

FR 54319 (Oct. 29, 2018). The majority of comments supported the PTAB issuing preliminary guidance in cases involving an MTA, and commenters were almost evenly mixed in supporting or opposing the opportunity for a patent owner to file a revised MTA.

On March 15, 2019, in response to these public comments, the USPTO issued a **Federal Register** Notice detailing the MTA Pilot Program. See Notice Regarding a New Pilot Program Concerning Motion To Amend Practice and Procedures in Trial Proceedings Under the America Invents Act Before the Patent Trial and Appeal Board, 84 FR 9497 (Mar. 15, 2019). The MTA Pilot Program provides a patent owner with two options not previously available: (1) a patent owner may choose to receive preliminary guidance from the PTAB on its MTA; and (2) a patent owner may choose to file a revised MTA after receiving a petitioner's opposition to the original MTA and/or the PTAB's preliminary guidance (if requested). If a patent owner does not elect either option, then AIA trial practice, including MTA practice, is essentially unchanged from the practice prior to the implementation of the MTA Pilot Program.

The USPTO subsequently extended the MTA Pilot Program on September 16, 2021, to run through September 16, 2022. The USPTO presented the results of the MTA Pilot Program through March 31, 2022, in Installment 7 of the Motion to Amend Study. The most recent information and statistics related to MTAs are available on the USPTO's website at [www.uspto.gov/patents/ptab/motions-amend-study](http://www.uspto.gov/patents/ptab/motions-amend-study).

Now that stakeholders have had experience with the MTA Pilot Program, as well as access to the results of the Motion to Amend Study, the USPTO plans to issue a Request for Comments regarding the MTA Pilot Program to gather stakeholder feedback and suggestions on the program and on amendment practice generally and to determine whether to make the program permanent through notice-and-comment rulemaking. The USPTO is extending the MTA Pilot Program for a second time, through September 16, 2024, while it gathers public input. The requirements for the program remain as set forth in the original notice without modification.

**Katherine K. Vidal,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

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**BILLING CODE 3510&ndash;16-P**

## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

[Docket No.: PTO-P-2020-0027]

#### Extension of the Fast-Track Appeals Pilot Program

**AGENCY:** United States Patent and Trademark Office, Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** The United States Patent and Trademark Office (USPTO) is extending the Fast-Track Appeals Pilot Program, initiated on July 2, 2020, and previously extended on July 12, 2021. The Fast-Track Appeals Pilot Program permits appellants with a docketed *ex parte* appeal before the Patent Trial and Appeal Board (PTAB or Board) to file a petition to expedite the review of the appeal. The Fast-Track Appeals Pilot Program sets a target of reaching decisions on *ex parte* appeals within six months from the date they enter the program.

**DATES:** *Applicability Date:* October 4, 2022. *Duration:* The Fast-Track Appeals Pilot Program will run until July 2, 2024. After that date, the USPTO may temporarily or permanently extend the Fast-Track Appeals Pilot Program (with or without modification) or discontinue the program.

**FOR FURTHER INFORMATION CONTACT:** Steven Bartlett, PTAB, by telephone at 571-272-9797 or by email at [fasttrackappeals@uspto.gov](mailto:fasttrackappeals@uspto.gov).

**SUPPLEMENTARY INFORMATION:** *Ex parte* appeals to the Board are normally taken up for decision in the order in which they are docketed. See USPTO Standard Operating Procedure 1, Assignment of judges to panels (Sept. 20, 2018), available at [www.uspto.gov/patents/ptab/resources](http://www.uspto.gov/patents/ptab/resources). Currently, the average appeal pendency is about 12 months, down from 15 months in 2020, and 30 months in 2015. See the PTAB statistics available at [www.uspto.gov/patents/ptab/statistics](http://www.uspto.gov/patents/ptab/statistics). A small number of *ex parte* appeals are advanced out of turn, for example, because the appealed case is a reissue application or a reexamination proceeding, or because the appealed case was accorded special status in light of an inventor's advanced age or poor health.

On July 2, 2020, the PTAB adopted, on a temporary basis, the Fast-Track Appeals Pilot Program, under which appellants may have an *ex parte* appeal to the Board advanced out of turn by filing a petition under 37 CFR 41.3 and paying the petition fee specified in 37 CFR 41.20(a). See Fast-Track Appeals

Pilot Program (85 FR 39888, July 2, 2020) (Fast-Track Notice). The PTAB extended the Fast-Track Appeals Pilot Program on July 12, 2021. See Extension of the Fast-Track Appeals Pilot Program (86 FR 36530, July 12, 2021) (First Extension). The Fast-Track Appeals Pilot Program permits appellants to accelerate the Board's decision on an *ex parte* appeal, hastening patentability determinations and the potential for commercialization of products or services embodying those patented inventions. This helps spur follow-on innovation, economic growth, and job creation. The USPTO's form for the Fast-Track petition, Form PTO/SB/451, is available at [www.uspto.gov/patents/apply/forms/forms-patent-applications-filed-or-after-september-16-2012](http://www.uspto.gov/patents/apply/forms/forms-patent-applications-filed-or-after-september-16-2012).

