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Page 1 of * 165

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
Form 19b-4

File No.* SR - 2019 - * 009
Amendment No. (req. for Amendments *)

Filing by Cboe C2 Exchange, Inc.

Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934

Initial * ☑ Amendment * ☐ Withdrawal ☐

Section 19(b)(2) * ☐ Section 19(b)(3)(A) * ☑ Section 19(b)(3)(B) * ☐

Rule

☐ 19b-4(f)(1) ☐ 19b-4(f)(4)
☐ 19b-4(f)(2) ☐ 19b-4(f)(5)
☐ 19b-4(f)(3) ☑ 19b-4(f)(6)

Pilot ☐ Extension of Time Period for Commission Action * ☐ Date Expires *

Notice of proposed change pursuant to the Payment, Clearing, and Settlement Act of 2010

Section 806(e)(1) * ☐ Section 806(e)(2) * ☐

Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934

Section 3C(b)(2) * ☐

Exhibit 2 Sent As Paper Document ☐ Exhibit 3 Sent As Paper Document ☐

Description

Provide a brief description of the action (limit 250 characters, required when Initial is checked *).

The Exchange proposes a rule change that amends the Exchange’s opening process and adds a global trading hours session for DJX options.

Contact Information

Provide the name, telephone number, and e-mail address of the person on the staff of the self-regulatory organization prepared to respond to questions and comments on the action.

First Name * Laura Last Name * Dickman
Title * Vice President, Associate General Counsel
E-mail * dickman@cboe.com
Telephone * (312) 786-7572 Fax

Signature

Pursuant to the requirements of the Securities Exchange Act of 1934,

has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.

Date 04/24/2019
By Laura G. Dickman
(Name *)

(Title *)
Vice President, Associate General Counsel

NOTE: Clicking the button at right will digitally sign and lock this form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.

dickman@cboe.com

Required fields are shown with yellow backgrounds and asterisks.

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

For complete Form 19b-4 instructions please refer to the EFFS website.

Form 19b-4 Information * Add Remove View	The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.
Exhibit 1 - Notice of Proposed Rule Change * Add Remove View	The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)
Exhibit 1A- Notice of Proposed Rule Change, Security-Based Swap Submission, or Advance Notice by Clearing Agencies * Add Remove View	The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change, security-based swap submission, or advance notice being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)
Exhibit 2 - Notices, Written Comments, Transcripts, Other Communications Add Remove View Exhibit Sent As Paper Document ☐	Copies of notices, written comments, transcripts, other communications. If such documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G.
Exhibit 3 - Form, Report, or Questionnaire Add Remove View Exhibit Sent As Paper Document ☐	Copies of any form, report, or questionnaire that the self-regulatory organization proposes to use to help implement or operate the proposed rule change, or that is referred to by the proposed rule change.
Exhibit 4 - Marked Copies Add Remove View	The full text shall be marked, in any convenient manner, to indicate additions to and deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit the staff to identify immediately the changes made from the text of the rule with which it has been working.
Exhibit 5 - Proposed Rule Text Add Remove View	The self-regulatory organization may choose to attach as Exhibit 5 proposed changes to rule text in place of providing it in Item I and which may otherwise be more easily readable if provided separately from Form 19b-4. Exhibit 5 shall be considered part of the proposed rule change.
Partial Amendment Add Remove View	If the self-regulatory organization is amending only part of the text of a lengthy proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e. partial amendment) is clearly understandable on its face. Such partial amendment shall be clearly identified and marked to show deletions and additions.

Item 1. **Text of the Proposed Rule Change**

(a) Cboe C2 Exchange, Inc. (the "Exchange" or "C2") proposes to amend the Exchange's opening process, add a global trading hours session ("Global Trading Hours" or "GTH") for options on the Dow Jones Industrial Average ("DJX options") and make corresponding changes, update its rule related to trading hours for index options that may be listed for trading on the Exchange, and make other conforming and nonsubstantive changes. The text of the proposed rule change is provided in Exhibit 5.

(b) Not applicable.

(c) Not applicable.

Item 2. **Procedures of the Self-Regulatory Organization**

(a) The Exchange's President (or designee) pursuant to delegated authority approved the proposed rule change on April 23, 2019.

(b) Please refer questions and comments on the proposed rule change to Pat Sexton, Executive Vice President, General Counsel, and Corporate Secretary, (312) 786-7467, or Laura G. Dickman, (312) 786-7572, Cboe C2 Exchange, Inc., 400 South LaSalle, Chicago, Illinois 60605.

Item 3. **Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

(a) Purpose

In 2016, the Exchange's parent company, Cboe Global Markets, Inc. ("Cboe Global"), which is also the parent company of Cboe Exchange, Inc. ("Cboe Options"), acquired Cboe EDGX Exchange, Inc. ("EDGX"), Cboe EDGA Exchange, Inc. ("EDGA"), Cboe BZX Exchange, Inc. ("BZX or BZX Options"), and Cboe BYX Exchange, Inc. ("BYX" and, together with C2, Cboe Options, EDGX, EDGA, and BZX, the "Cboe

Affiliated Exchanges"). The Cboe Affiliated Exchanges are working to align certain system functionality, retaining only intended differences between the Cboe Affiliated Exchanges, in the context of a technology migration. Cboe Options intends to migrate its technology to the same trading platform used by the Exchange, BZX Options, and EDGX Options in the fourth quarter of 2019. The proposal set forth below is intended to add certain functionality to the Exchange's System that is more similar to functionality offered by Cboe Options in order to ultimately provide a consistent technology offering for market participants who interact with the Cboe Affiliated Exchanges. Although the Exchange intentionally offers certain features that differ from those offered by its affiliates and will continue to do so, the Exchange believes that offering similar functionality to the extent practicable will reduce potential confusion for Users.

Global Trading Hours

The proposed rule change adds a GTH trading session to the Rules. Currently, transactions in equity options (which the proposed rule change clarifies includes options on individual stocks, exchange-traded funds ("Units" or "ETFs"), exchange-traded notes ("Index-Linked Exchangeable Notes" or "ETNs"), and other securities) may occur from 9:30 a.m. to 4:00 p.m.[1], except for options on ETFs, ETNs, Index Portfolio Shares, Index Portfolio Receipts, and Trust Issued Receipts the Exchange designates to remain open for trading beyond 4:00 p.m. but no later than 4:15 p.m.[2] Transactions in index options may

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1 All times are Eastern time unless otherwise noted.

2 See proposed Rule 6.1(b)(1). The proposed rule changes makes nonsubstantive changes to proposed Rule 6.1(b)(1), including adding defined terms and moving the provision from current paragraph (b) regarding the Exchange's ability to determine that options on individual stocks will trade during different hours under unusual conditions or as otherwise set forth in the Rules to proposed subparagraph

occur from 9:30 a.m. to 4:15 p.m.[3] As proposed, these hours are referred to as "Regular Trading Hours."[4] Regular Trading Hours are consistent with the regular trading hours of the most other U.S. options exchanges. Cboe Options has a global trading hours session during which trading in certain option classes, which trading session occurs from 3:00 a.m. to 9:15 a.m.[5] Additionally, many U.S. stock and futures exchanges, which allow for trading in some of their listed products for various periods of time outside of Regular Trading Hours.[6]

As noted above, many U.S. stock exchanges allow for trading in stocks before and after the regular trading hours of 9:30 a.m. to 4:00 p.m., including stocks that comprise the Dow Jones Industrial Average. It is common for investors to engage in hedging and other investment strategies that involve index options and some of the stocks that comprise the underlying index. Currently, this investment activity on the Exchange would be limited to

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(b)(1). The proposed rule change also adds an applicable heading to proposed paragraphs (a) and (d). Additional changes to Rule 6.1 are discussed below.

3 See proposed Rule 6.1(b)(2).

4 See also proposed Rule 1.1, definition of Regular Trading Hours or RTH (the trading session consisting of the regular hours during which transactions in options may be effected on the Exchange, as set forth in Rule 6.1); and Cboe Options Rule 1.1 (definition of Regular Trading Hours).

5 See Cboe Options Rule 6.1.

6 See, e.g., BZX Rule 1.5(c), (r), (w), and (ee) (regular trading hours from 9:30 a.m. until 4:00 p.m. Eastern time, two early trading sessions (Early Trading Session and Pre-Opening Session) from 7:00 a.m. until 9:30 a.m. and an After Hours Trading Session from 4:00 p.m. to 8:00 p.m. Eastern time); NASDAQ Stock Market LLC Rule 4617 (regular trading hours from 9:30 a.m. until 4:00 p.m. Eastern time and extended trading hours from 4:00 a.m. until 9:30 a.m. and 4:00 p.m. to 8:00 p.m. Eastern time); and New York Stock Exchange LLC Series 900 (providing for an off-hours trading facility to operate outside of the regular 9:30 a.m. to 4:00 pm. Eastern time trading session); see also, e.g., Chicago Board of Trade Extended Trading Hours for Grain, Oilseeds and Ethanol – Frequently Asked Questions (indicating that certain agricultural commodity products are available for electronic trading 21 hours a day on the CME Globex trading platform); and Intercontinental Exchange, Inc. Regular Trading & Support Hours (indicating that many of its listed products are available for trading for periods of time outside of Regular Trading Hours, including overnight sessions).

Regular Trading Hours. Additionally, securities trading is a global industry, and investors located outside of the United States generally operate during hours outside of Regular Trading Hours. The Exchange believes there may be global demand from investors for options on DJX, which may be exclusively listed[7] on Cboe Affiliated Exchanges and which the Exchange plans to list during the proposed Global Trading Hours (as defined below), as alternatives for hedging and other investment purposes. Given that DJX options are currently only eligible to trade during Regular Trading Hours, it is difficult for non-U.S. investors to obtain the benefits of trading in this option. It is also difficult for U.S. investors that trade in non-U.S. markets to use these products as part of their global investment strategies. To meet this demand, and to keep pace with the continuing internationalization of securities markets, the Exchange proposes to offer trading in DJX options from 8:30 a.m. to 9:15 a.m. Monday through Friday ("Global Trading Hours" or "GTH").

Proposed Rule 6.1(c) states except under unusual conditions as may be determined by the Exchange, Global Trading Hours are from 8:30 a.m. to 9:15 a.m. on Monday through Friday.[8] While this trading session will be shorter than the global trading hours session on Cboe Options and various stock exchanges, the Exchange believes this proposed trading session will increase the time during which Trading Permit Holders may implement these investment strategies. This GTH trading session will allow market participants to engage in

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7 An "exclusively listed option" is an option that trades exclusively on an exchange (or exchange group) because the exchange has an exclusive license to list and trade the option or has the proprietary rights in the interest underlying the option. An exclusively listed option is different than a "singly listed option," which is an option that is not an "exclusively listed option" but that is listed by one exchange and not by any other national securities.

8 See also proposed Rule 1.1, definition of Global Trading Hours or GTH (the trading session consisting of the hours outside of Regular Trading Hours during which transactions in options may be effected on the Exchange and are set forth in Rule 6.1); and Cboe Options Rule 1.1 (definition of Global Trading Hours).

trading these options in conjunction with extended trading hours on U.S. stock exchanges for securities that comprise the index underlying DJX options and in conjunction with part of regular European trading hours. The proposed rule change also adds to Rule 1.1 a definition of trading session, which means the hours during which the Exchange is open for trading for Regular Trading Hours or Global Trading Hours (each of which may be referred to as a trading session), each as defined in proposed Rule 6.1. Unless otherwise specified in the Rules or the context indicates otherwise, all Rules apply in the same manner during each trading session.[9] As discussed below, the Exchange may not permit certain order types or Order Instructions to be applied to orders during Global Trading Hours that it does permit during Regular Trading Hours.

Proposed Rule 6.1(c)(1) provides the Exchange with authority to designate as eligible for trading during Global Trading Hours any exclusively listed index option designated for trading under Cboe Options Rule 24.2.[10] If the Exchange so designates a class, then transactions in options in that class may be made on the Exchange during Global Trading Hours.[11] As indicated above, the Exchange has approved DJX options for trading

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9 This includes business conduct rules in Chapter 4 and rules related to doing business with the public in Chapter 9. Additionally a broker-dealer's due diligence and best execution obligations apply during Global Trading Hours. See also Cboe Options Rule 6.1A(a).

10 Chapter 24 incorporates by reference Cboe Options Rule 24.2 into the Exchange's rules. A class that the Exchange lists for trading during RTH only will be referred to as an "RTH class," and a class the Exchange lists for trading during both GTH and RTH will be referred to as an "All Sessions class." See Rule 1.1, proposed definitions of "All Sessions classes" and "RTH classes."

11 The Exchange believes it is appropriate to retain flexibility to determine whether to operate during Global Trading Hours so that it can complete all system work on other preparations prior to implementing Global Trading Hours in a class, and so that the Exchange can evaluate trading activity during Global Trading Hours once implemented and determine whether to continue or modify the trading session (subject to applicable rule filings).

on the Exchange during Global Trading Hours. The Exchange may list for trading during Global Trading Hours any series in eligible classes that it may list pursuant to Cboe Options Rule 24.9.[12] Any series in eligible classes that are expected to be open for trading during Regular Trading Hours will be open for trading during Global Trading Hours on the same trading day (subject to Rule 6.11 (as proposed to be amended, as discussed below), which sets forth procedures for the opening of trading).[13]

The proposed rule change defines a "business day" or "trading day" as a day on which the Exchange is open for trading during Regular Trading Hours (this is consistent with the current concept of trading day used but not defined in the Rules).[14] A business day or trading day will include both trading sessions on that day. In other words, if the Exchange is not open for Regular Trading Hours on a day (for example, because it is an Exchange holiday), then it will not be open for Global Trading Hours on that day. Cboe Options has the same definition of business day and trading day.[15]

Global Trading Hours will be a separate trading session from Regular Trading Hours. However, GTH will use the same Exchange servers and hardware as those used during RTH.[16] All Trading Permit Holders may participate in Global Trading Hours. Trading Permit Holders do not need to apply or take any additional steps to participate in Global Trading Hours. Additionally, because the Exchange will use the same servers and

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12 Chapter 24 incorporates by reference Cboe Options Rule 24.9 into the Exchange's rules. See also Cboe Options Rule 6.1A(c).

13 See also Cboe Options Rule 6.1A(c).

14 The proposed rule change makes corresponding changes to the definitions of market open and market close in Rule 1.1 to provide that each term specifies the start or end, respectively, of a trading session.

15 See Cboe Options Rule 1.1.

16 This is different than the trading sessions on Cboe Options, which uses different servers and hardware for each trading session.

hardware during Global Trading Hours as it uses for Regular Trading Hours, Trading Permit Holders may use the same ports and connections to the Exchange for all trading sessions.[17] The Book used during Regular Trading Hours will be the same Book used during Global Trading Hours.[18]

As further discussed below, the Exchange expects there to be reduced liquidity, higher volatility, and wider markets during Global Trading Hours, and investors may not want their orders or quotes to execute during Global Trading Hours given those trading conditions. To provide investors with flexibility to have their orders and quotes execute only during RTH, or both RTH and GTH, the proposed rule change adds an All Sessions order and an RTH Only order. An "All Sessions" order is an order a User designates as eligible to trade during both GTH and RTH. An unexecuted All Sessions order on the GTH Book at the end of a GTH trading session enters the RTH Queuing Book and becomes eligible for execution during the RTH opening rotation and trading session on the same trading day, subject to a User's instructions (for example, a User may cancel the order).[19] An "RTH Only" order is an order a User designates as eligible to trade only during RTH or

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17 Only Trading Permit Holders will be able to access the System during any trading session. Cboe Options Trading Permit Holders must obtain a separate permit and use different connections to participate in global trading hours. See Cboe Options Rules 3.1 and 6.1A(d).

18 See proposed Rule 1.1, which amends the definition of Book to mean the electronic book of simple orders and quotes maintained by the System on which orders and quotes may execute during the applicable trading session. The Book during GTH may be referred to as the "GTH Book," and the Book during RTH may be referred to as the "RTH Book." The additional language regarding the execution of orders and quotes is intended to distinguish the Book from the Queuing Book, on which orders and quotes may not execute, as discussed below. With respect to complex orders, the same complex order book ("COB") will be used for all trading sessions. See proposed Rule 6.13(a) (definition of COB). This is different than Cboe Options, which uses separate books for each trading session, which are not connected.

19 See Rule 6.10, proposed definition of All Sessions order.

not designated as All Sessions. An unexecuted RTH Only order with a Time-in-Force of GTC or GTD on the RTH Book at the end of an RTH trading session enters the RTH Queuing Book and becomes eligible for execution during the RTH opening rotation and trading session on the following trading day (but not during the GTH trading session on the following trading day), subject to a User's instructions.[20]

Because trading sessions are completely separate on Cboe Options, there are not distinct order types corresponding to the proposed RTH Only and All Sessions order instructions. An order or quote submitted to GTH on Cboe Options may only execute during GTH, and an order or quote submitted to RTH on Cboe Options may only execute during RTH. The proposed RTH Only order is equivalent to any order submitted to RTH on Cboe Options. While the Exchange is not proposing an equivalent to an order submitted to GTH on Cboe Options, and instead is proposing an All Sessions order, Users may still submit an equivalent to a "GTH only" order by submitting an All Sessions order with a good-til-date Time-in-Force, with a time to cancel before the RTH market open. Therefore, Users can submit orders to participate in either trading session, or both, and thus the proposed rule change provides Users with additional flexibility and control regarding in which trading sessions their orders and quotes may be eligible to trade.

Generally, trading during the GTH trading session will occur in the same manner as it occurs during the RTH trading session. However, because the GTH market may have different characteristics than the RTH market (such as lower trading levels, reduced liquidity, and fewer participants), the Exchange may deem it appropriate to make different

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20 See Rule 6.10, proposed definition of RTH Only order. The RTH Only and All Sessions order instructions will also be available for complex orders. See proposed Rule 6.13(b).

determinations for trading rules for each trading session. Proposed Rule 1.2(b) states to the extent the Rules allow the Exchange to make a determination, including on a class-by-class or series-by-series basis, the Exchange may make a determination for GTH that differs from the determination it makes for RTH.[21] The Exchange maintains flexibility with respect to certain rules so that it may apply different settings and parameters to address the specific characteristics of that class and its market. For example, Rule 6.12(a)(2) allows the Exchange to determine electronic allocation algorithms on a class-by-class basis[22]; and Rule 6.10(a) allows the Exchange to make certain order types, Order Instructions, and Times-in-Force not available for all Exchange systems or classes (and unless stated in the Rules or the context indicates otherwise, as proposed).[23] Because trading characteristics during RTH may be different than those during GTH (such as lower trading levels, reduced liquidity, and fewer participants), the Exchange believes it is appropriate to extend this flexibility to each trading session. The Exchange represents that it will have appropriate personnel available during GTH to make any determinations that Rules provide the Exchange or Exchange personnel will make (such as trading halts, opening series, and obvious errors).

The proposed rule change amends Rule 8.2(a) to provide that a Market-Maker's selected class appointment applies to classes during all trading sessions. In order words, if a Market-Maker selects an appointment in DJX options, that appointment would apply during

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21 The proposed rule change modifies paragraph numbering and lettering in current Rule 1.2, and provides that Exchange determinations may be provided for in the Rules, in addition to specifications, Notices, and Regulatory Circulars.

