

acquire additional voting shares of Guaranty Bank & Trust Company of Delhi, Delhi, Louisiana.

Dated: Board of Governors of the Federal Reserve System, May 5, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

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FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than May 26, 2000.

A. Federal Reserve Bank of Atlanta (Lois Berthaume, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303-2713:

1. *Francis O. Bourg, Jr., Francis O. Bourg, III, Augustine Bourg Taylor, Josephine Bourg Junot, and Dean Paul Chauvin, Jr.,* (collectively) Houma, Louisiana; to acquire additional voting shares of South Louisiana Financial Corporation, Houma, Louisiana, and thereby indirectly acquire additional voting shares of South Louisiana Bank, Houma, Louisiana.

Board of Governors of the Federal Reserve System, May 8, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

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FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part

225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 5, 2000.

A. Federal Reserve Bank of Atlanta (Lois Berthaume, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303-2713:

1. *City Savings Bancshares, Inc.,* Deridder, Louisiana; to become a bank holding company by acquiring 100 percent of the voting shares of City Savings Bank & Trust Company, Deridder, Louisiana.

B. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Nebraska Bankshares, Inc.,* Farnam, Nebraska; Stockmens Financial Corporation, Rushville, Nebraska; and Stamford Banco, Inc., Stamford, Nebraska; to each buy more than 10 percent of the voting shares of First Gothenburg Bancshares, Inc., Gothenburg, Nebraska, and thereby indirectly acquire First State Bank, Gothenburg, Nebraska.

C. Federal Reserve Bank of Dallas (W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Plains Bancorp, Inc.,* Lubbock, Texas; to merge with Sudan Bancshares, Inc., Sudan, Texas, and thereby indirectly acquire First National Bank, Sudan, Texas.

D. Federal Reserve Bank of San Francisco (Maria Villanueva, Consumer Regulation Group) 101 Market Street, San Francisco, California 94105-1579:

1. *Pacific Capital Bancorp,* Santa Barbara, California; to acquire 100 percent of the voting shares of San Benito Bank, Hollister, California.

2. *Westamerica Bancorporation,* San Rafael, California; to acquire 100 percent of the voting shares of First Counties Bank, Clearlake, California.

3. *Pacific Capital Bancorp,* Santa Barbara, California; to merge with Los Robles Bancorp, Thousand Oaks, California, and thereby indirectly acquire Los Robles Bank, Thousand Oaks, California.

Board of Governors of the Federal Reserve System, May 5, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00-11784 Filed 5-10-00; 8:45 am]

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FEDERAL RESERVE SYSTEM

Notice of Proposals To Engage in Permissible Nonbanking Activities or To Acquire Companies That Are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 26, 2000.

A. Federal Reserve Bank of Boston
(Richard Walker, Community Affairs
Officer) 600 Atlantic Avenue, Boston,
Massachusetts 02106-2204:

1. *Washington Trust Bancorp, Inc.*,
Westerly, Rhode Island; to acquire
Phoenix Investment Management
Company, Inc., Providence, Rhode
Island, and thereby engage in
investment advisory services consistent
with section 225.28(b)(6) of Regulation
Y.

Board of Governors of the Federal Reserve
System, May 8, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00-11879 Filed 5-10-00; 8:45 am]

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FEDERAL TRADE COMMISSION

Public Forum: Warranty Protection for High-Tech Products and Services

AGENCY: Federal Trade Commission.

ACTION: Initial notice requesting
academic papers and public comment
and announcing public forum.

SUMMARY: The Federal Trade
Commission plans to hold a public
forum to examine warranty protection
for software and other computer
information products and services that
are marketed to consumers, and seeks
academic papers and public comment to
inform this examination.

DATES: Papers and written comments are
requested to be submitted on or before
September 11, 2000. The forum will be
held during the fall of 2000.

ADDRESSES: Six hard copies of each
paper and written comment should be
submitted to: Secretary, Federal Trade
Commission, Room H-159, 600
Pennsylvania Ave., NW., Washington,
DC 20580. Alternatively, the
Commission will accept papers and
comments submitted to the following e-
mail address: "software-
comments@ftc.gov." The content of any
papers or comments submitted by e-
mail should be organized in
sequentially numbered paragraphs. All
submissions should be captioned "High-
Tech Warranty Project—Comment,
P994413."

