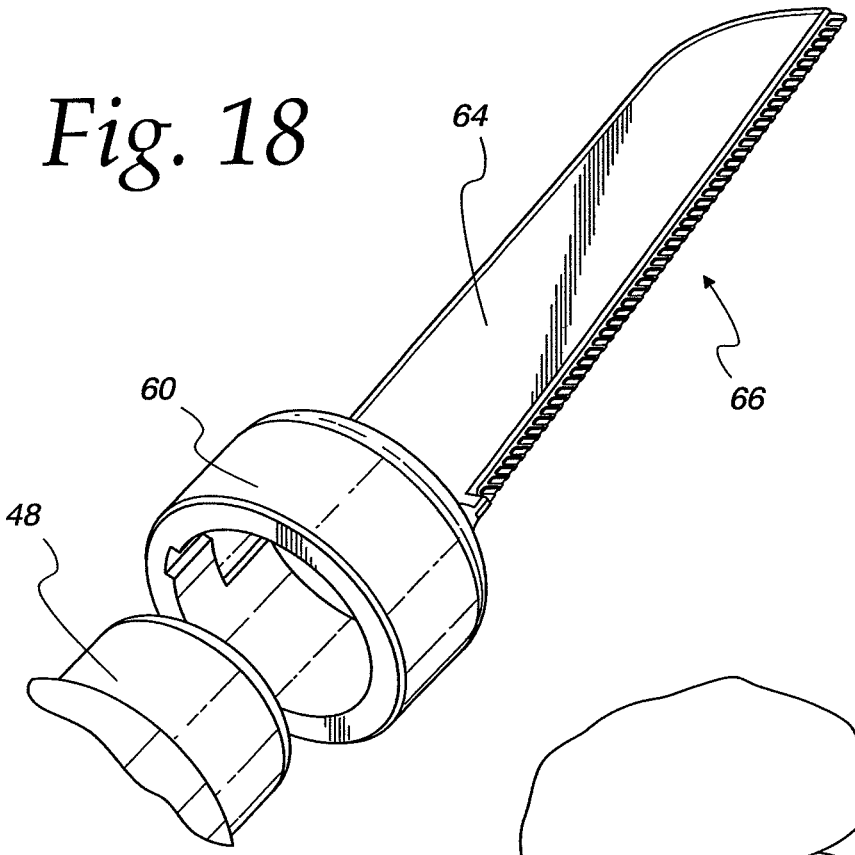
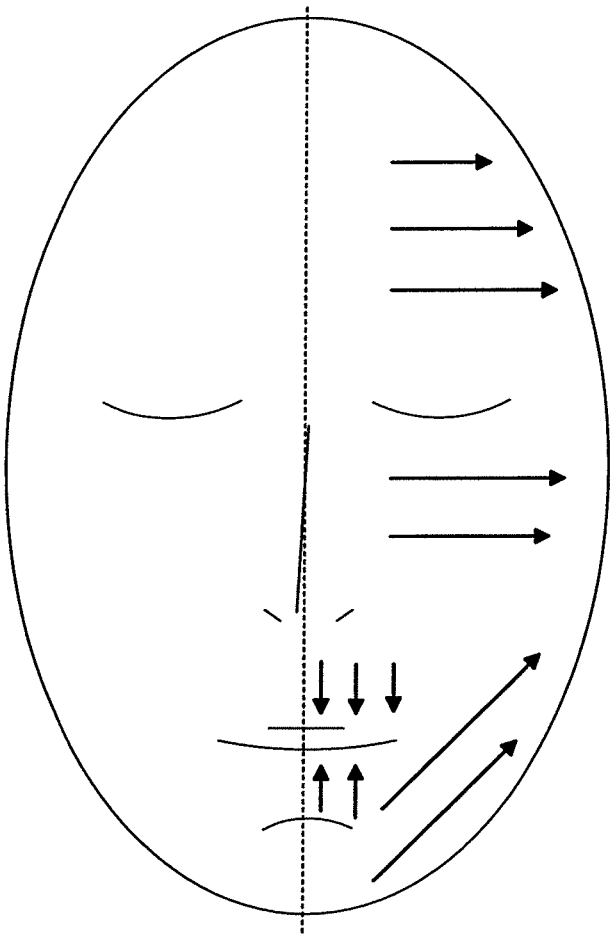


Fig. 19

Fig. 20



HAND HELD DERMAPLANING DEVICE AND DERMAPLANING PROCESS

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to hand held device and process used in treating facial skin and more particularly to a hand held dermaplaning device for exfoliating facial skin that is safe to use by non-professionals as well as a process for dermaplaning facial skin.

2. Description of the Prior Art

Various processes are known for treating facial skin. These processes are known to include hand-held devices and fall into several categories as follows:

Shaving
Cleansing and Moisturizing
Dermabrasion
Dermaplaning (Exfoliation)
Debridement

Shaving is used to remove facial hair by way of a razor. In addition to standard safety razors, U.S. Pat. No. 3,509,626 and Russian Patent RU 2320476 disclose safety razors with piezo-electric crystals attached to the blade for vibrating the blade at ultrasonic frequencies during shaving. These devices include a safety razor, a piezo-electric crystal, battery and a circuit for coupling the battery to the piezo-electric crystal. These devices are used for removing excess hair from a person's face and do not remove any skin. Such devices are configured for non-professional use.

In addition to manual treatment, cleansing and moisturizing may be accomplished by way of hand-held devices. For example, US Patent Application Publication No. US 2005/0043653 A1 and U.S. Pat. Nos. 5,931,859 and 6,119,035 disclose hand held devices for dispensing a liquid to a person's face. These devices include a cleansing mode in which a micro-current is applied to cleanse the skin. US Patent Application Publication No. US 2008/0139974 A1 discloses a hand held device for just applying a moisturizing liquid to a person's face. An example of such a device is also disclosed in: http:/www.voutube.com/watch?v=W1PcSf253cs.

Other hand-held devices are known for cleansing facial skin which rely on ultrasonic frequencies. Examples of these devices are disclosed in Japanese Patent No. JP20000060427; South Korean Patent Nos.: KR 20040022550 and KR 20080006875. Additional examples of such devices can be found at the following locations: http:/www.youtube.com/watch?NR=1&v=jypKIrpGDIg&feature=fvwp; http:/www.youtube.com/watch?v=fmSS2uexmac and http:/derma-sonic.com/how.html. Such devices are also configured for non-professional use.