22 Therefore, the allocation algorithm that applies to a class during RTH may differ from the allocation algorithm that apply to that class during GTH.

23 The proposed rule change amends Rule 6.10(a) to explicitly state that the Exchange may make these determinations on a trading session basis. The proposed rule change also clarifies in the Rules that Rule 6.13 sets forth the order types, Order Instructions, and Times-in-Force the Exchange may make available for complex orders.

both GTH and RTH (and thus, the Market-Maker would have an appointment to make markets in DJX during both GTH and RTH). As a result, a Market-Maker continuous quoting obligations set forth in Rule 8.6(d) would apply to the class for an entire trading day (including both trading sessions), which is comprised of 7.5 hours.[24] Pursuant to Rule 8.6(d), a Market-Maker must enter continuous bids and offers in 60% of the cumulative number of seconds, or such higher percentage as the Exchange may announce in advance, for which that Market-Maker's appointed classes are open for trading, excluding any adjusted series, any intra-day add-on series on the day during which such series are added for trading, any Quarterly Option Series, and any series with an expiration of greater than 270 days. The Exchange calculates this requirement by taking the total number of seconds the Market-Maker disseminates quotes in each appointed class (excluding the series noted above), and dividing that time by the eligible total number of seconds each appointed class is open for trading that day.[25] As proposed, the 45 minutes that comprise Global Trading Hours during which the Exchange will list series of DJX options[26] will be included in the denominator of this calculation. The Exchange expects to list 720 series of DJX options, 300 of which with expirations of greater than 270 days. Therefore, 420 series will be counted for purposes of determining a Market-Maker's continuous quoting obligation for the number of minutes the series are open during Global Trading Hours.

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24 See proposed Rule 8.6(d). The appointment cost in Rule 8.3 will apply to a class for all trading sessions. Therefore, to have an appointment during GTH, a Market-Maker will not have to select a separate appointment or obtain a new Trading Permit to be able to quote in a class during GTH. This is different from Cboe Options, which applies Market-Maker appointments separately to each trading session. See Cboe Options Rules 6.1A(e) and 8.7(d).

25 The proposed rule change clarifies that the time the Exchange is open for trading on a trading day (including all trading sessions) will be considered when determining a Market-Maker's satisfaction of this obligation.

26 This is the number of DJX series currently listed on Cboe Options.

For example, suppose a Market-Maker has appointments in ten classes. Assume there are 2,000 series (excluding series with quarterly expirations and expirations of greater than 270 days) in each class, for a total of 20,000 series, and all series in each of those ten classes are open for trading from 9:30:30 to 4:00:00. That would create an eligible total number of seconds for each series of 23,370 seconds (and thus, a total of 467,400,000 seconds for all appointed classes in the aggregate) each trading day. To satisfy its continuous quoting obligation, the Market-Maker would need to be quoting for 60% of that time in any combination of series across those classes (or a total of at least 280,440,000 seconds). Suppose when the Exchange begins listing DJX options on the Exchange for both GTH and RTH, the Market-Maker selects a DJX appointment, and the Exchange lists 420 series of DJX options that do not have quarterly expirations or expirations of greater than 270 days. Assume all series in DJX are open for trading from 8:30:30 to 9:15:00 and 9:30:30 to 4:15:00. That would create an eligible total number of seconds of 1,121,400 seconds during GTH and 10,193,400 seconds during RTH, for a total of 11,314,800 seconds, for DJX during the trading day). If DJX were only listed during RTH, the total eligible quoting time would be 477,593,400 seconds across the eleven classes, and a Market-Maker would be required to quote 286,556,040 seconds in series across those classes. If DJX were listed in both RTH and GTH, the total eligible quoting time would be 478,714,000 seconds during a trading day across all eleven classes, and the Market-Maker would be required to quote 287,228,880 seconds across series in the eleven classes. Therefore, extending the DJX continuous quoting obligation for a Market-Maker with appointments in a total of eleven classes, including DJX, would increase a Market-Maker's required quoting time by 672,840 seconds, or 0.23%. The Market-Maker could determine to satisfy this increase during RTH or GTH in any of its appointed classes. For example, if a Market-Maker selects a DJX appointment but does not want to participate during GTH, the Market-Maker could add this quoting time during RTH (*e.g.*, given the total of 20,420 series across its 11 appointed classes, the Market-Maker could quote an additional 67.25 seconds (just over 1 minute) in each of 10,000 of those series (fewer than half of its appointed series) on a trading day, it could satisfy its continuous quoting obligation without quoting in any DJX series during any portion of GTH.

As the above example demonstrates, while the proposed rule change will increase the total time during which a Market-Maker with a DJX appointment must quote, this increase is de minimis given that a Market-Maker's compliance with its continuous quoting obligation is based on all classes in which it has an appointment in the aggregate. Selecting an appointment in DJX options will be optional and within the discretion of a Market-Maker. Additionally, the Exchange is providing Market-Makers with the opportunity to quote during GTH (and receive the benefits of acting as a Market-Maker with respect to transactions it effects during that time) without obtaining an additional Trading Permit or creating additional connections to the Exchange (as is required on Cboe Options). Given this ease of access to the GTH trading session, the Exchange believes Market-Makers may be encouraged to quote during that trading session. The Exchange believes Market-Makers will have an incentive to quote in DJX options during Global Trading Hours given the significance of the Dow Jones Industrial Average within the financial markets, the expected demand, and given that the stocks underlying the index are also trading during those hours (which may permit execution of certain hedging strategies). Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations.

The proposed rule change amends the definitions of market orders, stop (stop-loss) orders, and stop-limit orders to state that those order types and order instructions may not be applied to orders designated as All Sessions order (*i.e.*, market orders, stop, and stop-limit orders will not be eligible for trading during GTH).[27] The Exchange expects reduced liquidity, higher volatility, and wider spreads during GTH. Therefore, the Exchange believes it is appropriate to not allow these orders to participate in GTH trading in order to protect customers should wide price fluctuations occur due to the potential illiquid and volatile nature of the market or other factors that could impact market activity.[28]

Proposed Rule 6.1(c)(3) provides that no current index value underlying an index option trading during Global Trading Hours will be disseminated during or at the close of that trading session. The value of the underlying index will not be recalculated during or at the close of Global Trading Hours. The closing value of the index from the previous trading day will be available for Trading Permit Holders that trade during Global Trading Hours. However, the Exchange does not believe it would be useful or efficient to disseminate to

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[27] The proposed rule change also amends the introductory language to Rule 6.10(c) to provide that certain restrictions on the use of Order Instructions may be set forth in the Rules (such as the proposed restrictions on the use of market orders, stop orders, and stop-limit orders during GTH).

[28] Cboe Options Rule 6.1A(f) also prohibits these orders from participating in GTH trading. Cboe Options Rule 6.1A(f) also prohibits good-til-cancelled orders from participating during GTH. However, because the Exchange will use the same Book for all trading sessions, and thus any GTC orders that do not trade during GTH may become eligible for trading during RTH, the Exchange does not believe it is necessary to restrict use of this time-in-force.

Trading Permit Holders the same value repeatedly at frequent intervals, as it does during Regular Trading Hours (when that index value is being updated).[29]

Proposed Rule 3.19 requires Trading Permit Holders to make certain disclosures to customers regarding material trading risks that exist during Global Trading Hours. The Exchange expects overall lower levels of trading during Global Trading Hours compared to Regular Trading Hours. While trading processes during Global Trading Hours will be substantially similar to trading processes during Regular Trading Hours (as noted above), the Exchange believes it is important for investors, particularly public customers, to be aware of any differences and risks that may result from lower trading levels and thus requires these disclosures. Proposed Rule 3.19 provides that no Trading Permit Holder may accept an order from a customer for execution during Global Trading Hours without disclosing to that customer that trading during Global Trading Hours involves material trading risks, including the possibility of lower liquidity (including fewer Market-Makers quoting), higher volatility, changing prices, an exaggerated effect from news announcements, wider spreads, the absence of an updated underlying index or portfolio value or intraday indicative value and lack of regular trading in the securities underlying the index or portfolio and any other relevant risk. The proposed rule provides an example of these disclosures. The Exchange believes that requirement Trading Permit Holders to

29 Cboe Options Rules 24.2(b)(10), (d)(8), (e)(7), and (f)(11) (which are incorporated by reference into the Exchange's Rules pursuant to Chapter 24) provide that underlying index values will be disseminated at least once every 15 seconds. Proposed Rule 6.1(c)(3) supersedes those provisions with respect to Global Trading Hours. Cboe Options Rule 24.3 also states that dissemination of the current index value will occur after the close of Regular Trading Hours (and, thus, not after the close of Global Trading Hours, as no new index value will have been calculated during that trading session) and from time-to-time on days on which transactions are made on the Exchange.

disclose these risks to non-TPH customers will facilitate informed participation in Global Trading Hours.

The Exchange also intends to distribute to Trading Permit Holders and make available on its website a Regulatory Circular regarding Global Trading Hours that discloses, among other things, that (1) the current underlying index value may not be updated during Global Trading Hours, (2) that lower liquidity during Global Trading Hours may impact pricing, (3) that higher volatility during Global Trading Hours may occur, (4) that wider spreads may occur during Global Trading Hours, (5) the circumstances that may trigger trading halts during Global Trading Hours, (6) required customer disclosures (as described above), and (7) suitability requirements. The Exchange believes that, with this disclosure, Global Trading Hours are appropriate and beneficial notwithstanding the absence of a disseminated updated index value during those hours.

As set forth above, the differences in the Rules between the trading process during RTH and during GTH is that certain order types and instructions will not be available during GTH, no values for indexes underlying index options will be disseminated during GTH, and Trading Permit Holders that accept orders from customers during GTH will be required to make certain disclosures to those customers. As noted above, other rules will apply in the same manner, but the Exchange may make different determinations between RTH and GTH. The Exchange believes these differences are consistent with the differences between the characteristics of each trading session. The Exchange also notes the following:

- All Trading Permit Holders may, but will not be required to, participate during Global Trading Hours. As noted above, while a Market-Maker's appointment to an All Sessions class will apply to that class whether it quotes in series in that class or not during GTH, the Exchange believes any additional burden related to the application of a Market-Maker's quoting obligation to the additional 45 minutes will be de minimis. The Exchange believes even if a Market-Maker elects to not quote during GTH, its ability to satisfy its continuous quoting obligation will not be substantially obligated given the short length of GTH and the few series that will be listed for trading during GTH.

- The Exchange expects Trading Permit Holders that want to trading during GTH to have minimal preparation. The Exchange will use the same connection lines, message formats, and feeds during RTH and GTH.[30] Trading Permit Holders may use the same ports and EFIDs for each trading session.[31]

- The same opening process (as amended below) will be used to open each trading session.

- Order processing will operate in the same manner during Global Trading Hours as it does during Regular Trading Hours. There will be no changes to the ranking, display, or allocation algorithms rules (as noted above, the Exchange will have authority to apply a different allocation algorithm to a class during Global Trading Hours than it applies to that class during Regular Trading Hours).

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30 The same telecommunications lines used by Trading Permit Holders during Regular Trading Hours may be used during Global Trading Hours, and these lines will be connected to the same application serve at the Exchange during both trading sessions. This is different from Cboe Options, which connects its telecommunications lines to a separate application serve during each trading session.

31 A Trading Permit Holder may elect to have separate ports or EFID for each trading session, but the Exchange will not require that. This is different from Cboe Options, which requires Trading Permit Holders to use separate log-ins and acronyms (the equivalent of ports and EFIDs) for each trading session.

- There will be no changes to the processes for clearing, settlement, exercise, and expiration.[32]

- The Exchange will report the Exchange best bid and offer and executed trades to the Options Price Reporting Authority ("OPRA") during Global Trading Hours in the same manner they are reported during Regular Trading Hours. Exchange proprietary data feeds will also be disseminated during Global Trading Hours using the same formats and delivery mechanisms with which the Exchange disseminates them during Regular Trading Hours. Use of these proprietary data wills during Global Trading Hours will be optional (as they are during Regular Trading Hours).[33]

- The same Trading Permit Holders that are required to maintain connectivity to a backup trading facility during Regular Trading Hours will be required to do so during Global Trading Hours.[34] Because the same connections and serves will be used for both trading sessions, a Trading Permit Holder will not be required to take

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32 The Exchange has held discussions with the Options Clearing Corporation, which is responsible for clearance and settlement of all listed options transactions and has informed the Exchange that it will be able to clear and settle all transactions that occur on the Exchange and handle exercises of options during Extended Trading Hours.

33 Any fees related to receipt of the OPRA data feed during Global Trading Hours will be included on the OPRA fee schedule. Any fees related to receipt of the Exchange's proprietary data feeds during Global Trading Hours will be included on the Exchange's fee schedule (and will be included in a separate rule filing) or the Exchange's market data website, as applicable.

34 Currently, Trading Permit Holders with accounts for 5% or more of the executed volume, measured on a quarterly basis, the Exchange must connect to the Exchange's backup facilities and participate in testing. The same test will be used for all trading sessions. See C2 Options Regulatory Circular 18-011 (July 3, 2018); and Rule 6.34.

any additional action to comply with this requirement, regardless of whether the Trading Permit Holder chooses to trade during Global Trading Hours.

- The Exchange will process all clearly erroneous trade breaks during Global Trading Hours in the same manner it does during Regular Trading Hours and will have Exchange officials available to do so (the same officials that do so during Regular Trading Hours).
- The Exchange will perform all necessary surveillance coverage during Global Trading Hours.
- The Exchange may halt trading during Global Trading Hours in the interests of a fair and orderly market in the same manner it may during Regular Trading Hours pursuant to Rule 6.32 (as proposed to be amended, as described below). The proposed rule change amends Rule 6.32(a) to provide that when the hours of trading of the underlying primary securities market for an index option do not overlap or coincide with those of the Exchange, and during Global Trading Hours, Rule 6.32(a)(1) and (2) (as proposed) do not apply. As discussed above, Global Trading Hours will not coincide with the hours of trading of the underlying primary securities market. Generally, the Exchange considers halting trading only in response to unusual conditions or circumstances, as it wants to interrupt trading as infrequently as possible and only if necessary to maintain a fair and orderly market. During Regular Trading Hours, it would be unusual, for example, for stocks or options underlying an index to not be trading or the current calculation of the index to not be available. However, as discussed above, there will be no calculation of underlying indexes during Global Trading Hours, and Global Trading Hours do not

coincide with the regular trading hours of the underlying stock or options (there may be some overlap with trading of certain underlying stocks, as mentioned above[35]). Thus, the factors described in Rule 6.32(a) (as proposed to be amended) are not unusual for Global Trading Hours, and thus the Exchange does not believe it is necessary to consider these as reasons for halting trading during that trading session. Exclusion of Global Trading Hours from those provisions will allow trading during that trading session to occur despite the existence of those conditions (if the Exchange considered the existence of those conditions during Global Trading Hours, trading during Global Trading Hours could be halted every day). It is appropriate for the Exchange to consider any unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market during Global Trading Hours, which may, for example, include whether the underlying primary securities market was halted at the close of the previous trading day (in which case the Exchange will evaluate whether the condition that led to the halt has been resolved or would not impact trading during Global Trading Hours) or significant events that occur during Global Trading Hours.

Pursuant to Interpretation and Policy .01, the Exchange will halt trading in all options when a market-wide trading halt known as a circuit breaker is initiated in response to extraordinary market conditions. Pursuant to the proposed rule change, Interpretation and Policy .01 will not apply during Global Trading Hours. The Exchange believes that, even if stock trading was halted at the close of the previous trading day, the length of time between that time and the beginning of Global

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[35] See supra note 6.

Trading Hours is significant (over 16 hours), and the condition that led to the halt is likely to have been resolved. The proposed rule change allows the Exchange to consider unusual conditions or circumstances when determining whether to halt trading during Global Trading Hours. To the extent a circuit breaker caused a stock market to be closed at the end of the prior trading day, the Exchange could consider, for example, whether it received notice from stock exchanges that trading was expected to resume (or not) the next trading day in determining whether to halt trading during Global Trading Hours. Because the stock markets would not begin trading until after Global Trading Hours opens, the Exchange believes it should be able to open Global Trading Hours rather than waiting to see whether stock markets open to allow investors to participate in Global Trading Hours if the Exchange believes such trading can occur in a fair and orderly manner based on then-existing circumstances, not circumstances that existed numerous hours earlier. Additionally, Cboe Options has the same rule provision.[36]

Certain rules currently include general phrases related to a day or trading, such as market close. The proposed rule change makes technical changes to Rules 6.9(e),[37] 6.10(d) (definition of "Day"), and 6.13(c) and (i) to incorporate the terminology included in this proposed rule change to specify the appropriate trading session(s) being referenced in those rules.

The Exchange will disseminate last sale and quotation information during Global Trading Hours through OPRA pursuant to the Plan for Reporting of Consolidated Options

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36 See Cboe Options Rule 24.7(d).

37 The proposed rule change makes an additional nonsubtantive change to Rule 6.9, as well as modifies the name of Rule 6.9 to account for the fact that Rule 6.9 applies to the cancellation, as well as the entry, of orders.

Last Sale Reports and Quotation Information (the "OPRA Plan"), as it does during Regular Trading Hours.[38] The Exchange will also disseminate an opening quote and trade price through OPRA for Global Trading Hours (as it does for Regular Trading Hours). Therefore, all Trading Permit Holders that trade during Global Trading Hours will have access to quote and last sale information during that trading session.

The Exchange understands that systems and other issues may arise and is committed to resolving those issues as quickly as possible, including during Global Trading Hours. Thus, the Exchange will have appropriate staff on-site and otherwise available as necessary during Global Trading Hours to handle any technical and support issues that may arise during those hours. Additionally, the Exchange will have personnel available to address any trading issues that may arise during Global Trading Hours.[39] The Exchange is also committee to fulfilling its obligations as a self-regulatory organization at all times, including during Global Trading Hours, and will have appropriately trained, qualified regulatory staff

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38 The OPRA Plan provides for the collection and dissemination of last sale and quotation information on options that are trading on the participant exchanges. The OPRA Plan is a national market system plan approved by the Commission pursuant to Section 11A of the Act and Rule 608 thereunder. See Securities Exchange Act Release No. 17638 (March 18, 1981). The full text of the OPRA Plan is available at http:www.opradata.com. All operating U.S. options exchanges participate in the OPRA Plan. The operator of OPRA informed the Exchange that it intends to add a modifier to the information disseminated during Global Trading Hours (as it does for Cboe Options).

39 The Exchange notes that, to conduct trading during global Trading Hours, persons that are not Trading Permit Holders, such as employees of affiliates of Trading Permit Holders located outside of the United States, may be transmitting orders and quotes during Global Trading Hours (such non-Trading Permit Holders would not have direct access to the Exchange, and thus those orders and quotes would be submitted to the Exchange through Trading Permit Holders' systems subject to applicable laws, rule, and regulations). Trading Permit Holders may authorize (in a form and manner determined by the Exchange) individuals at these non-Trading Permit Holder entities to contact the Exchange during Global Trading Hours to address any issues.

in place during Global Trading Hours to the extent it deems necessary to satisfy those obligations. The Exchange's surveillance procedures will be revised as necessary to incorporate transactions that occur and orders and quotations that are submitted during Global Trading Hours. The Exchange believes its surveillance procedures are adequate to properly monitor trading of DJX options during Global Trading Hours.