Form and Availability of Comments:
To enable prompt review and
accessibility to the public, papers and
comments also should be submitted, if
possible, in electronic form, on either a
5¼ or 3½ inch computer disk, with a
disk label stating the name of the
submitter and the name and version of
the word processing program used to
create the document. (Programs based

on DOS or Windows are preferred. Files
from other operating systems should be
submitted in ASCII text format.)

Papers and written comments will be
available for public inspection in
accordance with the Freedom of
Information Act, 5 U.S.C. 552, and
Commission regulations, 16 CFR Part
4.9, on normal business days between
the hours of 8:30 a.m. and 5:00 p.m. at
Room 130, Federal Trade Commission,
600 Pennsylvania Avenue, NW.,
Washington, DC 20580. The
Commission will make this notice and,
to the extent possible, all papers or
comments received in electronic form in
response to this notice available to the
public through the Internet at the
following address: <http://www.ftc.gov>.

FOR FURTHER INFORMATION CONTACT: The
exact dates, location, and information
about public participation in the forum
will be announced later by **Federal
Register** notice. For questions about this
request for academic papers and
comments, contact either:

Adam Cohn, Attorney, Division of
Marketing Practice, Bureau of
Consumer protection, Federal Trade
Commission, 600 Pennsylvania
Avenue, NW., Washington, DC 20580,
telephone 202-326-3411; or
Carole Danielson, Senior Investigator,
Division of Marketing Practices,
Bureau of Consumer Protection,
Federal Trade Commission, 600
Pennsylvania Avenue, NW.,
Washington, DC 20580, telephone
(202) 326-3115.

SUPPLEMENTARY INFORMATION:

Background: Magnuson-Moss Warranty Act

In 1975, Congress passed the
Magnuson-Moss Warranty Act ("Act")¹
in response to a number of widespread
problems consumers encountered when
the products they purchased were
defective. First, warranties were often
very vague or extremely technical and
thus difficult to understand and
interpret. Second, companies often gave
a narrow written warranty, but then
disclaimed all implied warranties in the
same document, thus providing the
consumer with little or no recourse if
the product turned out to be defective.
Third, some manufacturers restricted
the warranty and limited its remedies to
such an extent that the warranty proved
to be useless to consumers. Finally, the
lack of privity with a distant
manufacturer often precluded the
consumer from seeking a remedy in
court.

In addressing these problems, the
Congress did not mandate that

manufacturers or sellers provide written
warranties on consumer products, nor
did it mandate substantive warranty
terms for consumer products. Rather,
Congress mandated that any company
that chooses to give a written warranty
on a consumer product must follow
some basic ground rules. As set forth in
the Magnuson-Moss Warranty Act and
in the regulations promulgated under
the Act,² these basic ground rules were
designed to ensure: that warranties for
consumer products be clear and
understandable; that warranties not
become vehicles to disclaim or
otherwise restrict substantive consumer
rights provided by state law; that
warranties be available prior to sale so
consumers could know the warranty
terms before buying the product and
could compare the warranties of
different sellers; and, that sellers and
manufacturers honor the terms of their
warranties. Finally, the Act gave
consumers the right to sue for any
violation of the Act, including breach of
express or implied warranty.

Software and Other Computer Information Products and Services

Today, many of the issues that were
important three decades ago in the
context of written consumer product
warranties are being debated in the
context of mass market "shrinkwrap" or
"clickwrap" software licenses. For
example, software licenses may be
written in technical, or otherwise
complicated language that some
consumers might find difficult to
understand. Additionally, just as
written warranties prior to 1975 were
sometimes used to disclaim substantive
implied warranty protections provided
by state law, some of today's mass
market software licenses contain
provisions that seek to disclaim similar
state-implied warranty protections (e.g.,
fitness, merchantability). Moreover,
some mass market software licenses
may not be available for consumers to
review until after the consumer has paid
for the software. Thus, consumers may
be unaware of the terms and conditions
until after the product is purchased.³

² 16 C.F.R. parts 701, 702 and 703.

³ Many of these issues have recently been debated
in the context of the drafting of a proposed state
law, drafted by the National Conference of
Commissioners on Uniform State Laws (NCCUSL).
That proposed law, entitled the "Uniform Computer
Information Transaction Act" (UCITA), would,
among other things, affirm the enforceability of
mass market software licenses. Many of the
provisions of UCITA, including the provisions
dealing with mass market licenses, have raised
concern among some consumer groups and law
enforcement officials, including the staff of the
Federal Trade Commission. The FTC staff advocacy
letters can be found on the Commission's web site

¹ 15 U.S.C. 2301 *et seq.*