Dermabrasion is a cosmetic surgical procedure for removing an outer layer of skin by abrading the skin with fine sandpaper or wire brushes to remove scars or other imperfections. This procedure is used to abrade the skin down to the dermis. The dermis is a layer of skin between the epidermis and subcutaneous tissues that consist of connective tissue and cushions the body from stress and strain. Dermabrasion normally requires an anesthetic and is normally done by medical professionals, such as dermatologists. Because of the possibility of infections and scarring, dermabrasion is a relatively unpopular choice for facial skin treatment.

Hand held devices for performing dermabrasion are known. Exemplary hand-held devices used for dermabrasion

are disclosed and described in detail in U.S. Pat. No. 8,052,662 and US Patent Application Publication Nos. US 2003/0233085 A1; US 2004/0185067 A1; US 2007/0293795 A1; US 2009/0048557 A1; US 2009/0124985 A1; and US 2013/0144280 A1. In general, such devices include an applicator having an abrasive material applied to the surface. The applicator is attached to a piezo-electric crystal for vibrating the applicator at ultrasonic frequencies. The vibrating applicator is applied to areas of the face of interest. U.S. Pat. No. 7,384,405 discloses a hand-held device that includes a rotating brush with abrasive bristles. Hand-held dermabrasion devices are known to be available for professional and non-professional use.

Debridement is a surgical technique performed by a licensed physician for removing unhealthy tissue, such as. necrotic, i.e., dead, infected, damaged, contaminated tissue or in situations to remove a foreign body in the tissue. US Patent Application Publication No. US 2012/0101512 A1 discloses a hand held device that is known to be used for debridement. The device includes blade carried by a handle. The blade is a small, dull flat blade operable to scrape the necrotic tissue away from the tissue site without harming any of the healthy tissue located adjacent the necrotic tissue. A piezoelectric crystal is attached to the blade to vibrate the blade at ultrasonic frequencies. Such debridement devices are only available for professional use.

Dermaplaning is a relatively popular process that is relatively simple and safe and is used for exfoliating the epidermis, i.e. outer layer of cells in the skin, and removing fine vellus hair, i.e. peach fuzz, from the skin. Dermaplaning is a process normally performed by licensed skin care professionals, such as, estheticians. Using a scalpel and a delicate touch, the scalpel is swept across the skin with light feathering strokes to exfoliate the skin. Exfoliation involves the removal of the oldest dead skin cells on the skin's outermost surface.

Dermaplaning facial skin has many benefits. For example, removing epidermal skin allows skin care products to penetrate more readily into deeper layers of the skin for better results. As mentioned above, dermaplaning removes vellus hair which tends to cause a build-up of dirt and oils in the follicles. Removal of the hair results in healthier looking skin.

Hand-held devices used for dermaplaning normally include a surgical style scalpel consisting of a blade and a handle. Such scalpels are not available for non-professional use. As such, dermaplaning is only available at spas with licensed skin care professionals. Such dermaplaning treatments at spas can be relatively expensive. Unfortunately, there are no known dermaplaning devices known for non-professional home use.

Thus, there is a need to provide a hand-held device and method for dermaplaning for non-professional use that overcomes this problem.

SUMMARY OF THE INVENTION

Briefly, the present invention relates a method and a hand-held device for dermaplaning that is relatively safe for non-professional use. The hand-held device includes a blade with a safety cage forming an assembly removably mounted to a housing. The safety cage limits the depth that the blade can penetrate the skin which makes the device safe for use by non-professionals. Various embodiments of the hand-held dermaplaning device are contemplated. In one embodiment, a piezo-electric crystal is attached to the blade to cause the blade to vibrate at ultrasonic frequencies. A motor

driving an eccentric load may also be attached to the blade for vibrating the blade at other frequencies. In one embodiment, the motor and the piezo-electric crystal are selectively and alternatively connectable to the blade. In another embodiment, the device only includes the piezo-electric crystal coupled to the blade. In yet a further embodiment, the device only includes the motor and the eccentric load coupled to the blade. In embodiments that include a motor, the motor speed may be optionally adjustable to enable the vibration frequency to be varied. In accordance with an important aspect of the invention, the blade includes a safety guard for limiting the amount of penetration of the blade into the facial skin to enable the device to be safely used by non-professionals. The invention also includes dermaplaning process that can be used by non-professionals.

DESCRIPTION OF THE DRAWING

These and other advantages of the present invention will be readily understood with reference to the following specification and attached drawing wherein:

FIG. **1** is a side elevational view of an exemplary dermaplaning device in accordance with the present invention.

FIG. **2** is an exploded view of one embodiment of the dermaplaning device illustrated in FIG. **1**.

FIG. **3** is side elevational view in section of the dermaplaning device illustrated in FIG. **1**.

FIGS. **4***a*-**4***d* is an exemplary schematic of a 4 phase rotary electric switch for use with the present invention, wherein FIG. **4***a* discloses an OFF position; FIG. **4***b* illustrates a position in ultrasonic mode; FIG. **4***c* illustrates an intermediate OFF position and FIG. **4***d* illustrates a sonic mode.

FIG. **5** is an exemplary schematic for the dermaplaning device illustrated in FIG. **3** illustrating an embodiment that includes a piezo-electric crystal, a motor with an eccentric load and an optional rheostat for controlling the speed of the motor.

FIG. **6** is a top plan view of an exemplary printed circuit board for use with the embodiment illustrated in FIG. **5**.

FIG. **7** is similar to FIG. **1** but without the thumbwheel

FIG. **8** is an exploded view of an alternate embodiment of a dermaplaning device in accordance with the present invention that only includes a piezo-electric crystal.

FIG. **9** is side elevational view in section of the dermaplaning device illustrated in FIG. **8**

FIG. **10** is an exemplary schematic diagram of the dermaplaning device illustrated in FIG. **8**.

FIG. **11** is an exemplary printed circuit board for use with the dermaplaning device illustrated in FIG. **8**.

FIG. **12** is an exploded view of another alternate embodiment of a dermaplaning device in accordance with the present invention that only includes a motor and an eccentric load.

FIG. **13** is side elevational view in section of the dermaplaning device illustrated in FIG. **12**.

FIG. **13***a* is an alternate embodiment of the device illustrated in FIG. **12** illustrating a removable blade.

FIGS. **13***b*, **13***c* and **13***d* illustrate how the removable blade is attached to the scalpel.