Opening Process

Rule 6.11 sets forth the opening process the Exchange uses to open series on the Exchange at the market open each trading day (and after trading halts). Pursuant to the current opening process, the System determines and opening price for a series based on the NBBO[40] and crosses any interest on the book that is marketable at that price. The proposed rule change adopts an opening auction process, substantially similar to the Cboe Options opening auction process.[41] The Exchange believes an opening auction process will enhance the openings of series on the Exchange by providing an opportunity for price discovery based on then-current market conditions. Pursuant to the proposed opening auction process, the Exchange will have a Queuing Period, during which the System will accept orders and quotes and disseminates expected opening information; will initiate an opening rotation upon the occurrence of certain triggers; will conduct an opening rotation during which the System matches and executes orders and quotes against each other in order to establish an

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40 The opening price (if not outside the NBBO and no more than a specified minimum amount away from the NBBO) is either the midpoint of the NBBO, the last disseminated transaction price after 9:30 a.m., or the last transaction price from the previous trading day. See current Rule 6.11(a)(2) and (3).

41 See Cboe Options Rule 6.2.

opening Exchange best bid and offer and trade price, if any, for each series, subject to certain price protections; and will open series for trading.[42]

Proposed Rule 6.11(a) sets forth the definitions of the following terms for purposes of the opening auction process in proposed Rule 6.11[43]:

- Composite Market: The term "Composite Market" means the market for a series comprised of (1) the higher of the then-current best appointed Market-Maker bulk message bid on the Queuing Book and the away best bid ("ABB") (if there is an ABB) and (2) the lower of the then-current best appointed Market-Maker bulk message offer on the Queuing Book and the away best offer ("ABO") (if there is an ABO). The term "Composite Bid (Offer)" means the bid (offer) used to determine the Composite Market.[44]

- Composite Width: The term "Composite Width" means the width of the Composite Market (*i.e.*, the width between the Composite Bid and the Composite Offer) of a series.

- Maximum Composite Width: The term "Maximum Composite Width" means the amount that the Composite Width of a series may generally not be

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42 The order of events that comprise this proposed opening auction process corresponds to the opening auction process on Cboe Options. See Cboe Options Rule 6.2.

43 A term defined elsewhere in the Rules has the same meaning with respect to Rule 6.11, unless otherwise defined in Rule 6.11.

44 Cboe Options similarly considers the Exchange's best quote bid and best quote offer when determining whether the Exchange's market is too wide. On Cboe Options, the term "quote" corresponds to the term "bulk message" on the Exchange. Cboe Options also considers quotes from any away markets, if it has activated Hybrid Agency Liaison ("HAL") at the open. While the Exchange does not have a step-up mechanism that corresponds to HAL, the Exchange believes considering any quotes from away markets in addition to quotes on its own market when determining whether to open a series will enhance the opening auction price by considering all available pricing information.

greater than for the series to open (subject to certain exceptions, as described below). The Exchange determines this amount on a class and Composite Bid basis, which amount the Exchange may modify during the opening auction process (which modifications the Exchange disseminates to all subscribers to the Exchange's data feeds that deliver opening auction updates).[45]

- Opening Auction Updates: The term "opening auction updates" means Exchange-disseminated messages that contain information regarding the expected opening of a series based on orders and quotes in the Queuing Book for the applicable trading session and, if applicable, the GTH Book,[46] including the expected opening price, the then-current cumulative size on each side at or more aggressive than the expected opening price, and whether the series would open (and any reason why a series would not open).
- Opening Collar: The term "Opening Collar" means the price range that establishes limits at or inside of which the System determines the Opening Trade Price for a series. The Exchange determines the width of this price

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45 The Maximum Composite Width corresponds to the opening exchange prescribed width range ("OEPW") on Cboe Options. See Cboe Options Rule 6.2(d)(i)(A). The Exchange will determine the Maximum Composite Width in a slightly different manner than Cboe Options determines the OEPW; however, both are based on appointed Market-Maker quotes and are intended to create a reasonable range to ensure the market does not open at extreme prices. Additionally, as proposed, the Maximum Composite Width will factor in away prices in addition to quotes on the Exchange (unlike Cboe Options which considers only quotes on the Exchange).

46 In other words, for the RTH opening auction in an All Sessions class, the expected opening information to be disseminated in opening auction updates prior to the conclusion of the GTH trading session will be based on orders and quotes in the RTH Queuing Book (*i.e.*, RTH Only orders) and in the GTH Book (*i.e.*, All Sessions orders).

range on a class and Composite Bid basis, which range the Exchange may modify during the opening auction process (which modifications the Exchange disseminates to all subscribers to the Exchange's data feeds that deliver opening auction updates.[47]

- Opening Trade Price: The term "Opening Trade Price" means the price at which the System executes opening trades in a series during the opening rotation.[48]

- Queuing Book: The term "Queuing Book" means the book into which Users may submit orders and quotes (and onto which GTC and GTD orders remaining on the Book from the previous trading session or trading day, as applicable, are entered) during the Queuing Period for participation in the application opening rotation.[49] Orders and quotes on the Queuing Book may not execute until the opening rotation. The Queuing Book for the GTH opening auction process may be referred to as the "GTH Queuing Book," and the Queuing Book for the RTH opening auction process may be referred to as the "RTH Queuing Book."

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47 Cboe Options uses the OEPW as the range within which the opening price must be. See Cboe Options Rule 6.2(d)(i)(C). The Exchange will determine the Opening Collar in a slightly different manner than Cboe Options determines the OEPW; however, both are based on appointed Market-Maker quotes and are intended to create a reasonable range to ensure the market does not open at extreme prices. Additionally, as proposed, the Opening Collar will factor in away prices in addition to quotes on the Exchange (unlike Cboe Options which considers only quotes on the Exchange).

48 See current Rule 6.11(a)(2).

49 In other words, at 7:30 a.m., All Sessions orders will rest on the GTH Queuing Book and be eligible to participate in the GTH opening auction process, and RTH Only orders will rest on the RTH Queuing Book and be eligible to participate in the RTH opening auction process.

- Queuing Period: The term "Queueing Period" means the time period prior to the initiation of an opening rotation during which the System accepts orders and quotes for participation in the opening rotation for the applicable trading session.[50]

Proposed paragraph (b) describes the Queuing Period. The Queuing Period begins at 7:30 a.m. for all class.[51] This is the same time at which the System begins accepting orders and quotes today. Therefore, Users will have the same amount of time to submit orders and quotes prior to the RTH opening. Additionally, Users will have one hour to submit orders and quotes in GTH classes prior to the GTH opening. The Exchange believes this is sufficient given that the Exchange will list fewer classes (one class, as proposed) during GTH.[52]

Proposed subparagraph (b)(2) clarifies that orders and quotes on the Queuing Book are not eligible for execution until the opening rotation pursuant to proposed paragraph (e), as described below.[53] This is consistent with current order entry period, pursuant to which orders and quotes entered for inclusion in the opening process do not execute until the

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50 See current Rule 6.11(a)(1) (the current rule does not use the term "Queuing Period"; however, it does provide for a time prior to the opening of a series during which the System accepts orders and quotes).

51 See proposed Rule 6.11(b)(1).

52 Pursuant to Cboe Options Rule 6.2(a), the pre-opening period (equivalent to the proposed Queuing Period) begins no earlier than 2:00 a.m. Central time for regular trading hours and no later than 4:00 p.m. on the previous day for global trading hours (as global trading hours on Cboe Options begins at 2:00 a.m. Central time). The Exchange does not propose to have flexibility as Cboe Options has, and believes the proposed time period for the Queuing Period is sufficient.

53 The proposed rule change moves the provision that states that GTC and GTD orders remaining on the Book from the previous trading day may participate in the opening process from current paragraph (b) to the definition of Queuing Book in proposed paragraph (a).

opening trade pursuant to current subparagraph (a)(3). The System accepts all orders and quotes that are available for a class and trading session pursuant to Rule 6.10(a) during the Queuing Period, which are eligible for execution during the opening rotation, except as follows:

- the System rejects IOC and FOK orders during the Queuing Period[54];
- the System accepts orders and quotes with MTP Modifiers during the Queuing Period, but does not enforce them during the opening rotation[55];
- the System accepts stop and stop-limit orders[56] during the Queuing Period, but they do not participate during the opening rotation. The System enters any of these orders it receives during the Queuing Period into the Book following completion of the opening rotation (in time priority)[57];
- the System converts all ISOs received prior to the completion of the opening rotation into non-ISOs[58]; and

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54 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(A); see also Cboe Options Rule 6.2(a)(i).

55 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(B). Cboe Options has Market-Maker trade prevention orders, which it does not accept prior to the opening. See Cboe Options Rule 6.2(a)(i).

56 Pursuant to Rule 6.10(b), stop and stop-limit orders are triggered based on the consolidated last sale price. Not participating in the opening process is consistent with this requirement, as the Exchange needs to be open (and thus have an opening trade occur) in order for there to be a consolidated last sale price that can trigger these orders.

57 This is consistent with current functionality, and the proposed rule change is adding this detail to the Rules. See also Cboe Options Rule 6.2(c)(i)(B) (which states that order with a stop contingency do not participate in the opening rotation).

58 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(D); see also Cboe Options Rule 6.2(a)(i) (which does not permit ISOs to be entered during the Cboe Options pre-opening period).

- complex orders do not participate in the opening auction described in Rule 6.11 and instead may participate in the COB Opening Process pursuant to Rule 6.13(c).[59]

Proposed paragraph (c) describes the opening auction updates the Exchange will disseminate as part of the opening auction process. As noted above, opening auction updates contain information regarding the expected opening of a series. These messages provide market participants with information that may contribute to enhanced liquidity and price discovery during the opening auction process. Beginning at a time (determined by the Exchange) no earlier than one hour prior to the expected initiation of the opening rotation for a trading session and until the conclusion of the opening rotation for a series, the Exchange disseminates opening auction updates for the series.[60] The Exchange disseminates opening auction updates at regular intervals of time (the length of which the Exchange determines for each trading session), or less frequently if there are no updates to the opening information since the previously disseminated update, to all subscribers to the

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59 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(E); see also Cboe Options Rule 6.2(c)(i)(B).

60 The Exchange only begins disseminating updates for series with locked or crossed interest or if the series needs Market-Maker bulk messages. There can only be an expected opening price to disseminate if these conditions have been met, and thus no updates will be disseminated if these conditions do not exist. See also Cboe Options Rule 6.2(a)(ii) (which provides that Cboe Options may begin disseminated expected opening information ("EOIs") messages (which correspond to opening auction updates)). Cboe Options currently begins disseminating EOIs at 7:30 a.m. or 8:00 a.m. Central time (depending on the class), which is consistent with the proposed rule change to begin dissemination of opening auction messages no earlier than one hour prior to the expected initiation of the opening rotation for a series. The Exchange believes market participants generally want to receive this information closer to the opening of trading.

Exchange's data feeds that deliver these messages until a series opens.[61] If there have been no changes since the previous update, the Exchange does not believe it is necessary to disseminate duplicate updates to market participants at the next interval of time.

Proposed paragraph (d) describes the events that will trigger the opening rotation for a class. Pursuant to current subparagraph (a)(1), the System will open series in random order, staggered over regular intervals of time after a time period following the first transaction in the securities underlying the options on the primary market that is disseminated after 9:30 a.m. (with respect to equity options) or following 9:30 a.m. (with respect to index options). As proposed for Regular Trading Hours, after a time period (which the Exchange determines for all classes) following the System's observation after 9:30 a.m. of the first disseminated (1) transaction price for the security underlying an equity option or (2) index value for the index underlying an index option, the System will initiate the opening rotation for the series in that class, and the Exchange disseminates message to market participants indicating the initiation of the opening rotation.[62] For Global Trading Hours, the System will initiate the opening rotation at 8:30 a.m.[63]

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[61] See also Cboe Options Rule 6.2(a)(ii) (Cboe Options will similarly disseminate EOIs at regular intervals or less frequently if there are no updates, and will not disseminate EOIs in certain circumstances, including if there is no locked or crossed interest (because there would be no expected opening price or size)).

[62] See current subparagraph (a)(1), pursuant to which the opening will be triggered upon the occurrence of similar events after a time period determined by the Exchange.

[63] See also Cboe Options Rule 6.2(b). Unlike Cboe Options, the opening rotation will be triggered in all equity classes by observation of the first transaction in the underlying security (rather than some classes being triggered by a timer), and the opening rotation will be triggered in all index classes by observation of the first index value (rather than some classes being triggered by a timer). The Exchange does not believe it needs this flexibility.

Proposed paragraph (e) describes the opening rotation process, during which the System will determine whether the Composite Market for a series is not wider than a maximum width, will determine the opening price, and open series.[64] The Maximum Composite Width Check and Opening Collar are intended to ensure that series open in a fair and orderly manner and at prices consistent with the current market conditions for the series and not at extreme prices, while taking into consideration prices disseminated from other options exchanges that may be better than the Exchange's at the open.

Proposed subparagraph (e)(1) describes the Maximum Composite Width Check.

- If the Composite Width of a series is less than or equal to the Maximum Composite Width, the series is eligible to open (and the System determines the Opening Price as described below).
- If the Composite Width of a series is greater than the Maximum Composite Width, but there are no non-M Capacity[65] market orders or buy (sell) limit orders with prices higher (lower) than the Composite Bid (Offer) and there are no locked or crossed orders or quotes, the series is eligible to open (and the System determines the Opening Price as described below).
- If neither of the conditions above are satisfied for a series, the series is ineligible to open. The Queuing Period for the series continues (including

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64 See also Cboe Options Rule 6.2(d) (pursuant to which Cboe Options will generally not open a series if the width is wider than an acceptable price range or if the opening trade price is outside of an acceptable price range). The Exchange will similarly have a maximum quote width and acceptable opening price range, however, they may be calculated differently. Cboe Options has additional opening conditions that the Exchange does not propose to adopt.

65 Capacity M is used for orders for the account of a Market-Maker (with an appointment in the class). See Rule 1.1 (definition of Capacity).

the dissemination of opening auction updates) until one of the above conditions for the series is satisfied.[66]

The Exchange will use the Maximum Composite Width Check as a price protection measure to prevent orders from executing at extreme prices at the open. If the width of the Composite Market (which represents the best market, as it is comprised of the better of Market-Maker bulk messages on the Exchange or any away market quotes) is no greater than the Maximum Composite Width, the Exchange believes it is appropriate to open a series under these circumstances and provide marketable orders with an opportunity to execute at a reasonable opening price (as discussed below), because there is minimal risk of execution at an extreme price. However, if the Composite Width is greater than the Maximum Composite Width but there are no non-M Capacity orders[67] that lock or cross the

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[66] See Cboe Options Rule 6.2(c)(iii) (pursuant to which the opening rotation period on Cboe Options continues, including dissemination of EOIs, until the opening conditions are satisfied). The Exchange may also open a series pursuant to current paragraph (c) (proposed paragraph (h)), which permits the Exchange to deviate from the standard manner of the opening auction process, including adjusting the timing of the opening rotation in any class, modifying any time periods described in Rule 6.11, and delaying or compelling the opening of a series if the opening width is wider than Maximum Width, when it believes it is necessary in the interests of a fair and orderly market. The proposed rule change specifies additional ways in which the Exchange may deviate from the standard of opening (which it has the authority to do under the current rule). See also Cboe Options Rule 6.2(e) (pursuant to which Cboe Options may deviate from the standard manner of the opening auction process for the same reasons). The Exchange will continue to make and maintain records to document all determinations to deviate from the standard manner of the opening auction process, and periodically reviews these determinations for consistency with the interests of a fair and orderly market.

[67] Market-Maker bulk messages are considered when determining the Composite Market. The Exchange believes it is appropriate to consider Market-Maker bulk messages when determining an opening quote to ensure there will be liquidity in a series when it opens. Additionally, while it is possible for Market-Makers to submit M orders, the Exchange believes there is less risk of a Market-Maker

opposite-side widest point of the Composite Market (and thus not marketable at a price at which the Exchange would open, as described below), there is similarly no risk of an order executing at an extreme price on the open. Because the risk that the Maximum Composite Width Check is intended to address is not present in this situation, the Exchange believes it is appropriate to open a series in either of these conditions. However, if neither of these conditions is satisfied, the Exchange believes there may be risk that orders would execute at an extreme price if the series open, and therefore the Exchange will not open a series.

Proposed subparagraph (e)(2) describes how the System determines the Opening Trade Price for a series after it satisfies the Maximum Composite Width Check described above.

- The Opening Trade Price is the price that is not outside the Opening Collar and:
  - the price at which the largest number of contracts can execute (*i.e.*, the volume-maximizing price);
  - if there are multiple volume-maximizing prices, the price at which the fewest number of contracts remain unexecuted (*i.e.*, the imbalance-minimizing price); or
  - if there are multiple volume-maximizing, imbalance-minimizing prices, (1) the highest (lowest) price, if there is a buy (sell) imbalance, or (2) the price at or nearest to the midpoint of the Opening Collar, if there is no imbalance.

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inputting an order at an extreme price given that Market-Makers are generally responsible for pricing the market.

- There is no Opening Trade Price if there are no locked or crossed orders or quotes at a price not outside the Opening Collar.[68]

The Exchange believes the proposed volume-maximizing, imbalance-minimizing procedure is reasonable, as it will provide for the largest number of contracts in the Queuing Book that can execute, leaving as few as possible bids and offers in the Book that cannot execute.[69] The Exchange will use the Opening Collar as a price protection measure to prevent orders from executing at extreme prices at the open. If the Opening Trade Price is not outside the Opening Collar (which will be based on the best then-current market), the Exchange believes it is appropriate to open a series at that price, because there is minimal risk of execution at an extreme price. However, if the Opening Trade Price would be outside of the Opening Collar, the Exchange believes there may be risk that orders would execute at an extreme price if the series open, and therefore the Exchange will not open a series.

The following examples show the application of the Maximum Composite Width Check:

Example #1

Suppose the Maximum Composite Width for a class is 0.50, and the Composite Market is 1.00 x 2.00, comprised of an appointed Market-Maker bulk message bid of 2.00 and an appointed Market-Maker bulk message offer of 1.00. There is no other interest in the Queuing Book. The series is not eligible to open, because the width of the Composite

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[68] See current Rule 6.11(a)(2)(A).

[69] See also Cboe Options Rule 6.2(c)(i)(A) (pursuant to which Cboe Options will open at the market-clearing price, and if there are multiple prices at which the same number of contracts would clear, Cboe Options will use similar tie-breakers).

Market is greater than the Maximum Composite Width but there are locked orders or quotes in the series. The Queuing Period for the series will continue until the series satisfies the Maximum Composite Width Check.

