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## Tria Beauty, Inc. Wins Lawsuit Against Oregon Aesthetic Technologies

### Court Prohibits Sales of ANSR:BEAM Acne Treatment Device

DUBLIN, Calif., Oct. 23, 2012 /PRNewswire/ -- Tria Beauty, Inc., announced today that the United States District Court for the District of Oregon found in favor of Tria Beauty Inc., in a lawsuit in which Tria challenged Oregon Aesthetic Technologies' advertising as false and misleading for the ANSR:BEAM blue light acne treatment device. The court issued an order permanently enjoining Oregon Aesthetic Technologies (OAT) from all further sales and advertising of the ANSR:BEAM.

"OAT's false and misleading claims in regards to their device for treating acne harmed consumers, leading them to believe that they were purchasing a device that had gone through the rigor of FDA review and had been proven clinically safe and effective," noted Kevin Appelbaum, CEO of Tria Beauty. "Although Tria does not relish litigation, we will take action to protect the marketplace in which we compete if and when necessary."

In pleadings at the outset of the litigation, Tria charged that, although OAT's advertising claimed that the device was effective in treating acne, those claims were unsupported by any clinical study of the device and were false and misleading to consumers. Moreover, the ANSR:BEAM was never cleared by the Food & Drug Administration (FDA) for the treatment of acne. According to court papers filed before issuance of the permanent injunction, the parties had agreed in August 2011 to stay the legal case for approximately one year while OAT sought FDA clearance for its device. The agreement further provided that, if OAT did not receive FDA clearance by September 30, 2012, Tria would be entitled to obtain a permanent injunction requiring withdrawal of the ANSR:BEAM acne treatment device from the market.

OAT did not, in fact, receive FDA clearance during the specified time period. To the contrary, a warning letter issued by the FDA to OAT on September 12, 2012, indicates that OAT never sought a clearance. "OAT brought this result on itself by its cavalier attitude toward federal regulatory requirements, not to mention its disregard for the principle of truth in advertising," states Kevin Appelbaum, adding that "others who try to get away with the same strategy should take heed."

#### **About Tria Beauty, Inc.**

Tria Beauty, Inc. creates light-based skin care and at-home laser hair removal products that deliver professional results at home. The clinically proven Tria [Hair Removal Laser](#) is the first and only FDA-cleared hair removal system available for at-home use. The Tria [Hair Removal Laser](#) is safe and effective and provides permanent results. The Tria Skin Perfecting [Blue Light therapy](#) treatment for acne is clinically proven to destroy bacteria in the skin, rapidly clearing acne breakouts and improving overall complexion. The Tria Skin Rejuvenating Laser treats multiple signs of

a facial aging and is Health Canada approved and CE marked for sale in Europe. Learn more about Tria's hair removal laser, treatment for acne and other skin care products by visiting [www.triabeauty.com](http://www.triabeauty.com).

Contact: Megan Driscoll  
Behrman Communications  
212.986.7000  
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