

written statements at any time before or after the meeting. However, to facilitate distribution of public presentation materials to Committee members, the Committee suggests that presenters forward the public presentation materials prior to the meeting to Ms. Springer.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on January 3, 2023, pursuant to 5 U.S.C. 1009(d) of the FACA, that the portion of the meeting dealing with pre-decisional changes to the Commerce Control List and the U.S. export control policies shall be exempt from the provisions relating to public meetings found in 5 U.S.C. 1009(a)(1) and 1009(a)(3). The remaining portions of the meeting will be open to the public.

For more information, contact Ms. Springer via email.

Yvette Springer,
Committee Liaison Officer.

[FR Doc. 2023-22893 Filed 10-16-23; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XD464]

North Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of hybrid meeting.

SUMMARY: The North Pacific Fishery Management Council (Council) Bering Sea Fishery Ecosystem Plan Climate Change Taskforce (BSFEP CC) will meet November 1, 2023 through November 2, 2023.

DATES: The meeting will be held on Wednesday, November 1, 2023, from 1 p.m. to 5 p.m. and on Thursday, November 2, 2023, from 9 a.m. to 5 p.m., Pacific time.

ADDRESSES:

Meeting address: The meeting will be a hybrid meeting. The in-person component of the meeting will be held at the Alaska Fishery Science Center in Room 2079, 7600 Sand Point Way NE, Building 4, Seattle, WA 98115.

If you plan to attend in-person you need to notify Diana Stram (diana.stram@noaa.gov) at least two days prior to the meeting (or two weeks prior if you are a foreign national). You

will also need a valid U.S. Identification Card. If you are attending virtually, join the meeting online through the link at <https://meetings.npfmc.org/Meeting/Details/3016>.

Council address: North Pacific Fishery Management Council, 1007 W 3rd Ave., Suite 400, Anchorage, AK 99501-2252; telephone: (907) 271-2809. Instructions for attending the meeting are given under **SUPPLEMENTARY INFORMATION**, below.

FOR FURTHER INFORMATION CONTACT: Dr. Diana Stram, Council staff; phone; (907) 271-2809 and email: diana.stram@noaa.gov. For technical support, please contact our administrative staff; email: npfmc.admin@noaa.gov.

SUPPLEMENTARY INFORMATION:

Agenda

Wednesday, November 1, 2023, Through Thursday, November 2, 2023

The agenda will include: (a) an overview on Climate ecosystems and fisheries initiative; (b) overview on IRA funding; (c) overview of Alaska Climate Integrated Modeling and Alaska Dashboard Adaptation Planning Tools; (d) summary of CCTF member survey feedback on climate scenario planning workshop plans; (e) recommended approach for Climate Scenario Planning Workshop; (f) research priorities; (g) future plans; and (h) and other business. The agenda is subject to change, and the latest version will be posted at <https://meetings.npfmc.org/Meeting/Details/3016> prior to the meeting, along with meeting materials.

Connection Information

You can attend the meeting online using a computer, tablet, or smart phone; or by phone only. Connection information will be posted online at: <https://meetings.npfmc.org/Meeting/Details/3016>.

Public Comment

Public comment letters will be accepted and should be submitted electronically to <https://meetings.npfmc.org/Meeting/Details/3016>.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 11, 2023.

Rey Israel Marquez,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2023-22827 Filed 10-16-23; 8:45 am]

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DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No. PTO-P-2021-0052]

Grant of Interim Extension of the Term of U.S. Patent No. 7,199,162; GRAFAPEX™ (Treosulfan)

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

ACTION: Notice of interim patent term extension.

SUMMARY: The United States Patent and Trademark Office has issued an order granting a one-year interim extension of the term of U.S. Patent No. 7,199,162 ('162 patent).

FOR FURTHER INFORMATION CONTACT: Raul Tamayo, Senior Legal Advisor, Office of Patent Legal Administration, at 571-272-7728 or raul.tamayo@uspto.gov.

SUPPLEMENTARY INFORMATION: 35 U.S.C. 156 generally provides that the term of a patent may be extended for a period of up to five years, if the patent claims a product, or a method of making or using a product, that has been subject to certain defined regulatory review. 35 U.S.C. 156(d)(5) generally provides that the term of such a patent may be extended for no more than five interim periods of up to one year each, if the approval phase of the regulatory review period (RRP) is reasonably expected to extend beyond the expiration date of the patent.

On August 28, 2023, Medac Gesellschaft fuer Klinische Spezialparate mbH, the owner of record of the '162 patent, timely filed an application under 35 U.S.C. 156(d)(5) for a third interim extension of the term of the '162 patent. The '162 patent claims a method of using the human drug product known by the tradename GRAFAPEX™ (treosulfan). The application for interim patent term extension indicates that a RRP as described in 35 U.S.C. 156(g)(1)(B)(ii) began for GRAFAPEX™ (treosulfan) and is ongoing before the Food and Drug Administration for permission to market and use the product commercially.

Review of the interim patent term extension application indicated that, except for permission to market or use the product commercially, the '162 patent would be eligible for an extension of the patent term under 35 U.S.C. 156. Because it was apparent that the RRP would continue beyond the twice-extended expiration date of the '162 patent, *i.e.*, October 12, 2023, a third interim extension of the patent term under 35 U.S.C. 156(d)(5) was appropriate.

A third interim extension under 35 U.S.C. 156(d)(5) of the term of U.S. Patent No. 7,199,162 was granted on October 10, 2023, for a period of one year from the twice-extended expiration date of the '162 patent.