Example #2

Suppose the Maximum Composite Width for a class is 0.50, and the Composite Market is 1.00 x 2.00, comprised of an appointed Market-Maker bulk message bid of 1.00 and an appointed Market-Maker bulk message offer of 2.00. There is no other interest in the Queuing Book. The series is eligible to open, because the width of the Composite Market is greater than the Maximum Composite Width and there are no locked orders or quotes in the series or non-M Capacity orders. The System will then determine the Opening Trade Price.

Example #3

Suppose the Maximum Composite Width for a class is 0.50, and the Composite Market is 1.00 x 2.00, comprised of an appointed Market-Maker bulk message bid of 1.00 and an appointed Market-Maker bulk message offer of 2.00. There is a non-M Capacity limit order to buy for $1.99 in Queuing Book. The series is not eligible to open, because the width of the Composite Market is greater than the Maximum Composite Width, and there is a non-M Capacity order at a price inside of the Composite Market. The Queuing Period for the series will continue until the series satisfies the Maximum Composite Width Check.

Pursuant to proposed subparagraph (e)(3), if the System establishes an Opening Trade Price, the System will execute orders and quotes in the Queuing Book at the Opening Trade Price. The System will prioritize orders and quotes in the following order: market orders, limit orders and quotes with prices better than the Opening Trade Price, and orders and quotes at the Opening Trade Price.[70] The System allocates orders and quotes at the same price pursuant to the allocation algorithm that applies to a class intraday (in accordance with Rule 6.12), unless the Exchange determines to apply a different allocation algorithm from Rule 6.12 to a class during the opening rotation.[71] If there is no Opening Trade Price, the System opens a series without a trade.

Pursuant to proposed subparagraph (f), as is the case today, following the conclusion of the opening rotation, the System enters any unexecuted orders and quotes (or remaining portions) from the Queuing Book into the Book in time sequence (subject to a User's instructions – for example, a User may cancel an order), where they may be processed in accordance with Rule 6.12. Consistent with the OPG contingency (and current functionality), the System cancels any unexecuted OPG orders (or remaining portions) following the conclusion of the opening rotation.

The proposed rule change makes nonsubstantive changes to current paragraphs (b) and (d) (proposed paragraphs (g) and (i), respectively) to reflect the proposed defined terms and to make the provision more plain English.

Currently, if an order enters the Book following the Opening Process (which would include any GTC or GTD orders that reenter the Book from the prior trading day) and

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70 See current Rule 6.11(a)(3) (which states the System will prioritize orders and quotes that are price equal to or more aggressively than the Opening Price); see also Cboe Options Rule 6.2(c)(i)(C). The Exchange believes it is appropriate to prioritize orders with the most aggressive prices, as it provides market participants with incentive to submit their best-priced orders.

71 See Cboe Options Rule 6.2, Interpretation and Policy .04. While the allocation algorithm used during the opening rotation for a class will default to and generally be the same as the one used for that class intraday, the Exchange believes the flexibility is appropriate so that it can facilitate a robust opening with sufficient liquidity in all classes. Cboe Options may apply a different allocation algorithm for series that open at a minimum price increment due to a sell market order imbalance. The Exchange does not believe it needs this flexibility.

becomes subject to the drill-through protection pursuant to Rule 6.14(a)(4), the NBO (NBB) that existed at the time it enters (or reenters) the Book would be used when determining the drill-through price. Proposed Rule 6.14(a)(4)(A) provides that if an order that enters the Book following the Opening Auction Process and becomes subject to the drill-through protection, the bid (offer) limit of the Opening Collar plus (minus) the buffer amount will be the drill-through price.[72] As discussed above, the Opening Collar is a price protection, and the Exchange would execute orders at the open at prices at or within the Opening Collar (as it would execute orders at or within the NBBO). Therefore, the Exchange believes the Opening Collar limit price points are reasonable to use when determining the drill-through price for orders that are unable to execute during the opening rotation.

<u>Trading Hours and Halts for Index Options</u>

Currently, the Exchange lists for trading options on the Russell 2000 Index ("RUT options"), and as noted above, the Exchange intends to list DJX options in connection with the launch of the GTH trading session. Pursuant to current Rule 6.1(a), the Exchange has determined that Regular Trading Hours for these index options are (or will be, with respect to DJX options) from 9:30 a.m. to 4:15 p.m. Proposed Rule 6.1(b)(2) provides that Regular Trading Hours for index options will be from 9:30 a.m. to 4:15 p.m., except for index options the Exchange designates to remain open for trading until 4:00 p.m. This is consistent with the current rule, pursuant to which trading for index options will end at 4:00 p.m. or 4:15 p.m. However, as proposed, Regular Trading Hours for an index option will default to a closing time of 9:30 a.m. to 4:15 p.m. (rather than until 4:00 p.m.), as the Exchange expects most index options to have a closing time

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72 The proposed rule change makes corresponding changes to proposed Rule 6.14(a)(4)(B).

of 4:15 p.m., and the Exchange will have authority to determine to have trading for an index option stop at 4:00 p.m.

Pursuant to Chapter 24, the Exchange may list for trading options on indexes that satisfy the criteria in Cboe Options Rule 24.2.[73] However, pursuant to Chapter 24, Cboe Options Rule 24.6, which sets forth the trading days and hours for index options that may be listed pursuant to Cboe Options Rule 24.2, does not apply to the Exchange. Because the Exchange may determine to list other index options pursuant to Cboe Options Rule 24.2, the Exchange proposes to add the trading hours for all index options the Exchange may determine to list for trading on its Exchange in the future, even though it currently only lists one index option, and plans to list another index option in the near future, for trading during the hours set forth in current Rule 6.1(a).[74] The proposed trading hours for index options in proposed Rule 6.1(b)(2) correspond to the same trading hours for those index options in Cboe Options Rule 24.6.

Proposed Rule 6.1(b)(2)(A) states the last trading day for A.M.-settled index options is the business day prior to the expiration date of the specific series. This will ensure trading in these options do not continue for an entire trading day after the settlement value has been determined. This is consistent with current trading hours for A.M.-settled index options on the Exchange (currently, the Exchange lists A.M.-settled options on the Russell 2000 Index ("RUT") for trading and intends to list A.M.-settled

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[73] Pursuant to Chapter 24, the Exchange incorporates by reference Cboe Options Rule 24.2.

[74] The Exchange has no current plans to list additional index options for trading.

DJX options for trading), and is consistent with the last trading day for expiring A.M.-settled index options on Cboe Options.[75]

Proposed Rule 6.1(b)(2)(B) states on their last trading day, Regular Trading Hours for the following options are from 9:30 a.m. to 4:00 p.m.:

- Cboe S&P 500 AM/PM Basis options
- Index Options with Nonstandard Expirations (*i.e.*, Weeklys and EOMs) and Quarterly Expirations (*i.e.*, QIXs)
- SPX options (p.m.-settled)
- XSP options (p.m.-settled)

Generally, these options are priced in the market based on corresponding futures values. On the last day of trading, the closing prices of the component stocks (which are used to derive the exercise settlement value) are known at 4:00 p.m. (or soon after) when the equity markets close. Despite the fact that the exercise settlement value is fixed at or soon after 4:00 p.m., if the Exchange did not close trading in these expiring options on their last trading day, trading in these options would continue for an additional fifteen minutes until 4:15 p.m. and would not be priced on corresponding futures values, but rather the known cash value. At the same time, the prices of non-expiring series continue to move and be priced in response to changes in corresponding futures prices.

Because of the potential pricing divergence that could occur between 4:00 and 4:15 p.m. on the final trading day of these expiring options (*e.g.*, switch from pricing off of futures to cash), the Exchange believes that, in order to mitigate potential investor confusion, it is appropriate to cease trading in these expiring options at 4:00 p.m. on the

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[75] See Cboe Options Rule 24.9(a)(4).

last day of trading. The proposed change to the close of trading hours will apply to all outstanding expiring expirations for the above classes or series types listed on or before the effective date of this proposal.

Additionally, these are the same Regular Trading Hours for these options on their last trading day on Cboe Options.[76]

Proposed Rule 6.1(b)(2)(C) states on their last trading day, Regular Trading Hours for expiring FTSE Developed Europe Index options are from 9:30 a.m. to the closing time of the London Stock Exchange, which is usually 11:30 a.m. The Exchange is proposing that expiring FTSE Developed Europe Index options trade only during a portion of the day on their expiration date to align the trading hours of expiring FTSE Developed Europe Index options with expiring FTSE Developed Europe Index futures. FTSE Developed Europe Index futures trade on CME and stop trading at 10:30 a.m. (Chicago time) on the third Friday of the futures contract month.[77] Additionally, these are the same Regular Trading Hours for these options on their last trading day on Cboe Options.[78]

Proposed Rule 6.1(b)(2)(D) provides that the last trading day for MSCI EAFE Index options and MSCI Emerging Markets Index options will be the business day prior to the expiration date of the specific series. MSCI EAFE and MSCI Emerging Markets Index options are p.m.-settled, which means the exercise settlement value of an expiring option is derived from the closing prices of the underlying components on the series expiration date.

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76 See Cboe Options Rules 24.6, Interpretations and Policies .01 (QIXs), .03 (Cboe S&P 500 AM/PM Basis options), and .04 (P.M.-settled SPX and XSP options), and 24.9(e)(4) (Nonstandard Expirations).

77 See CME Rule 39002.G, available at: http://www.cmegroup.com/rulebook/CME/IV/350/390.pdf.

78 See Cboe Options Rule 24.6, Interpretation and Policy .05.

Each of these indexes consists of components from over 20 countries. Because the components of each of these indexes encompass multiple markets around the world, the components are subject to varying trading hours. For the MSCI EAFE Index, the first components open trading at approximately 6:00 p.m. Eastern time on the prior trading day, and the last components end trading at approximately 12:30 a.m. Eastern time. Similarly, for the MSCI Emerging Markets Index, the first components open trading at approximately 7:00 p.m. Eastern time on the prior trading day, and the last components end trading at approximately 4:30 p.m. Eastern time.

Because trading in various components would end prior to the beginning of MSCI EAFE and Emerging Market Index options Regular Trading Hours (*i.e.*, 9:30 a.m. Eastern time),[79] the closing prices of those components, which would be used to determine the exercise settlement value, would be determined prior to the time when the expiring options may begin trading on the expiration date. This increases the risk of providing liquidity in these products on that date. Generally, the prices of futures on these indexes can be a proxy for the current level of the applicable index when options on those indexes are trading on the Exchange while the index level is not being disseminated. However, that is not the case on options' expiration dates, as the prices that will be used to determine the exercise settlement value are fixed once trading in the components ends, and thus futures trading prices after trading in those components end have no bearing on the exercise settlement value. Therefore, the Exchange believes it is appropriate to stop trading in expiring MSCI EAFE and Emerging Markets Index options on the business day prior to the expiration date. As proposed, on their last day of trading (the trading day prior to the expiration date), MSCI

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79 Trading in the other components ends at various times throughout the trading day.

EAFE and Emerging Markets Index options would trade from 9:30 a.m. through 4:15 p.m. Eastern time. The proposed trading hours for these index options on their last trading day is also the same as the trading hours for those index options on Cboe Options.[80]

Proposed Rule 6.1(b)(2)(E) states with respect to options on a foreign index that is comprised of component securities trading in a single country, the Exchange may determine to not open the options for trading when the component securities of the foreign index are not trading due to a holiday for the foreign exchange(s) on which the component securities trade. The Exchange announces the days on which options on a particular foreign index will be closed at least once a year in January. Current Rule 6.1(c) (proposed Rule 6.1(d)) identifies the days on which the Exchange is not open due to a holiday.[81] Exchanges in foreign countries also have their own holiday schedules.[82] If the Exchange determines to list for trading options that overlie various foreign indexes,[83] the components of which trade on foreign exchanges, the Exchange proposes to specify in its Rules that the Exchange may determine to not open options on foreign

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80 See Cboe Options Rule 24.6, Interpretation and Policy .05.

81 The Exchange is no open for business on New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day. When any holiday observed by the Exchange falls on a Saturday, the Exchange will not be open for business on the preceding Friday, and when any holiday observed by the Exchange falls on a Sunday, the Exchange will not be open for business on the following Monday, unless unusual business conditions exist at the time.

82 See, e.g., Stock Exchange of Hong Kong Holiday Schedule, available at: https://www.hkex.com.hk/eng/market/sec_tradinfo/tradcal/nont10.htm and London Stock Exchange Holiday Schedule, available at: http://www.lseg.com/areas-expertise/our-markets/london-stock-exchange/equities-markets/trading-services/business-days.

83 Pursuant to Cboe Options Rule 24.2, Interpretations .01 through .03, the Exchange may list options on the following foreign indexes: MSCI EAFE Index, MSCI Emerging Markets Index, FTSE Emerging Index, FTSE Developed Europe Index, FTSE 100 Index, and FTSE China 50 Index. As noted above, the Exchange does not currently list options on any of these indexes.

indexes when the component securities of the foreign index are not open for trading due to a holiday on the foreign exchange; however, the Exchange proposes to limit the application of this proposal to options on foreign indexes that are comprised of component securities trading in a single country.[84]

The Exchange may trade options on various foreign indexes after trading in all component securities has closed for the day and the index level is no longer widely disseminated at least once every fifteen seconds, provided that futures on the applicable indexes are trading and prices for those contracts may be used as a proxy for the current index value.[85] For example, the component securities of the FTSE China 50 Index open with the start of trading on the Stock Exchange of Hong Kong ("SEHK") at approximately 9:30 p.m. Eastern time (prior day) and close with the end of trading on the SEHK at approximately 4:00 a.m. Eastern time (next day). Thus, between 9:30 a.m. and 4:15 p.m. Eastern time, the FTSE China 50 Index level is a static value that market participants can access via data vendors. However, if the Exchange has FTSE China 50 options listed, the Exchange would continue to trade options on the FTSE China 50 Index ("China 50 options") from 9:30 a.m. to 4:15 a.m. Eastern time because prices of the E-Mini FTSE China 50 Index futures trading at the CME may be used as a proxy for the current index value.[86] When SEHK is closed because of a holiday, E-Mini FTSE China

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84 When there are multiple exchanges in a single country trading the component securities of a foreign index, the holiday schedule for exchanges within that country are likely to be the same or similar.

85 See Rules 24.2.01(a)(8), 24.2.02(a)(8), and 24.2.03(a)(8).

86 The trading hours for E-Mini FTSE China 50 Index Futures are from 6:00 p.m. to 5:00 p.m. Eastern time the following day, Sunday through Friday. See E-Mini FTSE China 50 Index Future Contract specifications located at: http://www.cmegroup.com/education/files/e-mini-ftse-china-50-index-futures.pdf.

50 Index futures remain open and may still be used as a proxy for the current index value. However, the Exchange may determine to keep China 50 Options (as well as other options on other foreign indexes) closed because of a holiday on SEHK (or the applicable foreign exchange on which the index constituents trade).

For example, SEHK was closed February 5 through 7 of 2019 for the Lunar New York. Although E-Mini FTSE China 50 Index futures can be used as a proxy, the Exchange may have determined that options participants would be better served by keeping China 50 options closed because the holiday caused the underlying index value to be unavailable for an extended period of time.

The Exchange has authority to determine trading hours for index options, and to change them if it determines there are unusual conditions.[87] This proposed rule change simply seeks to add a rule provision to notify market participants that the Exchange may determine not to open options on foreign indexes because of a holiday on a foreign exchange. Furthermore, as proposed, the Exchange will announce to market participants via Exchange Notice in January of every year (and more frequently if the Exchange determines that to be necessary) the particular days on which options on particular foreign indexes will not be open due to a holiday on a foreign exchange or exchanges.

Although keeping options trading closed because of a foreign exchange's holidays will cause users of these particular options to not be able to trade when the U.S. market is otherwise open, the closures will only occur a few times a year. Furthermore, users will have sufficient notice of such closures via Exchange Notice that will be published every

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The Exchange believes E-Mini FTSE China 50 Index Futures are an appropriate proxy for China 50 options.

87 See current Rule 6.1(b) (proposed Rule 6.1(b)(2))

January. Finally, this proposal may potentially allow users to receive better executions because for certain holidays, such as during the Lunar New Year described above, the closing of the component securities may not allow Market-Makers to quote as tightly and aggressively as they would otherwise. In effect, limiting users' ability to trade particular index options to days on which there is not a holiday on a foreign exchange may better serve users because they will be trading on days in which Market-Makers may potentially provide tighter markets. Additionally, Cboe Options has the same rule.[88]

Pursuant to Chapter 24, Cboe Options Rule 24.7, which sets forth the trading days and hours for index options that may be listed pursuant to Cboe Options Rule 24.2, does not apply to the Exchange. Current Rule 6.32(a) states the Exchange may halt trading in any class in the interests of a fair and orderly market. It also lists factors, among others, the Exchange may consider when determining whether to halt trading in a class. Several factors would apply to any class (*i.e.*, equity or index), such as:

- occurrence of an act of God or other event outside the Exchange's control;
- occurrence of a System technical failure or failures including, but not limited to, the failure of a part of the central processing system, a number of Trading Permit Holder trading applications, or the electrical power supply to the System itself or any related system; or
- other unusual conditions or circumstances are present.[89]

Current Rule 6.32(a)(1) and (2) (proposed Rule 6.32((a)(1)(A) and (B)) provides factors the Exchange may consider when consider when determining whether to halt trading in an equity option class. However, there are specific factors the Exchange may consider

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[88] See Cboe Options Rules 24.6, Interpretation and Policy .06.
[89] See Rule 6.32(a)(3) – (5) and .

when determining whether to halt trading in an index option class, and the proposed rule change adds those to proposed Rule 6.32(a)(2):

- the extent to which trading in the stocks or options underlying the index is not occurring;
- the current calculation of the index derived from the current market prices of the stock;
- the "current index level" (which is the implied forward level based on volatility index (security) futures prices) for a volatility is not available or the cash (spot) value for a volatility index is not available[90]; or
- the activation of price limits on futures exchanges or the halt of trading in related futures.