FIG. **13***e* is a side elevational view illustrating the removable blade attached to the scalpel.

FIG. **13***f* is similar to FIG. **13***e* but illustrating the removable blade removed from the scalpel.

FIG. **13***g* is another alternate embodiment of the of the device illustrated in FIG. **12**.

FIG. **14** is an exemplary schematic diagram of the dermaplaning device illustrated in FIG. **12**.

FIG. **15** is an exemplary printed circuit board for use with the dermaplaning device illustrated in FIG. **1**.

FIG. **16** is a partial side elevational view of the dermaplaning device in accordance with the present invention illustrating the removable blade attached to a handle portion of the housing.

FIG. **16***a* is an enlarged partial view of the blade illustrating the safety cage and the blade housing.

FIG. **17** is a partial isometric view illustrating an exemplary blade guard.

FIG. **18** is a partial isometric view of an exemplary blade for use with the present invention shown removed from the handle portion of the housing illustrating an exemplary bayonet type interface.

FIG. **19** illustrates a partial isometric view of a person using the dermaplaning device in accordance with the present invention.

FIG. **20** is drawing of a face with the arrows illustrating the direction of the strokes of the dermaplaning device on a user's face.

DETAILED DESCRIPTION

The present invention relates to a method and a hand-held device for dermaplaning that is relatively safe for non-professional use. Various embodiments of the hand-held dermaplaning device are contemplated, as discussed below. The hand-held device includes a blade assembly removably mounted to a housing in one embodiment. In accordance with an important aspect of the invention, the blade includes a safety cage juxtaposed over the cutting edge of the blade for limiting the amount of penetration of the blade into the facial skin to enable the device to be safely used by non-professionals. Another aspect of the invention relates to a dermaplaning process that can be used by non-professionals.

Three exemplary embodiments of the dermaplaning device are described and illustrated. All three embodiments include an exemplary outer housing, for example, as illustrated in FIGS. **1** and **7** and a blade assembly complete with a safety cage, and a vibration generator, such as a piezo-electric circuit for generating ultrasonic vibrations or a motor with an eccentric attached to the output shaft, as discussed below. The first embodiment is illustrated in FIGS. **2-6**. The first embodiment includes a piezo-electric crystal circuit for vibrating the blade at an ultrasonic frequency, for example, frequencies above 20,000 Hertz and a motor with an eccentric rotary load which vibrates the blade assembly at frequencies other than ultrasonic frequencies, for example, frequencies less than 20,000 Hertz. The second embodiment is illustrated in FIGS. **7-10**. In this embodiment, the dermaplaning device only includes a piezoelectric crystal circuit attached to the blade. The third embodiment is illustrated in FIGS. **11-14**. In this embodiment, the dermaplaning device includes an outer housing as shown in FIG. **1** and includes a motor with a rotary eccentric load as a vibration generator.

FIGS. **13***a*-**13***f* illustrate an embodiment with a 2 piece blade assembly which includes a scalpel and a removable blade. In this embodiment, the scalpel may be fixedly mounted to the main housing or alternatively may be coupled to the main housing with a bayonet mount or other conventional coupling means.

Outer Housing

As mentioned above, FIG. **1** illustrates an exemplary outer housing, generally identified with the reference

numeral **20** that can be used with the various embodiments that include piezo-electric crystal and circuit and/or a motor and an optional rheostat for controlling the speed of the motor, for example, illustrated in FIGS. **2-6** and FIGS. **12-15**. The outer housing **20** may be formed as a cylindrical hollow member closed on each end and formed in two parts by way of injection molded plastic, for example, or other material. Specifically, the outer housing **20** includes an end cap **21** which forms a handle portion and a top cap **24** which forms a cover portion. The cover portion **24** may be configured to attach to a main housing **26**, discussed below, at a parting line **27**. The handle portion **21** attaches to the main housing **26** at a parting line **30**. In this exemplary embodiment, an on-off switch and optional integrated LED (light emitting diode), generally identified with the reference numeral **29**, for controlling power to the device is carried by the main housing **26** and may be exposed between the handle portion **21** and the cover portion **24**. As discussed in more detail below, an optional thumb wheel control switch **31**, carried by the main housing **26**, may be used to control the speed of the motor **34**.

FIG. **7** illustrates an alternative outer housing, generally identified with the reference numeral **23**. The outer housing **23** is used in embodiments that do not include a rheostat and optional thumbwheel.

As used herein, the term housing refers to the outer housing **20** (FIG. **1**) and **23** (FIG. **7**) individually as well as the combination of the outer housing **21**, **23** in combination with the main housing **28** (FIG. **2**), individually and collectively.

First Embodiment

Referring first to FIGS. **2-6**, a first embodiment of the invention is illustrated and described and identified with the reference numeral **85**. The first embodiment of the invention includes a main housing **28**, a piezo-electric crystal **32**, a DC motor **34**, an eccentric rotary load **36**, coupled to a shaft **38** and a power supply, such as a battery **22**. It is further contemplated that the power supply for the device can be an alternating current power supply. Such alternating current power supplies are well known in the art.

The main housing **28** may be made from an electrically conductive material forming a battery holder portion, generally identified with the reference numeral **40** defining a positive battery contact **42** and a negative battery contact **44**. As will be discussed in more detail, below, a portion of the wiring between the various devices can be accomplished by way of a printed circuit board **45** which may be formed from a flexible printed circuit board Alternatively, the printed circuit board **45** may be omitted and the connections between the various devices can be made with electrical wiring.

One end **46** of the main housing **28** may be formed with a reduced diameter cylindrical portion **48** which accomplishes several functions. First, as best shown in FIG. **3**, an interior portion of the reduced diameter cylindrical portion **48** is configured to provide a friction fit for the piezo-electric crystal **32**. Second, as best shown in FIG. **17**, the exterior portion of the reduced diameter cylindrical portion **48** provides a bayonet interface for an exemplary replaceable blade **50** mounted with a bayonet interface that cooperates with the bayonet interface on the exterior portion of the reduced diameter portion **48**. In accordance with an important aspect of the invention, a safety cage **66** (FIG. **16***a*) fits over the blade **50** to limit the penetration of the blade **50** into the facial skin.

Turning to FIG. **3**, a sectional view of the first embodiment of the dermaplaning device **85**, is illustrated. FIG. **3** illustrates the main housing **26** in detail and how all of the various components fit into it. As shown, the various components may be wired and connected, for example, by soldering to the printed circuit board **45**.

