

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**LASHIFY, INC.,**  
*Appellant*

**v.**

**INTERNATIONAL TRADE COMMISSION,**  
*Appellee*

**QINGDAO HOLLYREN COSMETICS CO. LTD., DBA  
HOLLYREN, QINGDAO XIZI INTERNATIONAL  
TRADING CO., LTD., DBA XIZI LASHES, QINGDAO  
LASHBEAUTY COSMETIC CO., LTD., DBA  
WORLDBEAUTY, KISS NAIL PRODUCTS, INC.,  
ULTA SALON, COSMETICS & FRAGRANCE, INC.,  
WALMART, INC., CVS PHARMACY, INC., ARTEMIS  
FAMILY BEGINNINGS, INC., DBA LILAC ST.,  
ALICIA ZENG,**  
*Intervenors*

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2023-1245

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Appeal from the United States International Trade  
Commission in Investigation No. 337-TA-1226.

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**SUA SPONTE**

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Before PROST, TARANTO, and CHEN, *Circuit Judges*.

PER CURIAM.

### ORDER

The court notes that the opinion issued in this case, *Lashify, Inc. v. International Trade Commission*, 130 F.4th 948 (Fed. Cir. 2025), misstates one standard of review. At 130 F.4th at 964—page 27 of the court-issued version—the opinion states: “We review the Commission’s claim construction without deference and its underlying factual findings for clear error. *See Teva Pharmaceuticals USA, Inc. v. Sandoz, Inc.*, 574 U.S. 318, 332 (2015).” The statement and citation should be altered to state: “We review the Commission’s claim construction without deference and its underlying factual findings for substantial evidence. *See Kyocera Senco Industrial Tools Inc. v. International Trade Commission*, 22 F.4th 1369, 1378 (Fed. Cir. 2022).” That alteration changes nothing about the case-specific analysis set forth or result reached in the opinion.

Accordingly,

IT IS ORDERED THAT:

The mandate is recalled for the limited purpose of correcting a misstatement in the opinion issued on March 5, 2025. The opinion’s statement—“We review the Commission’s claim construction without deference and its underlying factual findings for clear error. *See Teva Pharmaceuticals USA, Inc. v. Sandoz, Inc.*, 574 U.S. 318, 332 (2015).”—is changed to read—“We review the Commission’s claim construction without deference and its underlying factual findings for substantial evidence. *See Kyocera*

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*Senco Industrial Tools Inc. v. International Trade Commission*, 22 F.4th 1369, 1378 (Fed. Cir. 2022).”<sup>1</sup>

FOR THE COURT



Jarrett B. Perlow  
Clerk of Court

February 4, 2026  
Date

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<sup>1</sup> After issuance of the order, the mandate will issue forthwith.