Rule 6.32 does not restrict the factors the Exchange may consider when determining whether to halt trading in a class; the factors listed in paragraph (a) (currently and as proposed) are examples of factors the Exchange may consider. Therefore, the Exchange already has authority to consider these factors when determining whether to halt trading in an index option class, as changes in these factors would likely be considered unusual circumstances and would likely be considered to determine whether these changes have an impact on a fair and orderly market for the index options. The proposed rule change provides transparency to investors regarding the factors the Exchange may consider when determining to halt trading in an index option class, as Rule 6.32 currently does for equity option classes. Additionally, these factors are listed

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90 The Exchange does not currently list, and has no current plans to list, options on a volatility index.

as factors Cboe Options may consider when determining whether to halt trading in an index option class.[91]

Additionally, proposed Rule 6.32(e) states that when the primary market for a security underlying the current index value of an index option does not open for trading, halts trading prematurely, or otherwise experiences a disruption of normal trading on a given day, or if a particular security underlying the current index option does not open for trading, halts trading prematurely, or otherwise experiences a disruption of normal trading on a given day in its primary market, the price of that security is determined, for the purposes of calculating the current index value at expiration, in accordance with the Rules and By-Laws of The Options Clearing Corporation ("OCC"). Investors who trade index options against the underlying stocks as well as those who trade the index options against index futures generally rely upon the final settlement value of index options converging with the corresponding values of the underlying index or index future. Without this convergence, investors may face significant unexpected exposure to market risk. Many public customers and market-makers use index options to hedge "cash" positions they hold in the stocks which make up the index. The Exchange's Rules are currently silent regarding the calculation of the settlement value for an index option if the above circumstances exist. The Exchange believes the proposed rule change provides transparency with the respect to the process the Exchange will use in the event the above circumstances transpire and assures convergence at settlement between the value of index options and index futures and thus minimizes these risks. OCC's Rules and By-Laws provide OCC with broad discretionary authority to adjust settlement values for OCC-

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91 See Cboe Options Rule 24.7(a)(ii) and (iii), and Interpretations and Policies .01 and .03.

cleared index options and futures whenever, and in whatever manner, OCC deems appropriate to avoid a disconnect between the futures and options markets or among the futures markets.[92] Cboe Options has the same provision in its rules.[93]

Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act") and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[94] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[95] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[96] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the proposed rule change to adopt Global Trading Hours will remove impediments to and perfect the mechanism of a free and open market and a

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92 See OCC By-Laws Articles XII, Section 5 and XVII, Section 4; see also Securities Exchange Act Release No. 46561 (September 26, 2002), 67 FR 61943 (October 2, 2002) (SR-OCC-2002-09).

93 See Cboe Options Rule 24.7(e).

94 15 U.S.C. 78f(b).

95 15 U.S.C. 78f(b)(5).

96 Id.

national market system. Global Trading Hours is a competitive initiative designed to improve the Exchange's marketplace for the benefit of investors. The proposed rule change provides a new investment opportunity within the options trading industry that is consistent with the continued globalization of the securities markets and closer aligns the Exchange's trading hours with extended trading hours of stock exchanges. The Exchange believes the proposed rule change will enhance competition by providing a service to investors that most other options exchanges currently are not providing. The Exchange believes the competition among exchanges ultimately benefits the entire marketplace. Given the robust competition among the options exchanges, innovative trading mechanisms are consistent with the above-mentioned goals of the Exchange Act.

The proposed rule change also provides a mechanism for the Exchange to more effectively compete with exchanges located outside of the United States. Global markets have become increasingly interdepending and linked, both psychologically and through improved communications technology. This has been accompanied by an increased desire among investors to have access to U.S.-listed exchange products outside of Regular Trading Hours, and the Exchange believes this desire extends to its exclusively listed products. The Exchange believes that the proposed rule change is reasonably designed to provide an appropriate mechanism for trading outside of Regular Trading Hours while providing for appropriate Exchange oversight pursuant to the Act, trade reporting, and surveillance.

While only one other options exchange is currently open for trading outside of Regular Trading Hours, the Commission has authorized stock exchanges to be open for trading outside of these hours pursuant to the Act. Additionally, futures exchanges also operate outside of those hours. Thus, the proposed rule change to adopt Global Trading Hours is not novel or unique. The Exchange has currently authorized one class to list for trading during Global Trading Hours. As the proposed rule change is a new Exchange initiative, the Exchange believes it is reasonable to trade a limited number of classes upon implementation for which demand is believed to be the highest during Global Trading Hours.

The vast majority of the Exchange's trading rules will apply during Global Trading Hours in the same manner as during Regular Trading Hours, which rules have all be previously filed with the Commission as being consistent with the goals of the Act. Rules that will apply equally during Global Trading Hours include rules that protect public customers, impose best execution requirements on Trading Permit Holders, and prohibit acts and practices that are inconsistent with just and equitable principles of trade as well as fraudulent and manipulative practices. The proposed rule change also provides opportunities for price improvement during Global Trading Hours and applies the same allocation and priority rules that are available to the Exchange during Regular Trading Hours. The Exchange believes, therefore, that the rules that will apply during Global Trading Hours will continue to promote just and equitable principles of trade and prevent fraudulent and manipulative acts.

The proposed rule change clearly identifies the ways in which trading during Regular Trading Hours will different from trading during Global Trading Hours (such as identifying order types and instructions that will not be available during Global Trading Hours). This ensures that investors are aware of any differences among trading sessions. The Exchange believes the differences are consistent with the expected differences in liquidity, participation, and trading activity between Regular Trading Hours and Global Trading Hours. The flexibility provided to the Exchange to make determinations for each trading session will allow the Exchange to apply settings and parameters to address the different market conditions that may be present during each trading session. Additionally, to further protect investors from any additional risks related to trading during Global Trading Hours, the proposed rule change requires that disclosures be made to customers describing these potential risks. The proposed All Sessions order and RTH Only order will protect investors by permitting investors who do not wish to trade during Global Trading Hours from having orders or quotes execute during those orders. Consistent with the goal of investor protection, the Exchange will not allow market orders during Global Trading Hours due to the expected increased volatility and decreased liquidity during these hours.

Additionally, the Exchange believes that the proposed rule change will foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, as the Exchange will ensure that adequate staffing is available during Global Trading Hours to provide appropriate trading support during those hours, as well as Exchange officials to make any necessary determinations under the rules during Global Trading Hours (such as trading halts and trade nullification for obvious errors). The Exchange is also committed to fulfilling its obligations as a self-regulatory organization at all times, including during Global Trading Hours. The Exchange's surveillance procedures will also be revised to incorporate transactions that occur and orders and quotations that are submitted during Global Trading Hours. The Exchange believes its surveillance procedures are adequate to properly monitor trading in DJX options during Global Trading Hours. Clearing and settlement processes will be the same for Global Trading Hours as they are for Regular Trading Hours transactions.

The proposed rule change further removes impediments to a free and open market and does not unfairly discriminate among market participants, as all Trading Permit Holders with access to the Exchange may trade during Global Trading Hours using the same connection lines, message formats data feeds, and EFIDs they use during Regular Trading Hours, minimizing any preparation efforts necessary to participate during Global Trading Hours. Trading Permit Holders will not be required to trade during Global Trading Hours.

As demonstrated above, while the proposed rule change increases the total time during which a Market-Maker with a DJX appointment must quote, this increase is de minimis given that a Market-Maker's compliance with its continuous quoting obligation is based on all classes in which it has an appointment in the aggregate. Selecting an appointment in DJX options will be optional and within the discretion of a Market-Maker. Additionally, the Exchange is providing Market-Makers with the opportunity to quote during GTH (and receive the benefits of acting as a Market-Maker with respect to transactions it effects during that time) without obtaining an additional Trading Permit or creating additional connections to the Exchange (as is required on Cboe Options). The Exchange believes Market-Makers will have an incentive to quote in DJX options during Global Trading Hours given the significance of the Dow Jones Industrial Average within the financial markets, the expected demand, and given that the stocks underlying the index are also trading during those hours (which may permit execution of certain hedging strategies). Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. The Exchange believes that the slight additional burden of extending the continuous quoting obligation to the GTH trading session in one class is outweighed by the Exchange's efforts to add liquidity in All Sessions classes, the minimal preparation a Market-Maker may require to participate in the GTH trading session, and the benefits to investors that may result from that liquidity. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations.

The proposed rule change is also consistent with Section 11A of the Act and Regulation NMS thereunder, because it provides for the dissemination of transaction and quotation information during Global Trading Hours through OPRA, pursuant to the OPRA Plan, which Commission approved and indicated to be consistent with the Act. While Section 11A and Regulation NMS contemplate an integrated system for trading securities, they also envision competition between markets, and innovation that provides marketplace benefits to attract order flow to an exchange does not result in unfair competition if other markets are free to compete in the same manner.[97]

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[97] See Exchange Act Release Nos. 73704 (November 28, 2014), 79 FR 72044 (December 4, 2014) (SR-CBOE-2014-062) (approval of proposed rule change for Cboe Options to extend its trading hours outside of Regular Trading Hours); and 29237 (May 24, 1991), 46 FR 24853 (May 31, 1991) (SR-NYSe-1990-052 and SR-NYSE-1990-053) (approval of proposed rule change for NYSE to extend its trading hours outside of Regular Trading Hours). The Exchange also notes that no other U.S. options exchange provides for trading DJX options outside of Regular Trading Hours, so there is currently no need for intermarket linkage during Global Trading Hours. If another Cboe Affiliated Exchange lists DJX options outside of Regular Trading Hours, trading of DJX options on the Exchange would comply with linkage rules.

The proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system because, as noted above, another options exchange currently offers a Global Trading Hours session.[98] While there are some differences among the proposed rule change and the Cboe Options Global Trading Hours session, such as the length of the session (Cboe Options GTH trading session begins at 3:00 a.m. and the proposed Exchange GTH trading session begins at 8:30 a.m.), the participation (while all TPHs on Cboe Options will have the opportunity to participate, as all TPHs on the Exchange will, Cboe Options requires TPHs to obtain a separate GTH trading permit, log-ins, and Market-Maker appointments to participate in GTH while the Exchange will not), the proposed Exchange GTH trading session is similar to the Cboe Options GTH trading session.

The Exchange believes the proposed rule change to adopt an opening auction will protect investors, because it will enhance the openings of series on the Exchange by providing an opportunity for price discovery based on then-current market conditions. The proposed Queuing Period is substantively the same as the current Order Entry Period on the Exchange. The proposed detail regarding the Queuing Period provide additional transparency regarding the handling of orders and quotes submitted during that time, and will thus benefit investors. The proposed rule change, including orders that are not permitted during the Queuing Period or orders that are not eligible to trade during the opening rotation, is also similar to the pre-opening period on Cboe Options.[99]

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98 See Cboe Options Rules 6.1 and 6.1A.

99 See Cboe Options Rule 6.2(a). Cboe Options provides a longer pre-opening period than the proposed rule change. However, the Exchange is not proposing to change the time at which it begins to accept orders and quotes, believes the time

The proposed rule change will protect investors by ensuring they have access to information regarding the opening of a series, which will provide them with transparency that will permit them to participate in the opening auction process and contribute to, and benefit from, the price discovery the auction may provide. The proposed opening auction updates are not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers, as all market participants may subscribe to the Exchange's data feeds that deliver these message, and thus all market participants may have access to this information.

The proposed opening rotation triggers are substantially similar to the current events that will trigger series openings on the Exchange. The proposed trigger events will remove impediments to and perfect the mechanism of a free and open market and a national market system, as they ensure that during Regular Trading Hours, the underlying securities will have begun trading, or the underlying index values will have begun being disseminated, before the System opens a series for trading. As this information will not be available during Global Trading Hours, the Exchange believes it is appropriate to begin the opening rotation for Global Trading Hours at a specified time (as Cboe Options does).

The proposed Maximum Composite Width Check and Opening Collar will protect investors by providing price protection measures to prevent orders from executing at extreme prices at the open. The Exchange believes it is appropriate to open a series under the proposed circumstances and provide marketable orders with an opportunity to execute at a reasonable opening price (as discussed below), because there is minimal risk

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period is sufficient for market participants to submit orders and quotes to participate in the opening rotation.

of execution at an extreme price. These proposed price protections incorporate all available pricing information, including Market-Maker bulk messages (which are generally used to price markets for series) and any quotes disseminated from away markets, and thus may lead to a more accurate Opening Trade Price based on then-current market conditions. As noted above, Cboe Options applies similar price protections during its opening rotation. Cboe Options similarly considers Market-Maker quotes (the equivalent of Market-Maker bulk message on the Exchange), and in certain classes, quotes of away exchanges, and whether there are crossing orders or quotes when determining whether the opening width and trade price are reasonable. The Exchange proposes to calculate the maximum width and opening price range in a different, but reasonable manner intended to ensure a fair and orderly opening.

The proposed priority with respect to trades during the opening rotation are consistent with current priority principles that protect investors, which are to provide priority to more aggressively priced orders and quotes. Orders and quotes will be subject to the same allocation algorithms that the Exchange may apply during the trading day. The proposed priority and allocation of orders and quotes at the opening trade is substantially similar to the priority and allocation of orders and quotes at the opening of Cboe Options.[100]

The Exchange believes the proposed opening auction process is designed to ensure sufficient liquidity in a series when it opens and ensure series open at prices consistent with then-current market conditions, and thus will ensure a fair and orderly opening process. Additionally, as noted above, the proposed opening auction process is

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[100] See Cboe Options Rule 6.2(c)(i)(C) and Interpretation and Policy .04.

substantially similar to the opening auction process of Cboe Options.[101] As described above and below, the differences between proposed Rule 6.11 and Cboe Options Rule 6.2 primarily relate to differences between the exchanges, including functionality Cboe Options offers that the Exchange does not and products Cboe Options lists for trading that the Exchange does not.

The proposed rule change to add trading hours for certain index options will protect investors by providing transparency to the Rules regarding the trading hours of these index options in the event the Exchange determines to list them for trading. As noted above, the Exchange has the authority to list these options pursuant to Chapter 24, but currently does not and has no current plans to do so. Therefore, the proposed rule change has no impact on current trading of index options.

The proposed rule change regarding the last trading day for A.M.-settled index options will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it clarifies current trading hours for these options and are the same trading hours for A.M.-settled index options on Cboe Options.[102]

The proposed trading hours for Cboe S&P 500 AM/PM Basis options, index options with Nonstandard Expirations and Quarterly Expirations, SPX options that are p.m.-settled, and XSP options that are p.m.-settled protects investors by preventing continue trading on a product after the exercise settlement value has been fixed, thus

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[101] See Cboe Options Rule 6.2.

[102] See Cboe Options Rule 24.9(a)(4).

eliminating potential confusion. Additionally, these are the same trading hours for these series of options on Cboe Options.[103]

The proposed rule change regarding the trading hours for FTSE Developed Europe Index Options on their last trading day will protect investors, because it will eliminate pricing risk for liquidity providers on the last day of trading of expiring options in these products. The proposed hours align the trading hours of expiring FTSE Developed Europe Index options with expiring FTSE Developed Europe Index futures. FTSE Developed Europe Index futures trade on CME and stop trading at 10:30 a.m. (Chicago time) on the third Friday of the futures contract month.[104] Additionally, these are the same Regular Trading Hours for these options on their last trading day on Cboe Options.[105]

The proposed rule change regarding the last trading day for MSCI EAFE and Emerging Markets Index options will protect investors, because it will eliminate pricing risk for liquidity providers on the last trading day of expiring series in these products. The Exchange expects reduced liquidity on expiration dates of expiring EAFE and EM series due to the pricing risk associated with providing liquidity after the components whose closing prices will be used to determine the exercise settlement value of expiring options have stopped trading. Market-Makers and other liquidity providers generally price EAFE and EM options using the disseminated index values and data from the markets on which the components trade. As noted above, when these markets are not

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[103] See Cboe Options Rules 24.6, Interpretations and Policies .01 (QIXs), .03 (Cboe S&P 500 AM/PM Basis options), and .04 (P.M.-settled SPX and XSP options), and 24.9(e)(4) (Nonstandard Expirations).

[104] See CME Rule 39002.G, available at: http://www.cmegroup.com/rulebook/CME/IV/350/390.pdf.

[105] See Cboe Options Rule 24.6, Interpretation and Policy .05.

trading during U.S. trading hours, these liquidity providers price the options using prices of futures trading on the MSCI EAFE and EM indexes. While those futures prices can serve as a proxy for the index value, they cannot serve as a proxy for the settlement value on the expiration date for the options. This is because the futures pricing is intended to represent the then-current index value, but does not incorporate the closing prices of the components that will be used to determine the settlement value. This creates risk for Market-Makers and other liquidity providers, as they have no data they can use to price the expiring options based on the ultimate settlement value. This may result in trades at prices inconsistent with the settlement value of those options. The proposed rule change removes impediments to and perfects the mechanism of a free and open market by eliminating this pricing risk for liquidity providers on the last trading day of expiring series in these products. The Exchange believes this may encourage additional liquidity providers to participate on the last trading of expiring series, which may provide more competitive pricing and additional trading opportunities for expiring series, and ultimately benefits investors. Additionally, this is the same last trading for expiring series in these products as Cboe Options.[106]

The proposed rule change regarding not opening options on foreign indexes for trading when component securities are not trading will remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest by (1) limiting users' ability to trade particular index options to days on which there is not a holiday on a foreign exchange because doing so allows users of these index options to trade on days in which Market-

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[106] See Cboe Options Rule 24.6, Interpretation and Policy .05.

Makers may potentially provide tighter markets and (2) providing a mechanism for notifying market participants of the days on which options on a particular foreign index will not be open due to a holiday on the foreign exchange(s) on which the index constituents trade. Additionally, Cboe Options has the same provision in its Rules.[107]

The proposed rule change is generally intended to align system functionality currently offered by the Exchange with Cboe Options functionality in order to provide a consistent technology offering for the Cboe Affiliated Exchanges. A consistent technology offering, in turn, will simplify the technology implementation, changes, and maintenance by Users of the Exchange that are also participants on Cboe Affiliated Exchanges. The Exchange believes this consistency will promote a fair and orderly national options market system. When Cboe Options migrates to the same technology as that of the Exchange and other Cboe Affiliated Exchanges, Users of the Exchange and other Cboe Affiliated Exchanges will have access to similar functionality on all Cboe Affiliated Exchanges. As such, the proposed rule change would foster cooperation and coordination with persons engaged in facilitating transactions in securities and would remove impediments to and perfect the mechanism of a free and open market and a national market system.

Item 4. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed rule change to adopt Global Trading Hours will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because all Trading Permit

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107 See Cboe Options Rule 24.6, Interpretation and Policy .06.

Holders will be able, but not be required, to participate during Global Trading Hours, and will be able to do so using the same connectivity as they use during Regular Trading Hours. Participation in GTH will be voluntary and within the discretion of TPHs. While the proposed rule change increases the total time during which a Market-Maker with a DJX appointment must quote, this increase is de minimis given that a Market-Maker's compliance with its continuous quoting obligation is based on all classes in which it has an appointment in the aggregate. Selecting an appointment in DJX options will be optional and within the discretion of a Market-Maker. Additionally, the Exchange is providing Market-Makers with the opportunity to quote during GTH (and receive the benefits of acting as a Market-Maker with respect to transactions it effects during that time) without obtaining an additional Trading Permit or creating additional connections to the Exchange (as is required on Cboe Options). Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. The Exchange believes that the slight additional burden of extending the continuous quoting obligation to the GTH trading session in one class is outweighed by the Exchange's efforts to add liquidity in All Sessions classes, the minimal preparation a Market-Maker may require to participate in the GTH trading session, and the benefits to investors that may result from that liquidity. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations.

The Exchange does not believe that the proposed rule change to adopt Global Trading Hours will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because the proposed rule change is competitive initiative that will benefit the marketplace and investors. The Exchange believes the proposed rule change will enhance competition by providing a service to investors that only one other options exchange current provides. Additionally, all options exchanges are free to compete in the same manner. The Exchange further believes that the same level of competition among options exchanges will continue during Regular Trading Hours. Because the Exchange proposes to make only exclusively listed products available for trading during Global Trading Hours, and because any All Sessions orders that do not trade during GTH will be eligible to trade during the RTH trading session in the same manner as all other orders during Regular Trading Hours, the proposed rule change will have no effect on the national best prices or trading during Regular Trading Hours. The Exchange also believes the proposed rule change could increase its competitive position outside of the United States by providing investors with an additional investment vehicle with respect to their global trading strategies during times that correspond with parts of regular trading hours outside of the United States.