As mentioned above, this embodiment includes a piezo-electric crystal for vibrating the blade **46** at an ultrasonic frequency defining an ultrasonic mode of operation. The device may also include a DC motor with at least one eccentric rotary loads, generally identified with the reference numeral **51** for generating a vibration frequency other than an ultrasonic vibration frequency defining a sub-ultrasonic frequency mode. The eccentric may be formed as a semi-circular disc **51**. A stationary bearing **53** may be disposed axially outwardly from the disc **51** to stabilize the motor shaft **32**. Depending on the speed of rotation of the motor shaft, a vibration will be created which will be transmitted to the blade assembly **50**.

Driver circuits that drive piezo-electric crystals to generate ultrasonic sound waves/vibrations are well known in the art. Such circuits normally include an alternating current or voltage applied to the piezo-electric crystal. Examples of such driver circuits are disclosed in U.S. Pat. Nos. 3,509,626; 3,967,143 and US Patent Application Publication No. US 2003/0233085 A1. Such a driver circuit is also disclosed in South Korean patent publication no. KR 2004 0022550, all incorporated herein by reference. All references to a piezo electric devices are to be understood to include the driver circuit that causes the piezoelectric device to generate ultrasonic sound waves/vibrations. The driver circuit including its respective components may be disposed on the printed circuit board **45**.

FIGS. **4-6** illustrate the electrical details for controlling a device **50** that includes a piezoelectric element **32** and a DC motor **34** with at least one eccentric rotary load **51**. A key aspect of the control is an optional exemplary 4-position rotary switch **31**, as illustrated in FIGS. **4***a*-**4***d*. Such 4 position switches are commonly available and include 4 wires. Normally open rotary contacts are provided between terminals **3** and **4** for controlling power to the piezo-electric crystal **32** and between terminal **1** and **2** for controlling power to the DC motor **34**. The terminals **2** and **3** are connected together and to the positive terminal of the battery **22**.

In a first position of the rotary switch **31**, as shown in FIG. **4***a*, the contact between terminals **3** and **4** for controlling the power to the piezo-electric crystal **32** is open as is the contact between the terminals **1** and **2** for controlling power to the DC motor **34** is open. As such in the position illustrated in FIG. **4***a*, no power is delivered to either the piezo-electric crystal **32** or the motor **34**. In a second position of the rotary switch **31**, as illustrated in FIG. **4***b*, the contact between the terminals **3** and **4** is closed, thus providing power, i.e. connecting the + battery terminal, to the piezo-electric crystal **32**. Since the contact between the terminals **1** and **2** is open, no power is delivered to the motor **34** when the switch **31** is in the position, as illustrated in FIG. **4***b*. FIG. **4***c* illustrates another OFF position in which the contact between the terminals **3** and **4** and the contact between the terminals **1** and **2** are both open, thus disconnecting the power from both the piezo-electric crystal **32** and the motor **34**. FIG. **4***d* illustrates a position of the switch **31** in which the contact between the terminals **1** and **2** is closed thus providing power to the motor **34**. Since the contact between terminals **3** and **4** is open in this position, no power is delivered to the piezo-electric crystal **32** in this position.

An exemplary schematic diagram for the dermaplaning device **85** is illustrated in FIG. **5**. As shown, the circuit is powered by the battery **22**. As discussed above, the rotary switch **31** enables the battery **22** to be selectively connected to the piezo-electric crystal **32** or alternatively to motor **34** defining an ultrasonic mode or a sub-ultrasonic frequency mode, respectively. Optional LEDs **54** and **56** may be provided to indicate the mode of the device **50**. In particular, the LED **54** is connected in parallel with the piezo-electric crystal **32**. Thus, any time the piezo-electric crystal **32** is connected to the positive terminal of the battery **22**, the LED **54** is illuminated indicating that the device **50** is operating in an ultrasonic mode of operation. Similarly the optional LED **56** is connected essentially in parallel with the motor **34**. Thus, any time the motor **34** is connected to the positive terminal of the battery **22**, the LED **56** will be illuminated indicating a sub-ultrasonic mode of operation. Both LEDs **54** and **56** will be off when neither the piezo-electric crystal **32** nor the motor **34** are connected to the positive terminal of the battery **22**.

An optional rheostat **58** may be connected in series with the motor **34**. As is known in the art, the speed of a DC motor can be control the voltage applied to the motor. The optional rheostat **58** is adjustable and can be controlled to vary its resistance, which, in turn, varies the current and voltage to the motor **34**. By varying the speed of the motor **22**, the vibration frequency can be varied. As shown in FIG. **1**, an optional thumb wheel **31** is accessible from outside the housing **20** to allow the rheostat **58** to be adjusted. The motor **34** may be operated at 600 RPM, for example.

FIG. **6** is an optional and exemplary printed circuit board **45** which may be used to connect the various components to the circuit. It is contemplated that the configuration of the printed circuit board **45** may be different from that shown. Also, various conventional techniques are contemplated for connecting the various components to the printed circuit board **45**. One such technique is soldering. Alternatively, the printed circuit board **45** can be omitted and connections between the various components be made with electrical wires. It is also contemplated that the rotary switch **31**, as well as the optional LEDs **54** and **56** and the optional rheostat **58** can be mounted on the printed circuit board **45**.

Second Embodiment

The second embodiment is illustrated in FIGS. **8-11** and identified with the reference number **185**. In this embodiment, like components are identified with like reference numerals with a 1 prefix. In this embodiment, the dermaplaning device **185** only includes a piezoelectric crystal **132**. As shown in FIG. **10**, a simple single pole single throw micro switch **129** may be used to control the piezo-electric vibration device **132**. An optional LED **154** may be included as part of the micro switch **129**. A printed circuit board **145** may be provided for making the connections between the various devices. Moreover, the micro switch **129** may be mounted to the printed circuit board **145**.

Third Embodiment

The third embodiment is illustrated in FIGS. **12-15** and identified with the reference numeral **285**. In this embodiment, like components are identified with like reference numerals with a 2 prefix. In this embodiment, the dermaplaning device **285** only includes a motor **234** and the eccentric rotary load **249** supported by a bearing **253**. As shown in FIG. **14**, a simple single pole single throw micro switch **229** may be used to control power to the motor **234**. An optional LED **256** may be included as part of the micro switch **229**. In addition, an optional rheostat **258** may be provided for controlling the speed of the motor **234**. As shown best in FIG. **13**, the rheostat **258** includes a thumb wheel **231**. The thumb wheel **231** may optionally be mounted as shown in FIG. **1** to enable adjustment of the motor speed from the outside of the device **250**. to A printed circuit board **245** may be provided for making the connections between the various devices. Moreover, the micro switch **229** may be mounted to the printed circuit board **245**.