Brian Hanlon,

*Acting Deputy Commissioner for Patents,
United States Patent and Trademark Office.*

[FR Doc. 2023-22836 Filed 10-16-23; 8:45 am]

BILLING CODE 3510-16-P

CONSUMER FINANCIAL PROTECTION BUREAU

Supervisory Highlights Junk Fees Update Special Edition, Issue 31, Fall 2023

AGENCY: Consumer Financial Protection Bureau.

ACTION: Supervisory Highlights.

SUMMARY: The Consumer Financial Protection Bureau (CFPB or Bureau) is issuing its thirty first edition of Supervisory Highlights.

DATES: The findings included in this report cover examinations in the areas of deposits, auto servicing, and remittances that generally were completed between February 2023 and August 2023. The report also describes risks identified in connection with payment platforms that parents, guardians, and students use to pay for school lunches.

FOR FURTHER INFORMATION CONTACT: Jaclyn Sellers, Senior Counsel, at (202) 435-7449. If you require this document in an alternative electronic format, please contact CFPB_Accessibility@cfpb.gov.

SUPPLEMENTARY INFORMATION:

1. Introduction

As part of its emphasis on fair competition, the Consumer Financial Protection Bureau (CFPB) has launched an initiative, consistent with its legal authority, to scrutinize junk fees charged by banks and financial companies. Junk fees are typically not subjected to the normal forces of competition, leading to excessive costs for services that a consumer may not even want. For example, certain banks and financial companies might hide these unavoidable or surprise charges or disclose them only at a later stage in the consumer's purchasing process, if at all. The CFPB has observed that

supervised institutions have started to compete more when it comes to fees. In recent years, multiple banks have announced they were eliminating overdraft fees or otherwise updating

their policies to be more consumer friendly.¹ And many have announced that they are eliminating non-sufficient fund (NSF) fees on consumer deposit accounts.²

Supervision continues to focus significant resources on identifying and eliminating junk fees charged by supervised institutions. Significantly, financial institutions are refunding over \$120 million to consumers for unanticipated overdraft fees and unfair NSF fees. This special edition of *Supervisory Highlights* updates the public on supervisory work completed since the CFPB published the March 2023 *Supervisory Highlights* Junk Fees Special Edition. In total, for the topics covered in this edition, Supervision's work has resulted in institutions refunding over \$140 million to consumers.

The findings included in this report cover examinations in the areas of deposits, auto servicing, and remittances that generally were completed between February 2023 and August 2023.³ The report also describes risks identified in connection with payment platforms that parents, guardians, and students use to pay for school lunches. Additionally, consistent with the statutory requirement for Supervision to identify and consider "risks to consumers" throughout its supervisory program, Supervision has obtained data about certain deposit account fee practices and is sharing key data points that shed light on risks to consumers. To maintain the anonymity of the supervised institutions discussed in *Supervisory Highlights*, references to institutions generally are in the plural and related findings may pertain to one or more institutions.

We invite readers with questions or comments about *Supervisory Highlights* to contact us at CFPB_Supervision@cfpb.gov.

2. Supervisory Observations

2.1 Deposits

In recent examinations of depository institutions and service providers, Supervision has reviewed certain fees related to deposit accounts to assess whether supervised entities have

¹ Banks' Overdraft/NSF Fee Revenues Evolve Along With Their Policies. (July 20, 2023), available at: <https://www.consumerfinance.gov/about-us/blog/banks-overdraft-nsf-fee-revenues-evolve-along-with-their-policies/>. Some banks have announced significant changes while others have made smaller or no changes.

² *Id.*

³ If a supervisory matter is referred to the Office of Enforcement, Enforcement may cite additional violations based on these facts or uncover additional information that could impact the conclusion as to what violations may exist.

engaged in any unfair, deceptive, or abusive acts or practices (UDAAPs) prohibited by the Consumer Financial Protection Act of 2010 (CFPA).⁴ Examiners have focused on NSF and overdraft fees in particular and have reviewed statement fees and surprise depositor fees as well. Examiners also have engaged in follow-up work regarding pandemic relief benefits.

2.1.1 Assessing Multiple NSF Fees for the Same Transaction

Supervision continued examinations of institutions to review for UDAAPs in connection with charging consumers NSF fees, especially with respect to "re-presentments."⁵ A re-presentment occurs when, after declining a transaction because of insufficient funds and assessing an NSF fee for the transaction, the consumer's account-holding institution returns the transaction to the merchant's depository institution, and the merchant presents the same transaction to the consumer's account-holding institution for payment again. In some instances, when the consumer's account remains insufficient to pay for the transaction upon re-presentment, the consumer's account-holding institution again returns the transaction to the merchant and assesses another NSF fee for the transaction, without providing consumers a reasonable opportunity to prevent another fee after the first failed presentment attempt. Absent restrictions on the assessment of NSF fees by the consumer's account-holding institution, this cycle can occur multiple times, and consumers may be charged multiple fees for a single transaction.

Core Processor Practices

Core processors provide critical deposit, payment, and data processing services to many supervised institutions, and the system functionality that these entities develop drives many fee practices, including NSF fee practices. Supervision has examined core processors in their capacity as service providers to covered persons providing deposit services.

Examiners concluded that, in the offering and providing of core service platforms, core processors engaged in an unfair act or practice by contributing to the assessment of unfair NSF fees on re-presented items. An act or practice is

⁴ 12 U.S.C. 5531(c), 5536.

⁵ Some depository institutions charge a NSF fee when a consumer pays for a transaction with a check or an ACH transfer and the transaction is presented for payment, but there is not a sufficient balance in the consumer's account to cover the transaction.