The Exchange does not believe that the proposed rule change to adopt an opening auction process will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because it will apply to orders and quotes of all market participants in the same manner. The same order types that are not currently accepted prior to the opening, and that do not participate in the opening process, will similarly not be accepted during the Queuing Period or be eligible for trading during the opening rotation.

The Exchange does not believe that the proposed rule change to adopt an opening auction process will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because it is designed to open series on the Exchange in a fair and orderly manner. The Exchange believes an opening auction process will enhance the openings of series on the Exchange by providing an opportunity for price discovery based on then-current market conditions. The proposed auction process will provide an opportunity for price discovery when a series opens ensure there sufficient liquidity in a series when it opens, and ensure series open at prices consistent with then-current market conditions (at the Exchange and other exchanges) rather than extreme prices that could result in unfavorable executions to market participants. Additionally, as discussed above, the proposed opening auction process is substantially similar to the Cboe Options opening auction process.[108]

The Exchange believes the proposed rule change regarding trading hours for index options will not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because those trading hours will apply to all market participants that elect to trade in those options. If the Exchange determines in the future to list these index options for trading, trading in these index options would be in the discretion of market participants. The Exchange believes the proposed rule change will not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because the

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[108] See Cboe Options Rule 6.2.

proposed trading hours for these index options are the same as those on another options exchange.[109]

Item 5. **Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others**

The Exchange neither solicited nor received comments on the proposed rule change.

Item 6. **Extension of Time Period for Commission Action**

Not applicable.

Item 7. **Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for Accelerated Effectiveness Pursuant to Section 19(b)(2) or Section 19(b)(7)(D)**

(a) The proposed rule change is filed for immediate effectiveness pursuant to Section 19(b)(3)(A) of Act[110] and Rule 19b-4(f)(6)[111] thereunder.

(b) The Exchange designates that the proposed rule change effects a change that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. Additionally, the Exchange has given the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission.

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109 See Cboe Options Rules 24.6 and 24.9(e)(4).
110 15 U.S.C. 78s(b)(3)(A).
111 17 CFR 240.19b-4(f)(6).

The Exchange believes the proposed rule change to adopt Global Trading Hours will not significantly affect the protection of investors or the public interest. The proposed rule change provides a new investment opportunity within the options trading industry that is consistent with the continued globalization of the securities markets and closer aligns the Exchange's trading hours with extended trading hours of stock exchanges. The Exchange believes that the proposed rule change is reasonably designed to provide an appropriate mechanism for trading outside of Regular Trading Hours while providing for appropriate Exchange oversight pursuant to the Act, trade reporting, and surveillance. The vast majority of the Exchange's trading rules will apply during Global Trading Hours in the same manner as during Regular Trading Hours, which rules have all be previously filed with the Commission as being consistent with the goals of the Act. Rules that will apply equally during Global Trading Hours include rules that protect public customers, impose best execution requirements on Trading Permit Holders, and prohibit acts and practices that are inconsistent with just and equitable principles of trade as well as fraudulent and manipulative practices. The proposed rule change also provides opportunities for price improvement during Global Trading Hours and applies the same allocation and priority rules that are available to the Exchange during Regular Trading Hours.

The Exchange believes the proposed rule change to adopt Global Trading Hours will not impose any significant burden on competition. All Trading Permit Holders with access to the Exchange may trade during Global Trading Hours using the same connection lines, message formats data feeds, and EFIDs they use during Regular Trading Hours, minimizing any preparation efforts necessary to participate during Global

Trading Hours. Trading Permit Holders will not be required to trade during Global Trading Hours. As described above, the proposed increase to a Market-Maker's quoting obligation is de minimis given that compliance with obligations applies to classes in the aggregate. Market-Makers will also have the ability to quote during Global Trading Hours (and receive the benefits of acting as a Market-Maker during that trading session) without obtaining any additional Trading Permits or appointments, or obtaining any additional EFIDs or connectivity to the Exchange. Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. The Exchange believes that the slight additional burden of extending the continuous quoting obligation to the GTH trading session in one class is outweighed by the Exchange's efforts to add liquidity in All Sessions classes, the minimal preparation a Market-Maker may require to participate in the GTH trading session, and the benefits to investors that may result from that liquidity. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations. The Exchange believes the proposed rule change will enhance competition by providing a service to investors that only one other options exchange current provides. Additionally, all options exchanges are free to compete in the same manner. The Exchange further believes that the same level of competition among options exchanges will continue during Regular Trading Hours.

The Commission has also indicated that proposals to modify the trading hours of an exchange are eligible for immediate effectiveness under Rule 19b-4(f)(6) provided there is a sufficient degree of quotation and last-sale transparency during any extended hours. As noted above, the Exchange will disseminate quotes and last sale prices to OPRA during Global Trading Hours, in the same manner it does during Regular Trading Hours.[112] Additionally, with respect to the proposed rule change regarding Market-Maker obligations, the Commission has previously identified proposed rule changes that strengthens the market while providing benefits to Market-Makers is eligible for immediate effectiveness if the benefits conferred are offset by corresponding responsibilities to the market that provide customer trading interest a net benefit.[113]

The Exchange believes the proposed rule change to adopt an opening auction process will not significantly affect the protection of investors or the public interest. The proposed opening auction process is designed to open series on the Exchange in a fair and orderly manner. The Exchange believes an opening auction process will enhance the openings of series on the Exchange by providing an opportunity for price discovery based on then-current market conditions. The proposed rule change will protect investors by ensuring they have access to information regarding the opening of a series, which will provide them with transparency that will permit them to participate in the opening auction process and contribute to, and benefit from, the price discovery the auction may provide. The proposed price protections incorporate all available pricing information, including Market-Maker bulk messages (which are generally used to price markets for series) and any quotes disseminated from away markets, and thus may lead to a more accurate Opening Trade Price based on then-current market conditions. The proposed

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112 See Securities Exchange Act Release No. 58092 (July 11, 2008) at 17 (Commission Guidance and Amendment to the Rules Relating to Organization and Program Management Concerning Proposed Rule changes Filed by Self-Regulatory Organizations).

113 See id. at 16.

priority with respect to trades during the opening rotation are consistent with current priority principles that protect investors, which are to provide priority to more aggressively priced orders and quotes. Orders and quotes will be subject to the same allocation algorithms that the Exchange may apply during the trading day.

The Exchange believes the proposed rule change to adopt an opening auction process will not impose any significant burden on competition. The proposed opening auction process will apply to orders and quotes of all market participants in the same manner. All market participants may subscribe to the Exchange's data feeds that deliver these message, and thus all market participants may have access to this information. The same order types that are not currently accepted prior to the opening, and that do not participate in the opening process, will similarly not be accepted during the Queuing Period or be eligible for trading during the opening rotation. The proposed auction process will ensure series open at prices consistent with then-current market conditions (at the Exchange and other exchanges) rather than extreme prices that could result in unfavorable executions to market participants. Additionally, as discussed above, the proposed opening auction process is substantially similar to the Cboe Options opening auction process.[114]

The proposed rule change regarding trading hours for index options will not significantly affect the protection of investors or the public interest, because it will eliminate pricing risk for liquidity providers on the last day of trading of expiring options in these products. The proposed rule change will not impose any significant burden on competition, because those trading hours will apply to all market participants that elect to

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114 See Cboe Options Rule 6.2.

trade in those options. If the Exchange determines in the future to list these index options for trading, trading in these index options would be in the discretion of market participants. Additionally, the proposed trading hours for these index options are the same as those on another options exchange.[115]

As described above, the proposed rule change in general is substantially similar to rules of Cboe Options. While the proposed rule change retains certain differences between the Cboe Affiliated Exchanges, the proposed functionality is more similar to functionality offered by Cboe Options in order to ultimately provide a consistent technology offering for market participants who interact with the Cboe Affiliated Exchanges. Although the Exchange intentionally offers certain features that differ from those offered by its affiliates and will continue to do so, the Exchange believes that offering similar functionality to the extent practicable will reduce potential confusion for Users. "Copycat" filings may generally be filed as an immediately effective rule if they share basic similarities. The Commission has previously recognized that rules need not be "virtually identical," and that each self-regulatory organization is unique and has modified its rulebook over time to reflects it particular structure and terminology.[116]

The proposed rule change will allow the Exchange to continue to strive towards a complete technology integration of the Cboe Affiliated Exchanges, with gradual roll-outs of new functionality to ensure stability of the System. The proposed rule change is generally intended to add certain system functionality to the Exchange's System in order

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115 See Cboe Options Rules 24.6 and 24.9(e)(4).

116 See Securities Exchange Act Release No. 58092 (July 11, 2008) at 19 (Commission Guidance and Amendment to the Rules Relating to Organization and Program Management Concerning Proposed Rule changes Filed by Self-Regulatory Organizations).

to provide a consistent technology offering for the Cboe Affiliated Exchanges. A consistent technology offering, in turn, will simplify the technology implementation, changes and maintenance by Options Members of the Exchange that are also participants on Cboe Affiliated Exchanges.

For the foregoing reasons, this rule filing qualifies as a "non-controversial" rule change under Rule 19b-4(f)(6), which renders the proposed rule change effective upon filing with the Commission. At any time within 60 days of the filing of this proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

(c) Not applicable.

(d) Not applicable.

Item 8. <u>Proposed Rule Change Based on Rules of Another Self-Regulatory Organization or of the Commission</u>

The proposed rule change to adopt Global Trading Hours is based on Cboe Options Rule 6.1A:

- The proposed definition of "trading session" in Rule 1.1 is based on Cboe Options Rule 6.1A(a) and the definitions of Regular Trading Hours and Global Trading Hours in Cboe Options Rule 1.1. Cboe Options Rule 6.1A(h) states the business conduct rules set forth in Cboe Options Chapter IV apply during Global Trading Hours. The Exchange believes the proposed provision in the definition of trading session that states unless otherwise specified, all Rules apply in the same manner during each trading session covers this (and as noted above, that includes business conduct rules), and thus does not propose to adopt a similar provision, as it is redundant.

- The proposed definitions of RTH and GTH in Rules 1.1 and 6.1 are based on the corresponding definitions in Cboe Options Rules 1.1 and 6.1, except GTH on Cboe Options is from 3:00 a.m. to 9:15 a.m., while GTH on the Exchange as proposed is from 8:30 a.m. to 9:15 a.m.
- Proposed Rule 6.1(c)(1) is based on Cboe Options Rule 6.1A(c). Cboe Options has authorized SPX, VIX, and XSP options for trading during Global Trading Hours, while the Exchange has authorized DJX options for trading during Global Trading Hours. As discussed above, the Exchange has the authority to list for trading the same index options as Cboe Options but does not list SPX, VIX,[117] or XSP options for trading. The Exchange believes DJX options is the appropriate class to list for trading during Global Trading Hours based on expected demand. Additionally, Cboe Options Rule 6.1A(c) references the ineligibility of FLEX options for trading during Global Trading Hours. The Exchange does not list FLEX options and thus does not propose to adopt a similar provision.
- Proposed Rule 6.1(c)(2) is based on Cboe Options Rule 6.1A(c).
- Proposed Rule 6.1(c)(3) is based on Cboe Options Rule 6.1A(k). Cboe Options Rule 6.1A(k) also includes provisions regarding the dissemination

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117 Because the Exchange is not proposing to list VIX options during GTH, the proposed rule change does not adopt a provision corresponding to Cboe Options Rule 6.1A(k), which relates to the dissemination of index values

of VIX during GTH. Because the Exchange is not proposing to list VIX options for trading during GTH, the proposed rule change does not adopt a similar provision.

- Proposed Rule 3.19 is based on Cboe Options Rule 6.1A(j).
- Proposed Rule 6.10 is based on Cboe Options Rules 6.1A(f) and 6.53. Cboe Options Rule 6.1A(f) also prohibits use of the time-in-force of GTC during GTH, while the proposed rule change will permit Users to apply that time-in-force to All Sessions orders. Unlike Cboe Options, the Exchange will use the same Book for all trading sessions, and thus a GTC (or GTD) order remaining on the Book at the conclusion of the GTH trading session will be eligible for trading during the RTH trading session on that same trading day. On Cboe Options, if a GTC order remained on the GTH book at the conclusion of the GTH trading session, that order would not be eligible for execution until the next GTH trading session on the following business day (and thus after significant time has passed, during which the marked would have changed).
- Proposed Rule 1.2(b) is based on Cboe Options Rule 6.1A(i).
- Unlike Cboe Options, a Market-Maker's appointment to an All Sessions class will apply to trading in all series of that class during both trading sessions. On Cboe Options, a Market-Maker must get separate appointments (and separate Trading Permits) to quote in a class during Global Trading Hours. As described above, the proposed increase to a Market-Maker's quoting obligation is de minimis given that compliance with obligations

applies to classes in the aggregate. Market-Makers will also have the ability to quote during Global Trading Hours (and receive the benefits of acting as a Market-Maker during that trading session) without obtaining any additional Trading Permits or appointments, or obtaining any additional EFIDs or connectivity to the Exchange. Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations.

Cboe Options Rule 6.1A(b) states that trading during Global Trading Hours is electronic only the Cboe Options' system, and that trading on Cboe Options' Hybrid 3.0 trading platform or on Cboe Options' trading floor is not available during Cboe Options' Global Trading Hours. It also discusses how the System will handle orders that would otherwise route to PAR pursuant to the Rules (PAR is a workstation used on Cboe Options in conjunction with open outcry trading). The Exchange only has electronic trading and a single trading platform, and thus does not adopt a corresponding provision to state that trading during Global Trading Hours is electronic only.

Cboe Options Rules 3.1(a) and 6.1A(d) require a Trading Permit Holder to obtain a Global Trading Hours Trading Permit to trade during Global Trading Hours, and provide that a trading permit for one trading session does not allow for trading during another trading session. As proposed, the Exchange will not require separate trading permits for each trading session. All Trading Permit Holders may trade during both trading sessions without acquiring any additional permits or trading connections.

The Exchange will use the same Book and COB during both trading sessions, and thus they will be connected. This is different than Cboe Options than Cboe Options Rule 6.1A(g). Unlike Cboe Options, the Exchange will use the same servers and hardware for both trading sessions, so does not need to have different books for each session. Additionally, the proposed orders types will provide a User with flexibility to only participate in one trading session if it chooses.

Proposed Rule 6.11 is based on Cboe Options Rule 6.2.

- The Queuing Period described in proposed Rule 6.11(b) is similar to Cboe Options pre-opening period described in Cboe Options Rule 6.2(a), as well as the Exchange's current Order Entry Period in current subparagraph (a)(1). The Exchange proposes to begin accepting orders and quotes at the same time of 7:30 a.m. (which is the same time at which the current Order Entry Period begins), while the Cboe Options pre-opening period is much earlier. Additionally, the Cboe Options GTH trading session starts much earlier than the proposed Exchange's GTH trading session. The Exchange believes it will continue to provide Trading Permit Holders with sufficient time to enter orders and quotes prior to the opening of trading.
- The order types in proposed subparagraph (b)(2) that are not accepted during the Queuing Period and that are not eligible to trading during the opening rotation are consistent with the orders that currently are not accepted prior to or eligible to trade during the opening process (see current subparagraph

(a)(1)). The proposed rule change adds detail to the rule regarding how the System will handle these orders in the proposed opening auction process (which is consistent with how the System handles them today). Additionally, they are substantially similar to Cboe Options Rule 6.2(a)(i) and (c)(i)(B). Cboe Options does not permit all-or-none orders to trade during the opening rotation. The Exchange does not currently offer all-or-none orders. Additionally, the Exchange currently and as proposed accepts orders with MTP Modifiers, but does not enforce those modifiers at the open, while Cboe Options does not accept Market-Maker trade prevention orders.[118] Similarly, the Exchange accepts ISOs but converts them to non-ISOs, while Cboe Options does not accept ISOs. As discussed, these differences exist today between the Exchange's opening process and Cboe Options' opening process, and the Exchange does not propose to amend these provisions.

- The proposed opening auction updates described in Rule 6.11(c) are similar to the expected opening information messages in Cboe Options Rule 6.2(a)(ii). The Exchange proposes to not begin disseminating opening auction updates no earlier than one hour prior to the expected initiation of the opening rotation, unlike Cboe Options, which will not begin disseminating these messages earlier than three hours prior to the expected initiation of the opening rotation. The Exchange believes market participants generally

118 This is the only match-trade prevention order type on Cboe Options, and is only available to Market-Makers. The Exchange offers various MTP Modifiers to orders of all market participants.

want to receive this information closer to the opening of trading, and therefore does not believe there is demand to start disseminating opening auction updates any earlier. Additionally, the expected opening information the Exchange intends to disseminate through opening auction updates is slightly different than the information Cboe Options disseminates. However, the Exchange believes the proposed opening auction updates will provide market participants with sufficient transparency regarding the opening auction, as they will include then-current expected opening prices, available marketable size, and whether the Exchange would be able to open a series given those conditions.

- Pursuant to Cboe Options Rule 6.2, Cboe Options may activate HAL at the open in certain classes, and applies different opening conditions to those classes. The Exchange does not have a corresponding step-up mechanism, and thus proposes to have the same opening conditions for all classes.
- Both the Exchange and Cboe Options have price protections to ensure that the opening market is not too wide and that the opening trade will not occur at an extreme price. Both exchanges require a Market-Maker quote/bulk message or quote from an away exchange (see proposed subparagraph (e)(1), which requires the Composite Market to be within a certain range and Cboe Options Rule 6.2(d)(ii)(A)), and require the opening quote to not be outside a specified range, subject to certain exceptions, such as the presence of marketable orders (see proposed subparagraph (e)(1) and Cboe Options Rule 6.2(d)(ii)(B)). The Exchange proposes to only consider non-M Capacity

orders that are marketable at a price not outside the Composite Market, because there is minimal risk that an M Capacity order would be entered at an extreme price, as it is the primarily role of Market-Makers to price markets. The price protections of both exchanges consider Market-Maker quotes/bulk messages and away markets (Cboe Options considers away markets in classes in which it has activate HAL, while the Exchange proposes to consider away markets in all classes). While there are some differences in the proposed opening conditions compared to the Cboe Options opening conditions, the Exchange believes the proposed manner in which it will apply these price protections is reasonable and will ensure a fair and orderly opening while eliminating risk of opening executions at an extreme price.

- With respect to the opening price determination, both the Exchange and Cboe Options will generally open at a price that maximizes volume (see proposed subparagraph (e)(2) and Cboe Options Rule 6.2(c)(i)). While the "tiebreakers" are different (although each exchange considers the midpoint of the acceptable opening price range in certain circumstances), the Exchange believes the proposed rule change will ensure that the Exchange opens with a trade at a reasonable price at which executions are maximized and imbalances are minimized.