An alternate embodiment of the embodiment in FIG. **12** is illustrated in FIG. **13***a*. In this embodiment, like reference numerals with an "a" suffix are used to identify like parts. In this embodiment no rheostat is provided. Also, in this embodiment as well as the embodiment illustrated in FIGS. **12-15**, the printed circuit board may be eliminated. In this embodiment as well as the other embodiments, the blade or scalpel **250***a* can be bayonet mounted or fixedly mounted to the housing **228***a*.

In all of such embodiments, the scalpel or blade **250***a* can be a one piece blade and configured with a bayonet mount, as illustrated and described above. Alternatively, the blade **250***a* can be formed as a 2 piece device; namely a scalpel **250***a* with a removable blade **249***a*, as shown in FIG. **13***a*. In such an embodiment, the scalpel **250***a* may be fixedly mounted to the housing **228***a*. Other configurations of a scalpel with a removable blade are also considered to be within the broad scope of the claims.

Scalpels with removable blades are extremely well known in the art. An example of a scalpel with a removable blade is illustrated and described in detail in U.S. Pat. No. 1,139,796, hereby incorporated by reference. In embodiments with a removable blade **249***a*, a safety cage **266***a*, as discussed above, may be formed on the blade **249***a*. The device illustrated in FIG. **13***a* may also include a safety cover, for example, a safety cover (not shown) similar to the safety cover **252** as shown in FIG. **12** which fits over the scalpel **250***a* and the removable blade **249***a*.

FIG. **13***a* illustrates the scalpel **250***a* with a removable blade **249***a* attached thereto. FIGS. **13***b*-**13***d* illustrate bow the removable blade **249***a* is attached to the scalpel **250***a*. The scalpel **250***a* is formed with a plurality of posts, for example 3 posts, identified with the reference numerals **253***a*, **255***a* and **257***a*. These posts **253***a*, **255***a* and **257***a* are formed on the scalpel and extend outwardly therefrom on one side as shown. These posts **253***a*, **255***a* and **257***a* are formed to co-operate with slots **259***a*, **261***a* and **263***a*, formed in the removable blade **253***a*. As shown best in FIG. **13***b*, the slots **259***a* and **259***b* are open slots and are configured to receive the extending posts **255***a* and **257***a* on the scalpel **250***a*. An aperture **263***a* is formed in the blade **250***a* for receiving the post **253***a* formed on the scalpel **250***a*. As is apparent from FIGS. **13***e* and **13***f*, the post **253***a* is shorter than the posts **255***a* and **257***a*. This feature allows the post **253***a* to snap in place and be received in the aperture **249***a* and essentially lock the blade **249***a* in place with respect to the scalpel **250***a*.

Another alternate embodiment of the embodiment in FIG. **12** is illustrated in FIG. **13***g*. In this embodiment, like reference numerals with an "b" suffix are used to identify like parts. This embodiment is similar to the embodiment illustrated in FIG. **13***a* except in this embodiment, the device **285** is provided with a one-piece blade **252***b* that attaches to the device by way of a bayonet mount, as discussed above. In this embodiment a blade cover **270***b* is provided. The blade cover **270***b* may be provided with a c-type cross-

section and formed with a spring force causing buttons, generally identified with the reference numeral **272***b* to pinch the blade **252***b* once the cover **270***b* is slid over the blade **252***b*.

The Blade

An important aspect of the invention relates to the blade assembly **50**, **150**, **250**. The blade assembly **50**, **150**, **250** is best shown in FIGS. **16-18**. As best shown in FIG. **18**, the blade assembly **50**, **150**, **250** is mounted to a generally cylindrical portion **60** and is configured to mate with the cylindrical portion **48** (FIG. **2**) attached to the handle portion **21** (FIG. **1**). The blade assembly **50**. **150**, **250** is only used on a single patient. As such, the blade **62** assembly **50**, **150**, **250** is removable for disposal and replaced for each new client.

As shown in FIGS. **16** and **18**, the cylindrical portion **60** of the blade assembly **50**. **150**, **250** is configured to attach to the cylindrical portion **48** attached to the handle portion **21**, for example by way of a bayonet connection. Other connections are also suitable.

In accordance with an important aspect of the invention, the blade assembly **50**, **150**, **250** includes a surgical blade or scalpel **62** and a molded housing **64**, shown best in FIG. **17** with a wedge shaped cross section. The blade **62** extends along an axis generally parallel to or at an acute angle with respect to a longitudinal axis of the device housing **20** (FIG. **1**), **23** (FIG. **7**).

In order to limit the depth of the cut into the skin and to prevent non-professionals from accidentally cutting below the epidermis layer of facial skin, a safety cage **66** is juxtaposed over an extending portion of the blade **62**. More particularly, the safety cage **66** extends over a cutting edge **67** of the blade **62** and extends from the blade housing **64**. As best shown in FIG. **16***a*, the safety cage **66** is formed as an exemplary comb-like structure defining posts **68** and valleys **70**. The comb-like structure **66** may be injection molded over the cutting edge **67** of the blade **62**. Alternatively, the comb-like structure **66** may be snapped in place over the cutting edge **67** of the blade **62**. The depth of the valleys **70** limits the depth of the cut by limiting the depth of the valleys **70**, for example, to several millimeters. As such, the blade assembly **50**, **150**, **250** is rendered safe for use by non-professionals as apart of a dermaplaning device.

As mentioned above, two piece blades or scalpels may be used. In such embodiments, the safety cage is provided over the cutting edge portion of the removable blade.

Process

A process for treating facial skin is described for non-professionals. An exemplary process for treating facial skin by the non-professional is discussed below which includes dermaplaning.

1. Cleanse: This step prepares the skin for the dermaplaning procedure. It effectively removes makeup as well as product residue, while ridding the skin of surface oils. Moisten face with warm water, apply a small amount of cleanser to moist palm, form lather with hands and massage onto face. Rinse with warm water and repeat. Blot skin dry
2. Dermaplane: Use a hand-held dermaplaning device which includes a blade and embedded vibration technology, for example, as disclosed above, that is safe for use by non-professionals which safely exfoliates the skin. Dermaplaning devices with a blade and embedded vibration technology other than the one described herein are also suitable. The vibration technology maximizes the blades efficiency while stimulating micro circulation and lymphatic activity. Skin is not only deeply exfoliated, but all traces of built up debris and vellus hair are removed. Skin is left baby soft, product penetration is maximized.