The original Fast-Track Notice required, among other things, that appellants file a petition before July 2, 2021, to participate in the program. The Fast-Track Notice also set a maximum number of 500 appeals that may be advanced through Fast-Track petitions. The First Extension required that a petition be filed before July 2, 2022, to participate in the program. The First Extension removed the maximum number of 500 appeals, but it maintained a maximum number of 125 Fast-Track petitions granted per quarter.

The Fast-Track Appeals Pilot Program is hereby extended to accept petitions for advancing out of turn (*i.e.*, providing "Fast-Track status") to *ex parte* appeals through July 2, 2024. The requirements for the program remain the same as those established in the original notice (*see* Fast-Track Notice, 85 FR 39888), with the following modification regarding the petition limit.

Consistent with the First Extension, there is no upper limit of 500 total granted Fast-Track petitions. However, to maintain the Board's ability to provide this faster appeal option while timely resolving other appeals, the number of granted petitions in the Fast-Track Appeals Pilot Program remains limited to 125 granted petitions per quarter. If a quarterly limit is reached, the PTAB retains the flexibility to accept additional petitions, either for consideration in that quarter or in the next quarter.

The USPTO tracks the number of petitions it grants, the average time it takes to answer petitions, and the average time for the Board to render a decision on the merits of the *ex parte* appeal after a petition grant. These

statistics may be viewed at [www.uspto.gov/PTABFastTrack](http://www.uspto.gov/PTABFastTrack).

**Katherine K. Vidal,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

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## **BUREAU OF CONSUMER FINANCIAL PROTECTION**

[Docket No. CFPB-2022-0065]

### **Agency Information Collection Activities: Comment Request**

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice and request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau or CFPB) is requesting to extend the Office of Management and Budget's (OMB's) approval for an existing information collection titled "Truth in Savings (Regulation DD)" approved under OMB Control Number 3170-0004.

**DATES:** Written comments are encouraged and must be received on or before December 5, 2022 to be assured of consideration.

**ADDRESSES:** You may submit comments, identified by the title of the information collection, OMB Control Number (see below), and docket number (see above), by any of the following methods:

- *Federal eRulemaking Portal:*

<https://www.regulations.gov>. Follow the instructions for submitting comments

- *Email:* [PRA\\_Comments@cfpb.gov](mailto:PRA_Comments@cfpb.gov).

Include Docket No. CFPB-2022-0065 in the subject line of the email.

- *Mail/Hand Delivery/Courier:*

Comment Intake, Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW, Washington, DC 20552. Please note that due to circumstances associated with the COVID-19 pandemic, the Bureau discourages the submission of comments by mail, hand delivery, or courier.

Please note that comments submitted after the comment period will not be accepted. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

**FOR FURTHER INFORMATION CONTACT:**

Documentation prepared in support of

this information collection request is available at [www.regulations.gov](http://www.regulations.gov). Requests for additional information should be directed to Anthony May, PRA Officer, at (202) 841-0544, or email: [CFPB\\_PRA@cfpb.gov](mailto:CFPB_PRA@cfpb.gov). If you require this document in an alternative electronic format, please contact [CFPB\\_Accessibility@cfpb.gov](mailto:CFPB_Accessibility@cfpb.gov). Please do not submit comments to these email boxes.

#### **SUPPLEMENTARY INFORMATION:**

*Title of Collection:* Truth in Savings (Regulation DD).

*OMB Control Number:* 3170-0004.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Private sector: businesses or other for-profits.

*Estimated Number of Respondents:* 146.

*Estimated Total Annual Burden Hours:* 19,000.

*Abstract:* The Truth in Savings Act (TISA), 12 U.S.C. 4301 *et seq.* was enacted to enhance economic stability, improve competition between depository institutions, and strengthen consumer ability to make informed decisions regarding deposit accounts by requiring uniformity in the disclosure of interest rates and fees. TISA assists consumers in comparing deposit accounts offered by depository institutions, principally through the disclosure of fees, the annual percentage yield, the interest rate, and other account terms. TISA and Regulation DD require depository institutions to disclose yields, fees, and other terms concerning deposit accounts to consumers at account opening, upon request, and when changes in terms occur. Depository institutions that provide periodic statements are required to include information about fees imposed, interest earned, and the annual percentage yield earned during those statement periods. TISA and Regulation DD mandate the methods by which institutions determine the account balance on which interest is calculated. They also contain rules about advertising deposit accounts and overdraft services. Regulation DD requires depository institutions subject to TISA to retain evidence of compliance with the regulation. These recordkeeping requirements ensure that records that might contain evidence of violations of TISA remain available to Federal enforcement agencies, as well as to private litigants.

*Request for Comments:* Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the

information will have practical utility; (b) The accuracy of the Bureau's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB's approval. All comments will become a matter of public record.

**Anthony May,**

*Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.*

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## **BUREAU OF CONSUMER FINANCIAL PROTECTION**

[Docket No. CFPB-2022-0066]

### **Agency Information Collection Activities: Comment Request**

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice and request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau or CFPB) requests the extension of the Office of Management and Budget's (OMB's) approval of the existing information collection titled "Generic Information Collection Plan for Qualitative Consumer Education, Engagement, and Experience Information Collections" approved under OMB Number 3170-0036.

**DATES:** Written comments are encouraged and must be received on or before November 3, 2022 to be assured of consideration.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function. In general, all comments received will become public records, including any personal information provided. Sensitive personal information, such as account