Cboe Options Rule 6.2 contains several provisions that are inapplicable to the Exchange, and thus the Exchange does not propose to adopt corresponding provisions:

- Pursuant to Cboe Options Rule 6.2(g), Cboe Options may use the process in Cboe Options Rule 6.2 for closing as well as opening a series. Proposed Rule 6.11 will only be used to open a series. The Exchange understands Cboe Options rarely uses the process in Cboe Options Rule 6.2 to close a series, and the Exchange has no intention of using this process to conduct a closing rotation, and thus does not believe it needs this ability.
- Cboe Options Rule 6.2, Interpretation and Policy .01 describes a modified opening procedure to be used to calculate the exercise or final settlement value of expiring volatility index derivatives. The Exchange does not list any options upon which the exercise or final settlement value of any volatility index derivatives is based, and thus the Exchange does not propose to adopt a similar modified opening procedure. Related to this process, Cboe Options Rule 6.2(c)(iii) provides that series will open in a specified order. The opening rotation for series in each class on the Exchange will be triggered by the events described above, and the System will open trading in each series as each series satisfies the applicable opening conditions. The Exchange does not conduct opening rotations, or open series, in any particular order.
- Cboe Options Rule 6.2, Interpretation and Policy .02 permits Cboe Options to determine on a class-by-class basis the minimum size and bid/ask differentials of Market-Maker quotes at the opening. The Exchange does not impose bid/ask differentials at any time, and only imposes a minimum size of one contract on all classes at all time. Therefore, the Exchange does not propose to adopt a similar provisions.

- Cboe Options Rule 6.2, Interpretation and Policy .06 describes aftermarket valuation processes Cboe Options may use with respect to SPX options. The Exchange does not list SPX options, and thus does not propose to adopt a similar provision.

The Exchange believes, despite the differences between the Exchange's proposed Global Trading Hours trading session and opening auction process, the primary functionality of both are generally the summary. The primary purpose of the GTH trading session is the same as the purpose of the Cboe Options GTH trading session, which is to provide a new investment opportunity within the options trading industry that is consistent with the continued globalization of the securities markets. The primary purpose of the proposed opening auction process is the same as the purpose of the Cboe Options opening auction process, which is to ensure a fair and orderly opening that provides price discovery based on then-current market conditions. The differences described above primarily reflect differences in available functionality between the exchanges and the different structures of each exchange.

Proposed Rule 6.1 is based on Cboe Options Rule 24.6(b) and Interpretations and Policies .01 and .03 through .06, and Rule 24.9(a)(4) and (e). Current and proposed Rule 6.1 permit the Exchange to determine which index options will have Regular Trading Hours end at 4:00 p.m. or 4:15 p.m. Note Cboe Options Rule 24.9(a)(4) references A.M.-settled non-volatility index options, while the proposed rule change refers to A.M.-settled index options. The Exchange has no intentions of listing volatility index options and thus does not need to make this distinction. Additionally, Cboe Options Rule 24.9(a)(4) states the last trading day of these options is the business day preceding the last day of trading in the underlying securities prior to expiration. The proposed rule change more clearly states that the last day of trading is the business day prior to the expiration date (generally a Thursday for a series expiring on a Friday), and the language is consistent with other proposed provisions regarding the last trading day of certain index options.

Proposed Rule 6.32(a), (a)(2), and (e) is based on Cboe Options Rule 24.7(a), (d), and (e) and Interpretations and Policies .01 and .03.

Item 9. Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act

Not applicable.

Item 10. Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act

Not applicable.

Item 11. Exhibits

Exhibit 1. Completed Notice of Proposed Rule Change for publication in the Federal Register.

Exhibit 5. Proposed rule text.

EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34- ; File No. SR-C2-2019-009]

[Insert date]

Self-Regulatory Organizations; Cboe C2 Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Amend the Exchange's Opening Process and Add a Global Trading Hours Session for DJX Options

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),[1] and Rule 19b-4 thereunder,[2] notice is hereby given that on [insert date], Cboe C2 Exchange, Inc. (the "Exchange" or "C2") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[3] and Rule 19b-4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe C2 Exchange, Inc. (the "Exchange" or "C2") proposes to amend the Exchange's opening process, add a global trading hours session ("Global Trading Hours" or "GTH") for options on the Dow Jones Industrial Average ("DJX options") and make corresponding changes, update its rule related to trading hours for index options that may

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b-4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b-4(f)(6).

be listed for trading on the Exchange, and make other conforming and nonsubstantive changes. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (http://markets.cboe.com/us/options/regulation/rule_filings/ctwo/), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

In 2016, the Exchange's parent company, Cboe Global Markets, Inc. ("Cboe Global"), which is also the parent company of Cboe Exchange, Inc. ("Cboe Options"), acquired Cboe EDGX Exchange, Inc. ("EDGX"), Cboe EDGA Exchange, Inc. ("EDGA"), Cboe BZX Exchange, Inc. ("BZX or BZX Options"), and Cboe BYX Exchange, Inc. ("BYX" and, together with C2, Cboe Options, EDGX, EDGA, and BZX, the "Cboe Affiliated Exchanges"). The Cboe Affiliated Exchanges are working to align certain system functionality, retaining only intended differences between the Cboe Affiliated Exchanges, in the context of a technology migration. Cboe Options intends to migrate its technology to the same trading platform used by the Exchange, BZX Options, and EDGX Options in the fourth quarter of 2019. The proposal set forth below is intended to add certain functionality to the Exchange's System that is more similar to functionality offered by Cboe Options in order to ultimately provide a consistent technology offering for market participants who interact with the Cboe Affiliated Exchanges. Although the Exchange intentionally offers certain features that differ from those offered by its affiliates and will continue to do so, the Exchange believes that offering similar functionality to the extent practicable will reduce potential confusion for Users.

Global Trading Hours

The proposed rule change adds a GTH trading session to the Rules. Currently, transactions in equity options (which the proposed rule change clarifies includes options on individual stocks, exchange-traded funds ("Units" or "ETFs"), exchange-traded notes ("Index-Linked Exchangeable Notes" or "ETNs"), and other securities) may occur from 9:30 a.m. to 4:00 p.m.[5], except for options on ETFs, ETNs, Index Portfolio Shares, Index Portfolio Receipts, and Trust Issued Receipts the Exchange designates to remain open for trading beyond 4:00 p.m. but no later than 4:15 p.m.[6] Transactions in index options may occur from 9:30 a.m. to 4:15 p.m.[7] As proposed, these hours are referred to as "Regular Trading Hours."[8] Regular Trading Hours are consistent with the regular trading hours of the

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5 All times are Eastern time unless otherwise noted.

6 See proposed Rule 6.1(b)(1). The proposed rule changes makes nonsubstantive changes to proposed Rule 6.1(b)(1), including adding defined terms and moving the provision from current paragraph (b) regarding the Exchange's ability to determine that options on individual stocks will trade during different hours under unusual conditions or as otherwise set forth in the Rules to proposed subparagraph (b)(1). The proposed rule change also adds an applicable heading to proposed paragraphs (a) and (d). Additional changes to Rule 6.1 are discussed below.

7 See proposed Rule 6.1(b)(2).

8 See also proposed Rule 1.1, definition of Regular Trading Hours or RTH (the

most other U.S. options exchanges. Cboe Options has a global trading hours session during which trading in certain option classes, which trading session occurs from 3:00 a.m. to 9:15 a.m.[9] Additionally, many U.S. stock and futures exchanges, which allow for trading in some of their listed products for various periods of time outside of Regular Trading Hours.[10]

As noted above, many U.S. stock exchanges allow for trading in stocks before and after the regular trading hours of 9:30 a.m. to 4:00 p.m., including stocks that comprise the Dow Jones Industrial Average. It is common for investors to engage in hedging and other investment strategies that involve index options and some of the stocks that comprise the underlying index. Currently, this investment activity on the Exchange would be limited to Regular Trading Hours. Additionally, securities trading is a global industry, and investors located outside of the United States generally operate during hours outside of Regular Trading Hours. The Exchange believes there may be global demand from investors for

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trading session consisting of the regular hours during which transactions in options may be effected on the Exchange, as set forth in Rule 6.1); and Cboe Options Rule 1.1 (definition of Regular Trading Hours).

9 See Cboe Options Rule 6.1.

10 See, e.g., BZX Rule 1.5(c), (r), (w), and (ee) (regular trading hours from 9:30 a.m. until 4:00 p.m. Eastern time, two early trading sessions (Early Trading Session and Pre-Opening Session) from 7:00 a.m. until 9:30 a.m. and an After Hours Trading Session from 4:00 p.m. to 8:00 p.m. Eastern time); NASDAQ Stock Market LLC Rule 4617 (regular trading hours from 9:30 a.m. until 4:00 p.m. Eastern time and extended trading hours from 4:00 a.m. until 9:30 a.m. and 4:00 p.m. to 8:00 p.m. Eastern time); and New York Stock Exchange LLC Series 900 (providing for an off-hours trading facility to operate outside of the regular 9:30 a.m. to 4:00 pm. Eastern time trading session); see also, e.g., Chicago Board of Trade Extended Trading Hours for Grain, Oilseeds and Ethanol – Frequently Asked Questions (indicating that certain agricultural commodity products are available for electronic trading 21 hours a day on the CME Globex trading platform); and Intercontinental Exchange, Inc. Regular Trading & Support Hours (indicating that many of its listed products are available for trading for periods of time outside of Regular Trading Hours, including overnight sessions).

options on DJX, which may be exclusively listed[11] on Cboe Affiliated Exchanges and which the Exchange plans to list during the proposed Global Trading Hours (as defined below), as alternatives for hedging and other investment purposes. Given that DJX options are currently only eligible to trade during Regular Trading Hours, it is difficult for non-U.S. investors to obtain the benefits of trading in this option. It is also difficult for U.S. investors that trade in non-U.S. markets to use these products as part of their global investment strategies. To meet this demand, and to keep pace with the continuing internationalization of securities markets, the Exchange proposes to offer trading in DJX options from 8:30 a.m. to 9:15 a.m. Monday through Friday ("Global Trading Hours" or "GTH").

Proposed Rule 6.1(c) states except under unusual conditions as may be determined by the Exchange, Global Trading Hours are from 8:30 a.m. to 9:15 a.m. on Monday through Friday.[12] While this trading session will be shorter than the global trading hours session on Cboe Options and various stock exchanges, the Exchange believes this proposed trading session will increase the time during which Trading Permit Holders may implement these investment strategies. This GTH trading session will allow market participants to engage in trading these options in conjunction with extended trading hours on U.S. stock exchanges for securities that comprise the index underlying DJX options and in conjunction with part

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[11] An "exclusively listed option" is an option that trades exclusively on an exchange (or exchange group) because the exchange has an exclusive license to list and trade the option or has the proprietary rights in the interest underlying the option. An exclusively listed option is different than a "singly listed option," which is an option that is not an "exclusively listed option" but that is listed by one exchange and not by any other national securities.

[12] See also proposed Rule 1.1, definition of Global Trading Hours or GTH (the trading session consisting of the hours outside of Regular Trading Hours during which transactions in options may be effected on the Exchange and are set forth in Rule 6.1); and Cboe Options Rule 1.1 (definition of Global Trading Hours).

of regular European trading hours. The proposed rule change also adds to Rule 1.1 a definition of trading session, which means the hours during which the Exchange is open for trading for Regular Trading Hours or Global Trading Hours (each of which may be referred to as a trading session), each as defined in proposed Rule 6.1. Unless otherwise specified in the Rules or the context indicates otherwise, all Rules apply in the same manner during each trading session.[13] As discussed below, the Exchange may not permit certain order types or Order Instructions to be applied to orders during Global Trading Hours that it does permit during Regular Trading Hours.

Proposed Rule 6.1(c)(1) provides the Exchange with authority to designate as eligible for trading during Global Trading Hours any exclusively listed index option designated for trading under Cboe Options Rule 24.2.[14] If the Exchange so designates a class, then transactions in options in that class may be made on the Exchange during Global Trading Hours.[15] As indicated above, the Exchange has approved DJX options for trading on the Exchange during Global Trading Hours. The Exchange may list for trading during Global Trading Hours any series in eligible classes that it may list pursuant to Cboe Options

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13 This includes business conduct rules in Chapter 4 and rules related to doing business with the public in Chapter 9. Additionally a broker-dealer's due diligence and best execution obligations apply during Global Trading Hours. See also Cboe Options Rule 6.1A(a).

14 Chapter 24 incorporates by reference Cboe Options Rule 24.2 into the Exchange's rules. A class that the Exchange lists for trading during RTH only will be referred to as an "RTH class," and a class the Exchange lists for trading during both GTH and RTH will be referred to as an "All Sessions class." See Rule 1.1, proposed definitions of "All Sessions classes" and "RTH classes."

15 The Exchange believes it is appropriate to retain flexibility to determine whether to operate during Global Trading Hours so that it can complete all system work on other preparations prior to implementing Global Trading Hours in a class, and so that the Exchange can evaluate trading activity during Global Trading Hours once implemented and determine whether to continue or modify the trading session (subject to applicable rule filings).

Rule 24.9.[16] Any series in eligible classes that are expected to be open for trading during Regular Trading Hours will be open for trading during Global Trading Hours on the same trading day (subject to Rule 6.11 (as proposed to be amended, as discussed below), which sets forth procedures for the opening of trading).[17]

The proposed rule change defines a "business day" or "trading day" as a day on which the Exchange is open for trading during Regular Trading Hours (this is consistent with the current concept of trading day used but not defined in the Rules).[18] A business day or trading day will include both trading sessions on that day. In other words, if the Exchange is not open for Regular Trading Hours on a day (for example, because it is an Exchange holiday), then it will not be open for Global Trading Hours on that day. Cboe Options has the same definition of business day and trading day.[19]

Global Trading Hours will be a separate trading session from Regular Trading Hours. However, GTH will use the same Exchange servers and hardware as those used during RTH.[20] All Trading Permit Holders may participate in Global Trading Hours. Trading Permit Holders do not need to apply or take any additional steps to participate in Global Trading Hours. Additionally, because the Exchange will use the same servers and hardware during Global Trading Hours as it uses for Regular Trading Hours, Trading Permit

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16 Chapter 24 incorporates by reference Cboe Options Rule 24.9 into the Exchange's rules. See also Cboe Options Rule 6.1A(c).

17 See also Cboe Options Rule 6.1A(c).

18 The proposed rule change makes corresponding changes to the definitions of market open and market close in Rule 1.1 to provide that each term specifies the start or end, respectively, of a trading session.

19 See Cboe Options Rule 1.1.

20 This is different than the trading sessions on Cboe Options, which uses different servers and hardware for each trading session.

Holders may use the same ports and connections to the Exchange for all trading sessions.[21] The Book used during Regular Trading Hours will be the same Book used during Global Trading Hours.[22]

As further discussed below, the Exchange expects there to be reduced liquidity, higher volatility, and wider markets during Global Trading Hours, and investors may not want their orders or quotes to execute during Global Trading Hours given those trading conditions. To provide investors with flexibility to have their orders and quotes execute only during RTH, or both RTH and GTH, the proposed rule change adds an All Sessions order and an RTH Only order. An "All Sessions" order is an order a User designates as eligible to trade during both GTH and RTH. An unexecuted All Sessions order on the GTH Book at the end of a GTH trading session enters the RTH Queuing Book and becomes eligible for execution during the RTH opening rotation and trading session on the same trading day, subject to a User's instructions (for example, a User may cancel the order).[23] An "RTH Only" order is an order a User designates as eligible to trade only during RTH or

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21 Only Trading Permit Holders will be able to access the System during any trading session. Cboe Options Trading Permit Holders must obtain a separate permit and use different connections to participate in global trading hours. See Cboe Options Rules 3.1 and 6.1A(d).

22 See proposed Rule 1.1, which amends the definition of Book to mean the electronic book of simple orders and quotes maintained by the System on which orders and quotes may execute during the applicable trading session. The Book during GTH may be referred to as the "GTH Book," and the Book during RTH may be referred to as the "RTH Book." The additional language regarding the execution of orders and quotes is intended to distinguish the Book from the Queuing Book, on which orders and quotes may not execute, as discussed below. With respect to complex orders, the same complex order book ("COB") will be used for all trading sessions. See proposed Rule 6.13(a) (definition of COB). This is different than Cboe Options, which uses separate books for each trading session, which are not connected.

23 See Rule 6.10, proposed definition of All Sessions order.

not designated as All Sessions. An unexecuted RTH Only order with a Time-in-Force of GTC or GTD on the RTH Book at the end of an RTH trading session enters the RTH Queuing Book and becomes eligible for execution during the RTH opening rotation and trading session on the following trading day (but not during the GTH trading session on the following trading day), subject to a User's instructions.[24]

Because trading sessions are completely separate on Cboe Options, there are not distinct order types corresponding to the proposed RTH Only and All Sessions order instructions. An order or quote submitted to GTH on Cboe Options may only execute during GTH, and an order or quote submitted to RTH on Cboe Options may only execute during RTH. The proposed RTH Only order is equivalent to any order submitted to RTH on Cboe Options. While the Exchange is not proposing an equivalent to an order submitted to GTH on Cboe Options, and instead is proposing an All Sessions order, Users may still submit an equivalent to a "GTH only" order by submitting an All Sessions order with a good-til-date Time-in-Force, with a time to cancel before the RTH market open. Therefore, Users can submit orders to participate in either trading session, or both, and thus the proposed rule change provides Users with additional flexibility and control regarding in which trading sessions their orders and quotes may be eligible to trade.

Generally, trading during the GTH trading session will occur in the same manner as it occurs during the RTH trading session. However, because the GTH market may have different characteristics than the RTH market (such as lower trading levels, reduced liquidity, and fewer participants), the Exchange may deem it appropriate to make different

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24 See Rule 6.10, proposed definition of RTH Only order. The RTH Only and All Sessions order instructions will also be available for complex orders. See proposed Rule 6.13(b).

determinations for trading rules for each trading session. Proposed Rule 1.2(b) states to the extent the Rules allow the Exchange to make a determination, including on a class-by-class or series-by-series basis, the Exchange may make a determination for GTH that differs from the determination it makes for RTH.[25] The Exchange maintains flexibility with respect to certain rules so that it may apply different settings and parameters to address the specific characteristics of that class and its market. For example, Rule 6.12(a)(2) allows the Exchange to determine electronic allocation algorithms on a class-by-class basis[26]; and Rule 6.10(a) allows the Exchange to make certain order types, Order Instructions, and Times-in-Force not available for all Exchange systems or classes (and unless stated in the Rules or the context indicates otherwise, as proposed).[27] Because trading characteristics during RTH may be different than those during GTH (such as lower trading levels, reduced liquidity, and fewer participants), the Exchange believes it is appropriate to extend this flexibility to each trading session. The Exchange represents that it will have appropriate personnel available during GTH to make any determinations that Rules provide the Exchange or Exchange personnel will make (such as trading halts, opening series, and obvious errors).

The proposed rule change amends Rule 8.2(a) to provide that a Market-Maker's selected class appointment applies to classes during all trading sessions. In order words, if a

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25 The proposed rule change modifies paragraph numbering and lettering in current Rule 1.2, and provides that Exchange determinations may be provided for in the Rules, in addition to specifications, Notices, and Regulatory Circulars.