   Begin by grasping the and switching on the device. A subtle vibration will immediately be noticed.

   As illustrated in FIGS. **19** and **20**, begin the treatment at the center of face focusing on right side, using gentle yet firm pressure move the device across forehead and towards hair line, following the contours of your face, avoiding the brow and eye area.

   Once you have completed the upper face move to the lower face and begin again at the centerline using the same gentle but firm pressure moving the device along the jawline up toward the ear. Continue working up and onto the cheek moving from the nose toward the ear following the contour of the cheek. The nose and eye area should be avoided. When working around the mouth use short strokes with gentle yet firm pressure and move toward the vermillion border (edge of lip) and avoid the surface of the lip.

   The dermaplaning device is very efficient at exfoliating the skin and no more than two passes in any area are necessary. When the right side of the face is completed, move to the left side, following the same pattern.
3. Peel:

   A chemical peel completes the exfoliation process. Various chemical peels are suitable. For example, a chemical peel comprising a blend of alpha and beta hydroxy acids combined with an anti-oxidant compound, for example, Bioperfect's Anti-Oxidant Complex, completes the exfoliation process and amplifies cellular turnover to help stimulate production of collagen. This peel is to be used immediately following the use of the dermaplaning device.

   Open prepared peel pad. Begin on forehead, apply peel to entire face and neck beginning on forehead and using a circular motion. Avoid contact with delicate eye and lip areas.
4. Post Treatment Comforting Balm—Use a balm that has been specifically formulated to comfort, nourish, and protect delicate post treatment skin. The balm is absorbed deeply into newly exfoliated skin, leading to optimum absorption of our proprietary multi-dimensional complex of cosmeceuticals.

   Use a small amount and massage into face and neck avoiding eye area.

Obviously, many modifications and variations of the present invention are possible in light of the above teachings. For example, one or more of the steps in the process excluding the dermaplaning step may be eliminated. Thus, it is to be understood that within the scope of the appended claims, the invention may be practiced otherwise than as specifically described above.

What is claimed and desired to be secured by a Letters Patent of the United States is:

1. A portable hand-held dermaplaning device comprising:

a housing for carrying respective components, wherein said respective components comprise:

a blade assembly having a blade and a safety cage, the safety cage being attached to the blade and the blade configured to remain stationary relative to said safety cage during use of the dermaplaning device, said blade assembly removably mounted with respect to said

housing, said blade assembly carried by said housing to enable said blade to penetrate an epidermis during use, said safety cage juxtaposed over said blade and constructed and arranged to limit the depth of cut from cutting below the epidermis wherein portions of said safety cage extend below a cutting edge of said blade;

a vibration generator mechanically coupled to said blade assembly for selectively generating vibrations to vibrate said blade assembly at a predetermined frequency;

a power supply for powering the vibration generator;

a switch for selectively connecting said power supply relative to said vibration generator in an on mode of operation, wherein the blade remains stationary relative to the safety cage, and disconnecting said power supply from said vibration generator in an off mode of operation; and wherein said housing is formed to carry said blade assembly, said vibration generator, said power supply, and said switch.

2. The portable hand-held dermaplaning device as recited in claim **1**, wherein said vibration generator includes a piezo-electric crystal.

3. The hand-held dermaplaning device as recited in claim l, wherein said vibration generator includes a motor and an eccentric rotary load.

4. The hand-held dermaplaning device as recited in claim l, wherein said vibration generator includes a piezo-electric crystal and a motor and said switch is configured to enable one or the other piezo-electric crystal and said motor to he alternatively selected.

5. The hand-held dermaplaning device as recited in claim l, wherein said blade extends along an axis generally parallel to a longitudinal axis of said main housing.

6. The portable hand-held dermaplaning device as recited in claim **1**, wherein said housing includes a handle portion.

7. The portable hand-held dermaplaning device as recited in claim **1**, wherein said blade is a surgical blade.

8. The hand-held dermaplaning device as recited in claim **1**, wherein said power supply includes a battery.

9. The hand-held dermaplaning device as recited in claim **1**, wherein said power supply is an alternating current power supply.

10. The hand-held dermaplaning device as recited in claim **1**, further including a printed circuit board for connecting said switch, said power supply and said vibration generator together.

11. The hand-held dermaplaning device as recited in claim **1**, wherein said safety cage is snapped in place over the cutting edge of the blade.

12. The hand-held dermaplaning device as recited in claim **1**, wherein said safety cage is formed as a comb-like structure.

13. The hand-held dermaplaning device as recited in claim **1**, wherein said safety cage is injection molded over the cutting edge of the blade.

14. The hand-held dermaplaning device as recited in claim **1**, further comprising an LED constructed and configured to illuminate when the dermaplaning device is in use.

* * * * *

EXHIBIT C

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

Hague Express

Hague Registration (Information valid as of 20160318)

Current Status

Registration under 1999 Act

(11) International Registration Number
DM/089 329

(15) Date of the international registration
22.06.2015

(18) Expected expiration date of the registration/renewal
22.06.2020

(22) Filing date
22.06.2015

(73) Name and address of the holder(s)
DARA LEVY
844 Kimballwood Lane,
Highland Park IL 60035 (US)

(86) Contracting Party of which the holder is a national
US

(87) Contracting Party in the territory of which the holder has a domicile
US

(88) Contracting Party in the territory of which the holder has an industrial or commercial establishment
--

(85) Contracting Party to the 1999 Act in the territory of which the holder has a habitual residence
US

(89) Applicant's Contracting Party
US

(74) Name and address of representative
Clark Hill PLC
150 North Michigan Avenue, Suite 2700,
Chicago IL 60601 (US)

(72) Name and address of creator of designs

Dara Levy, 844 Kimballwood Lane, Highland Park, IL 60035, USA

(28) Number of designs included in the international registration
1

(51) Class and subclass of the Locarno Classification
Cl. 28-03

(54) Indication of products
1. Equipment for cosmetic treatment

(57) Description of the characteristic features of the design(s), or matter for which protection is not sought
The device is a rechargeable, handheld beauty device with a blade (plane) that operates through sonic vibration; the user gently glides the device over his/her skin to exfoliate by removing built up debris and dead skin cells

