



Regulatory Circular RG 04-84

Date: August 03, 2004  
To: CBOE Membership  
Re: CBOE Marketing Fee Program

The Securities and Exchange Commission has given notice that CBOE's marketing fee program includes e-DPMs in the existing marketing fee schedule, effective August 3, 2004. Additionally, the SEC approved an amendment to reinstate the marketing fee voting procedures, as set forth in Interpretation .12 to Rule 8.7, by which a trading crowd may determine whether or not to participate in the Exchange's marketing fee program. Additionally, the second amendment incorporates e-DPMs into the marketing fee voting procedures. However, due to the method by which classes were allocated to e-DPMs and their distribution among various trading crowds, e-DPMs will only be allowed to vote on a class-by-class basis in those option classes that they have been appointed. Market-Makers and DPMs will participate in a vote on a station by station basis, as was the case previously. Please be advised that the marketing fee will be in effect in all option classes commencing August 2, 2004, including in those option classes in which trading crowds previously voted not to participate in the marketing fee. All eligible market participants are free to call for a vote pursuant to the marketing fee voting procedures, as set forth in Interpretation .12 to Rule 8.7.

If you have any questions, please contact Daniel Hustad, Vice President of Market Quality Assurance, at (312) 786-7715, or Andrew Spiwak, Director Legal Division and Chief Enforcement Attorney, at (312) 786-7483.