(82) Statements contained in the international application
III. US: The ornamental design for the hand held electronic cosmetic device, as shown and described

(81) Designated Contracting Parties
III. EM, JP, KR, US

(45) Date of publication of the registered industrial design by printing or similar process, or making it available to the public by any other means
19.02.2016

1.1

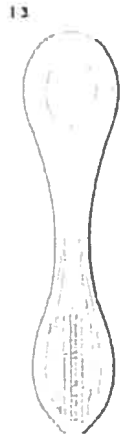
1.1) Perspective

1.2

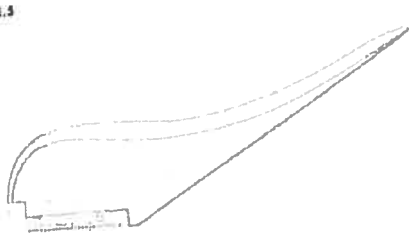
1.2) Top

1.4

1.4) Left



1.3) Bottom



1.5) Right

1.6) Front

1.7) Back

History

Statement of Grant of Protection: EM: Bulletin No. 09/2016

(11) International registration number
DM/089 329

(81) Designated Contracting Party which made the notification, followed by the date on which protection was granted where that date was communicated to the International Bureau
EM

(24) Date on which the international registration produced the effect as a grant of protection under the applicable law
22.06.2015

(58) Date of recording in the International Register
23.02.2016

Original Registration under 1999 Act: Bulletin No. 07/2016

(11) International Registration Number
DM/089 329

(15) Date of the international registration
22.06.2015

(22) Filing date
22.06.2015

(73) Name and address of the holder(s)

DARA LEVY
844 Kimballwood Lane,
Highland Park IL 60035 (US)

(86) Contracting Party of which the holder is a national
US

(87) Contracting Party in the territory of which the holder has a domicile
US

(88) Contracting Party in the territory of which the holder has an industrial or commercial establishment
–

(85) Contracting Party to the 1999 Act in the territory of which the holder has a habitual residence
US

(89) Applicant's Contracting Party
US

(74) Name and address of representative
Clark Hill PLC
150 North Michigan Avenue, Suite 2700,
Chicago IL 60601 (US)

(72) Name and address of creator of designs
Dara Levy, 844 Kimballwood Lane, Highland Park, IL 60035, USA

(28) Number of designs included in the international registration
1

(51) Class and subclass of the Locarno Classification
Cl. 28-03

(54) Indication of products
1. Equipment for cosmetic treatment / *1. Equipement pour traitements cosmétiques / 1. Equipo para tratamiento cosmético*

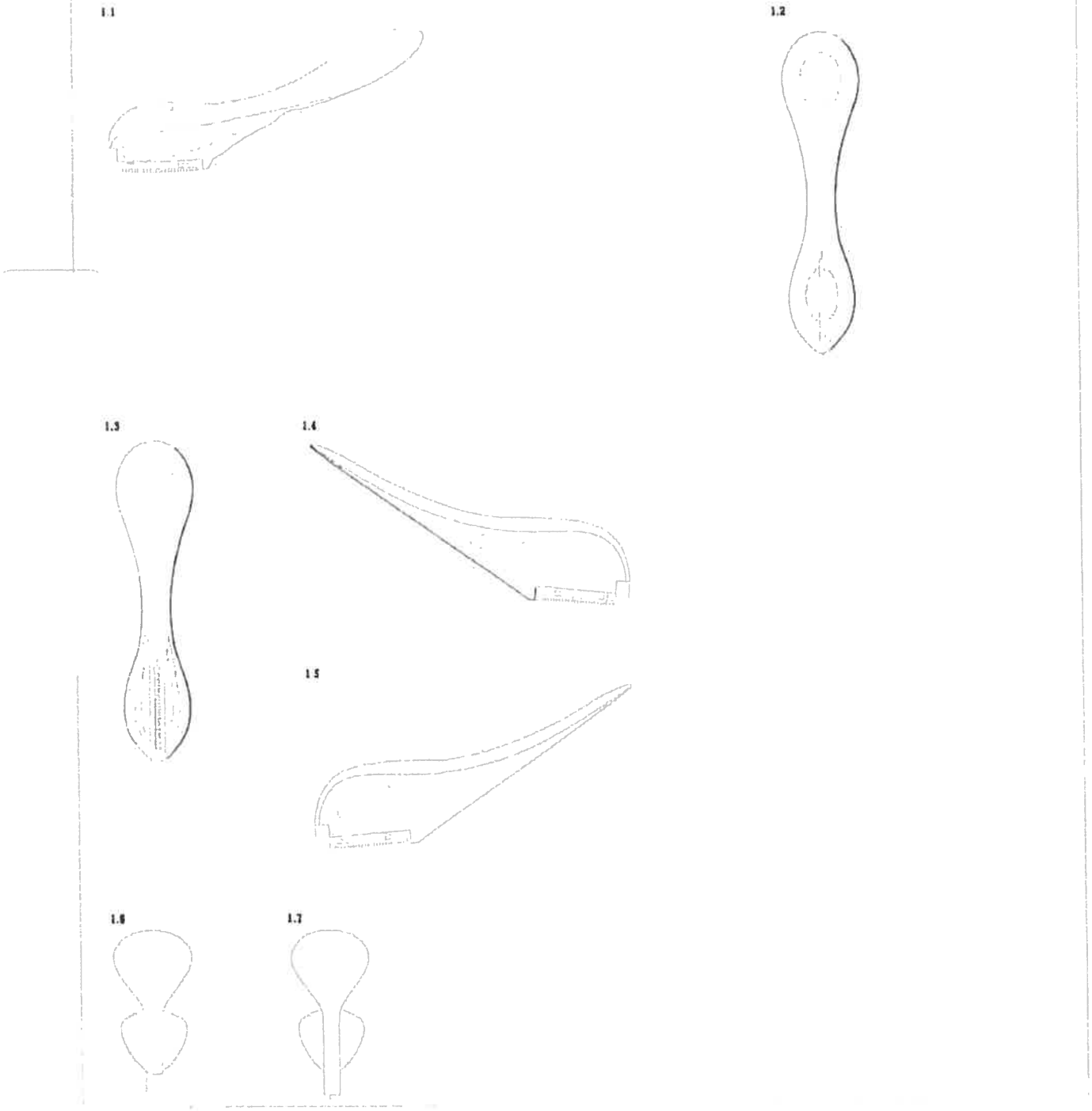
(57) Description of the characteristic features of the design(s), or matter for which protection is not sought
The device is a rechargeable, handheld beauty device with a blade (plane) that operates through sonic vibration; the user gently glides the device over his/her skin to exfoliate by removing built up debris and dead skin cells / *Modèle de dispositif d'esthétique rechargeable à main doté d'une lame (râpe) fonctionnant au moyen de vibrations soniques; l'utilisateur doit délicatement faire glisser le dispositif sur sa peau afin de l'exfolier par élimination des débris accumulés et des cellules de peau morte / Dispositivo recargable, dispositivo cosmético manual con una cuchilla (plana) que funciona mediante vibración sónica; el usuario desliza suavemente el dispositivo sobre su piel realizando una exfoliación de impurezas y células muertas*

(82) Statements contained in the international application
III. US: The ornamental design for the hand held electronic cosmetic device, as shown and described / *Dessin ou modèle ornemental de dispositif électronique à main à usage cosmétique, tel que montré et décrit / Dibujo o modelo ornamental para dispositivo cosmético electrónico manual, tal como se ilustra y se describe*

(81) Designated Contracting Parties
III. EM, JP, KR, US

(55) Legend(s) to indicate a specific view of the product

1.1) Perspective; 1.2) Top; 1.3) Bottom; 1.4) Left; 1.5) Right; 1.6) Front; 1.7) Back / *1.1) Perspective; 1.2) Dessus; 1.3) Dessous; 1.4) Gauche; 1.5) Droite; 1.6) Face; 1.7) Derrière / 1.1) Perspectiva; 1.2) Superior; 1.3) Inferior; 1.4) Izquierda; 1.5) Derecha; 1.6) Frente; 1.7) Posterior*



(Information valid as of 20160318)

Hague Registration

EXHIBIT D

WIPO | HAGUE
The International Design System

46545-18757
DD Karuna
IA-INT. Dep.

COPY

Clark Hill PLC
150 North Michigan Avenue, Suite 2700
Chicago IL 60601
États-Unis d'Amérique

RECEIVED
MAR 09 2016
CLARK HILL PLC

n/réf. : DGP/961280501/

Genève, le 29 Fevrier 2016

Re: Enregistrement international No. DM/089 329

Conformément à la Règle 18.6) du Règlement d'exécution commun de l'Arrangement de la Haye concernant l'enregistrement international des dessins et modèles industriels, veuillez trouver ci-joint une copie de la déclaration d'octroi de la protection total prononcé par l'Office de l'Union européenne relative à l'enregistrement international précité.

Bureau international de
l'Organisation Mondiale de la Propriété Intellectuelle
(OMPI)

STATEMENT OF GRANT OF PROTECTION

The following is an automated regeneration of the data communicated to the International Bureau.

CONTENT OF THE STATEMENT

International registration number	**DM/089 329**
Contracted Party concerned	European Community (EM)
Designs concerned	All designs
Date of effect as a grant of protection under the applicable law	22.06.2015
Date of the statement	23.02.2016

ELECTRONIC COMMUNICATION DETAILS

Date of receipt by the International Bureau	23.02.2016
Contracting Party sending the communication	EM
Office making the statement	Office for Harmonization in the Internal Market (OHIM)

EXHIBIT E

Michael Todd Beauty Launches at Beauty Brands and Riley Rose

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SOURCE Michael Todd Beauty

PORT ST. LUCIE, Fla., Oct. 3, 2017 /PRNewswire/ -- Michael Todd Beauty, maker of award winning patented sonic beauty devices and high performance skincare products, proudly announces expanded distribution channels designed to bring the company's offerings to a broad new array of consumers. The brand will launch at Beauty Brands in all 61 doors and dotcom, as well as making a debut in the new Forever 21 specialty beauty boutique, Riley Rose.

Michael Todd Beauty is well known for its state of the art skincare devices, including its revolutionary Soniclear cleansing brush, with its patent-pending anti-microbial technology. The company has grown its franchise with a full range of medical grade at-home devices including the Sonicblend makeup brush, the Sonic Eraser Pro skincare infuser, Total Refresher Dermal Rejuvenation system and the new Sonicsmooth dermaplaning system.

Co-Founder and President, Lew Hendler is "so excited to announce our partnership with Beauty Brands." The Kansas City based chain is considered a one-stop-shop for anything and everything beauty. With a wide range of salon and prestige products, Beauty Brands also offers the convenience of a full service spa and salon on site. Says Hendler, "Beauty Brands is a perfect environment for our products, with its focus on excellence, value and an ongoing commitment to professional quality. Their associates and salon and spa team are incredibly knowledgeable, a real benefit for consumers and for brands like ours."

Beauty Brands will carry a curated assortment of Michael Todd Beauty tools and best selling skincare in a 4 foot linear space in stores, with a broader assortment available online. Consumers can also expect to see must-have holiday collections as well as ongoing special offers throughout the year. States Beauty Brands CEO, Caryn Lerner, "We are very excited to be launching Michael Todd Beauty in all of our Beauty Brands stores. Michael Todd Beauty's focus on innovation and education will provide the partnership we need to make their business successful in our stores."

The brand is also thrilled to be a part of Forever 21's new experiential beauty boutique concept, Riley Rose. The first door opened in Glendale, California on September 30th, and 12 additional stores will open across the US by spring 2018. With a demographic firmly rooted in Gen Z and millennial culture, Co-founder and SVP of Sales Michael Friend states "Riley Rose is such a great complement to our other distribution outlets as it helps us stay in front of the next generation of beauty enthusiasts. We've tailored our assortment to delight this consumer, with a focus on two hero skus; our Soniclear Antimicrobial Sonic Cleansing Brush and our Sonicblend Antimicrobial Sonic Makeup Application brush; both tools are offered in solid colors and fun patterns." Riley Rose shoppers will also find Michael Todd Beauty on dotcom beginning in November.

Already available nationwide at ULTA Beauty stores, ULTA.com, HSN and Michael Todd Beauty dotcom, this new distribution is a part of the company's overall growth which continues to outpace the industry.

View original content with multimedia:http://www.prnewswire.com/news-releases/michael-todd-beauty-launches-at-beauty-brands-and-riley-rose-300529513.html

COMMENTS

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