26 Therefore, the allocation algorithm that applies to a class during RTH may differ from the allocation algorithm that apply to that class during GTH.

27 The proposed rule change amends Rule 6.10(a) to explicitly state that the Exchange may make these determinations on a trading session basis. The proposed rule change also clarifies in the Rules that Rule 6.13 sets forth the order types, Order Instructions, and Times-in-Force the Exchange may make available for complex orders.

Market-Maker selects an appointment in DJX options, that appointment would apply during both GTH and RTH (and thus, the Market-Maker would have an appointment to make markets in DJX during both GTH and RTH). As a result, a Market-Maker continuous quoting obligations set forth in Rule 8.6(d) would apply to the class for an entire trading day (including both trading sessions), which is comprised of 7.5 hours.[28] Pursuant to Rule 8.6(d), a Market-Maker must enter continuous bids and offers in 60% of the cumulative number of seconds, or such higher percentage as the Exchange may announce in advance, for which that Market-Maker's appointed classes are open for trading, excluding any adjusted series, any intra-day add-on series on the day during which such series are added for trading, any Quarterly Option Series, and any series with an expiration of greater than 270 days. The Exchange calculates this requirement by taking the total number of seconds the Market-Maker disseminates quotes in each appointed class (excluding the series noted above), and dividing that time by the eligible total number of seconds each appointed class is open for trading that day.[29] As proposed, the 45 minutes that comprise Global Trading Hours during which the Exchange will list series of DJX options[30] will be included in the denominator of this calculation. The Exchange expects to list 720 series of DJX options, 300 of which with expirations of greater than 270 days. Therefore, 420 series will be

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[28] See proposed Rule 8.6(d). The appointment cost in Rule 8.3 will apply to a class for all trading sessions. Therefore, to have an appointment during GTH, a Market-Maker will not have to select a separate appointment or obtain a new Trading Permit to be able to quote in a class during GTH. This is different from Cboe Options, which applies Market-Maker appointments separately to each trading session. See Cboe Options Rules 6.1A(e) and 8.7(d).

[29] The proposed rule change clarifies that the time the Exchange is open for trading on a trading day (including all trading sessions) will be considered when determining a Market-Maker's satisfaction of this obligation.

[30] This is the number of DJX series currently listed on Cboe Options.

counted for purposes of determining a Market-Maker's continuous quoting obligation for the number of minutes the series are open during Global Trading Hours.

For example, suppose a Market-Maker has appointments in ten classes. Assume there are 2,000 series (excluding series with quarterly expirations and expirations of greater than 270 days) in each class, for a total of 20,000 series, and all series in each of those ten classes are open for trading from 9:30:30 to 4:00:00. That would create an eligible total number of seconds for each series of 23,370 seconds (and thus, a total of 467,400,000 seconds for all appointed classes in the aggregate) each trading day. To satisfy its continuous quoting obligation, the Market-Maker would need to be quoting for 60% of that time in any combination of series across those classes (or a total of at least 280,440,000 seconds). Suppose when the Exchange begins listing DJX options on the Exchange for both GTH and RTH, the Market-Maker selects a DJX appointment, and the Exchange lists 420 series of DJX options that do not have quarterly expirations or expirations of greater than 270 days. Assume all series in DJX are open for trading from 8:30:30 to 9:15:00 and 9:30:30 to 4:15:00. That would create an eligible total number of seconds of 1,121,400 seconds during GTH and 10,193,400 seconds during RTH, for a total of 11,314,800 seconds, for DJX during the trading day). If DJX were only listed during RTH, the total eligible quoting time would be 477,593,400 seconds across the eleven classes, and a Market-Maker would be required to quote 286,556,040 seconds in series across those classes. If DJX were listed in both RTH and GTH, the total eligible quoting time would be 478,714,000 seconds during a trading day across all eleven classes, and the Market-Maker would be required to quote 287,228,880 seconds across series in the eleven classes. Therefore, extending the DJX continuous quoting obligation for a Market-Maker with appointments in a total of eleven classes, including DJX, would increase a Market-Maker's required quoting time by 672,840 seconds, or 0.23%. The Market-Maker could determine to satisfy this increase during RTH or GTH in any of its appointed classes. For example, if a Market-Maker selects a DJX appointment but does not want to participate during GTH, the Market-Maker could add this quoting time during RTH (*e.g.*, given the total of 20,420 series across its 11 appointed classes, the Market-Maker could quote an additional 67.25 seconds (just over 1 minute) in each of 10,000 of those series (fewer than half of its appointed series) on a trading day, it could satisfy its continuous quoting obligation without quoting in any DJX series during any portion of GTH.

As the above example demonstrates, while the proposed rule change will increase the total time during which a Market-Maker with a DJX appointment must quote, this increase is de minimis given that a Market-Maker's compliance with its continuous quoting obligation is based on all classes in which it has an appointment in the aggregate. Selecting an appointment in DJX options will be optional and within the discretion of a Market-Maker. Additionally, the Exchange is providing Market-Makers with the opportunity to quote during GTH (and receive the benefits of acting as a Market-Maker with respect to transactions it effects during that time) without obtaining an additional Trading Permit or creating additional connections to the Exchange (as is required on Cboe Options). Given this ease of access to the GTH trading session, the Exchange believes Market-Makers may be encouraged to quote during that trading session. The Exchange believes Market-Makers will have an incentive to quote in DJX options during Global Trading Hours given the significance of the Dow Jones Industrial Average within the financial markets, the expected demand, and given that the stocks underlying the index are also trading during those hours (which may permit execution of certain hedging strategies). Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations.

The proposed rule change amends the definitions of market orders, stop (stop-loss) orders, and stop-limit orders to state that those order types and order instructions may not be applied to orders designated as All Sessions order (*i.e.*, market orders, stop, and stop-limit orders will not be eligible for trading during GTH).[31] The Exchange expects reduced liquidity, higher volatility, and wider spreads during GTH. Therefore, the Exchange believes it is appropriate to not allow these orders to participate in GTH trading in order to protect customers should wide price fluctuations occur due to the potential illiquid and volatile nature of the market or other factors that could impact market activity.[32]

Proposed Rule 6.1(c)(3) provides that no current index value underlying an index option trading during Global Trading Hours will be disseminated during or at the close of that trading session. The value of the underlying index will not be recalculated during or at the close of Global Trading Hours. The closing value of the index from the previous trading

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31 The proposed rule change also amends the introductory language to Rule 6.10(c) to provide that certain restrictions on the use of Order Instructions may be set forth in the Rules (such as the proposed restrictions on the use of market orders, stop orders, and stop-limit orders during GTH).

32 Cboe Options Rule 6.1A(f) also prohibits these orders from participating in GTH trading. Cboe Options Rule 6.1A(f) also prohibits good-til-cancelled orders from participating during GTH. However, because the Exchange will use the same Book for all trading sessions, and thus any GTC orders that do not trade during GTH may become eligible for trading during RTH, the Exchange does not believe it is necessary to restrict use of this time-in-force.

day will be available for Trading Permit Holders that trade during Global Trading Hours. However, the Exchange does not believe it would be useful or efficient to disseminate to Trading Permit Holders the same value repeatedly at frequent intervals, as it does during Regular Trading Hours (when that index value is being updated).[33]

Proposed Rule 3.19 requires Trading Permit Holders to make certain disclosures to customers regarding material trading risks that exist during Global Trading Hours. The Exchange expects overall lower levels of trading during Global Trading Hours compared to Regular Trading Hours. While trading processes during Global Trading Hours will be substantially similar to trading processes during Regular Trading Hours (as noted above), the Exchange believes it is important for investors, particularly public customers, to be aware of any differences and risks that may result from lower trading levels and thus requires these disclosures. Proposed Rule 3.19 provides that no Trading Permit Holder may accept an order from a customer for execution during Global Trading Hours without disclosing to that customer that trading during Global Trading Hours involves material trading risks, including the possibility of lower liquidity (including fewer Market-Makers quoting), higher volatility, changing prices, an exaggerated effect from news announcements, wider spreads, the absence of an updated underlying index or portfolio value or intraday indicative value and lack of regular trading in the securities underlying the

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[33] Cboe Options Rules 24.2(b)(10), (d)(8), (e)(7), and (f)(11) (which are incorporated by reference into the Exchange's Rules pursuant to Chapter 24) provide that underlying index values will be disseminated at least once every 15 seconds. Proposed Rule 6.1(c)(3) supersedes those provisions with respect to Global Trading Hours. Cboe Options Rule 24.3 also states that dissemination of the current index value will occur after the close of Regular Trading Hours (and, thus, not after the close of Global Trading Hours, as no new index value will have been calculated during that trading session) and from time-to-time on days on which transactions are made on the Exchange.

index or portfolio and any other relevant risk. The proposed rule provides an example of these disclosures. The Exchange believes that requirement Trading Permit Holders to disclose these risks to non-TPH customers will facilitate informed participation in Global Trading Hours.

The Exchange also intends to distribute to Trading Permit Holders and make available on its website a Regulatory Circular regarding Global Trading Hours that discloses, among other things, that (1) the current underlying index value may not be updated during Global Trading Hours, (2) that lower liquidity during Global Trading Hours may impact pricing, (3) that higher volatility during Global Trading Hours may occur, (4) that wider spreads may occur during Global Trading Hours, (5) the circumstances that may trigger trading halts during Global Trading Hours, (6) required customer disclosures (as described above), and (7) suitability requirements. The Exchange believes that, with this disclosure, Global Trading Hours are appropriate and beneficial notwithstanding the absence of a disseminated updated index value during those hours.

As set forth above, the differences in the Rules between the trading process during RTH and during GTH is that certain order types and instructions will not be available during GTH, no values for indexes underlying index options will be disseminated during GTH, and Trading Permit Holders that accept orders from customers during GTH will be required to make certain disclosures to those customers. As noted above, other rules will apply in the same manner, but the Exchange may make different determinations between RTH and GTH. The Exchange believes these differences are consistent with the differences between the characteristics of each trading session. The Exchange also notes the following:

- All Trading Permit Holders may, but will not be required to, participate during Global Trading Hours. As noted above, while a Market-Maker's appointment to an All Sessions class will apply to that class whether it quotes in series in that class or not during GTH, the Exchange believes any additional burden related to the application of a Market-Maker's quoting obligation to the additional 45 minutes will be de minimis. The Exchange believes even if a Market-Maker elects to not quote during GTH, its ability to satisfy its continuous quoting obligation will not be substantially obligated given the short length of GTH and the few series that will be listed for trading during GTH.
- The Exchange expects Trading Permit Holders that want to trading during GTH to have minimal preparation. The Exchange will use the same connection lines, message formats, and feeds during RTH and GTH.[34] Trading Permit Holders may use the same ports and EFIDs for each trading session.[35]
- The same opening process (as amended below) will be used to open each trading session.
- Order processing will operate in the same manner during Global Trading Hours as it does during Regular Trading Hours. There will be no changes to the ranking,

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34 The same telecommunications lines used by Trading Permit Holders during Regular Trading Hours may be used during Global Trading Hours, and these lines will be connected to the same application serve at the Exchange during both trading sessions. This is different from Cboe Options, which connects its telecommunications lines to a separate application serve during each trading session.

35 A Trading Permit Holder may elect to have separate ports or EFID for each trading session, but the Exchange will not require that. This is different from Cboe Options, which requires Trading Permit Holders to use separate log-ins and acronyms (the equivalent of ports and EFIDs) for each trading session.

display, or allocation algorithms rules (as noted above, the Exchange will have authority to apply a different allocation algorithm to a class during Global Trading Hours than it applies to that class during Regular Trading Hours).

- There will be no changes to the processes for clearing, settlement, exercise, and expiration.[36]
- The Exchange will report the Exchange best bid and offer and executed trades to the Options Price Reporting Authority ("OPRA") during Global Trading Hours in the same manner they are reported during Regular Trading Hours. Exchange proprietary data feeds will also be disseminated during Global Trading Hours using the same formats and delivery mechanisms with which the Exchange disseminates them during Regular Trading Hours. Use of these proprietary data wills during Global Trading Hours will be optional (as they are during Regular Trading Hours).[37]
- The same Trading Permit Holders that are required to maintain connectivity to a backup trading facility during Regular Trading Hours will be required to do so during Global Trading Hours.[38] Because the same connections and serves will be

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36 The Exchange has held discussions with the Options Clearing Corporation, which is responsible for clearance and settlement of all listed options transactions and has informed the Exchange that it will be able to clear and settle all transactions that occur on the Exchange and handle exercises of options during Extended Trading Hours.

37 Any fees related to receipt of the OPRA data feed during Global Trading Hours will be included on the OPRA fee schedule. Any fees related to receipt of the Exchange's proprietary data feeds during Global Trading Hours will be included on the Exchange's fee schedule (and will be included in a separate rule filing) or the Exchange's market data website, as applicable.

38 Currently, Trading Permit Holders with accounts for 5% or more of the executed volume, measured on a quarterly basis, the Exchange must connect to the Exchange's backup facilities and participate in testing. The same test will be used for all trading sessions. <u>See</u> C2 Options Regulatory Circular 18-011 (July 3,

used for both trading sessions, a Trading Permit Holder will not be required to take any additional action to comply with this requirement, regardless of whether the Trading Permit Holder chooses to trade during Global Trading Hours.

- The Exchange will process all clearly erroneous trade breaks during Global Trading Hours in the same manner it does during Regular Trading Hours and will have Exchange officials available to do so (the same officials that do so during Regular Trading Hours).
- The Exchange will perform all necessary surveillance coverage during Global Trading Hours.
- The Exchange may halt trading during Global Trading Hours in the interests of a fair and orderly market in the same manner it may during Regular Trading Hours pursuant to Rule 6.32 (as proposed to be amended, as described below). The proposed rule change amends Rule 6.32(a) to provide that when the hours of trading of the underlying primary securities market for an index option do not overlap or coincide with those of the Exchange, and during Global Trading Hours, Rule 6.32(a)(1) and (2) (as proposed) do not apply. As discussed above, Global Trading Hours will not coincide with the hours of trading of the underlying primary securities market. Generally, the Exchange considers halting trading only in response to unusual conditions or circumstances, as it wants to interrupt trading as infrequently as possible and only if necessary to maintain a fair and orderly market. During Regular Trading Hours, it would be unusual, for example, for stocks or options underlying an index to not be trading or the current calculation of the index

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2018); and Rule 6.34.

to not be available. However, as discussed above, there will be no calculation of underlying indexes during Global Trading Hours, and Global Trading Hours do not coincide with the regular trading hours of the underlying stock or options (there may be some overlap with trading of certain underlying stocks, as mentioned above[39]). Thus, the factors described in Rule 6.32(a) (as proposed to be amended) are not unusual for Global Trading Hours, and thus the Exchange does not believe it is necessary to consider these as reasons for halting trading during that trading session. Exclusion of Global Trading Hours from those provisions will allow trading during that trading session to occur despite the existence of those conditions (if the Exchange considered the existence of those conditions during Global Trading Hours, trading during Global Trading Hours could be halted every day). It is appropriate for the Exchange to consider any unusual conditions or circumstances detrimental to the maintenance of a fair and orderly market during Global Trading Hours, which may, for example, include whether the underlying primary securities market was halted at the close of the previous trading day (in which case the Exchange will evaluate whether the condition that led to the halt has been resolved or would not impact trading during Global Trading Hours) or significant events that occur during Global Trading Hours.

Pursuant to Interpretation and Policy .01, the Exchange will halt trading in all options when a market-wide trading halt known as a circuit breaker is initiated in response to extraordinary market conditions. Pursuant to the proposed rule change, Interpretation and Policy .01 will not apply during Global Trading Hours. The

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[39] See supra note 10.

Exchange believes that, even if stock trading was halted at the close of the previous trading day, the length of time between that time and the beginning of Global Trading Hours is significant (over 16 hours), and the condition that led to the halt is likely to have been resolved. The proposed rule change allows the Exchange to consider unusual conditions or circumstances when determining whether to halt trading during Global Trading Hours. To the extent a circuit breaker caused a stock market to be closed at the end of the prior trading day, the Exchange could consider, for example, whether it received notice from stock exchanges that trading was expected to resume (or not) the next trading day in determining whether to halt trading during Global Trading Hours. Because the stock markets would not begin trading until after Global Trading Hours opens, the Exchange believes it should be able to open Global Trading Hours rather than waiting to see whether stock markets open to allow investors to participate in Global Trading Hours if the Exchange believes such trading can occur in a fair and orderly manner based on then-existing circumstances, not circumstances that existed numerous hours earlier. Additionally, Cboe Options has the same rule provision.[40]

Certain rules currently include general phrases related to a day or trading, such as market close. The proposed rule change makes technical changes to Rules 6.9(e),[41] 6.10(d) (definition of "Day"), and 6.13(c) and (i) to incorporate the terminology included in this

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[40] See Cboe Options Rule 24.7(d).

[41] The proposed rule change makes an additional nonsubtantive change to Rule 6.9, as well as modifies the name of Rule 6.9 to account for the fact that Rule 6.9 applies to the cancellation, as well as the entry, of orders.

proposed rule change to specify the appropriate trading session(s) being referenced in those rules.

The Exchange will disseminate last sale and quotation information during Global Trading Hours through OPRA pursuant to the Plan for Reporting of Consolidated Options Last Sale Reports and Quotation Information (the "OPRA Plan"), as it does during Regular Trading Hours.[42] The Exchange will also disseminate an opening quote and trade price through OPRA for Global Trading Hours (as it does for Regular Trading Hours). Therefore, all Trading Permit Holders that trade during Global Trading Hours will have access to quote and last sale information during that trading session.

The Exchange understands that systems and other issues may arise and is committed to resolving those issues as quickly as possible, including during Global Trading Hours. Thus, the Exchange will have appropriate staff on-site and otherwise available as necessary during Global Trading Hours to handle any technical and support issues that may arise during those hours. Additionally, the Exchange will have personnel available to address any trading issues that may arise during Global Trading Hours.[43] The Exchange is also

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[42] The OPRA Plan provides for the collection and dissemination of last sale and quotation information on options that are trading on the participant exchanges. The OPRA Plan is a national market system plan approved by the Commission pursuant to Section 11A of the Act and Rule 608 thereunder. See Securities Exchange Act Release No. 17638 (March 18, 1981). The full text of the OPRA Plan is available at http:www.opradata.com. All operating U.S. options exchanges participate in the OPRA Plan. The operator of OPRA informed the Exchange that it intends to add a modifier to the information disseminated during Global Trading Hours (as it does for Cboe Options).

[43] The Exchange notes that, to conduct trading during global Trading Hours, persons that are not Trading Permit Holders, such as employees of affiliates of Trading Permit Holders located outside of the United States, may be transmitting orders and quotes during Global Trading Hours (such non-Trading Permit Holders would not have direct access to the Exchange, and thus those orders and quotes would be submitted to the Exchange through Trading Permit Holders' systems subject to

committee to fulfilling its obligations as a self-regulatory organization at all times, including during Global Trading Hours, and will have appropriately trained, qualified regulatory staff in place during Global Trading Hours to the extent it deems necessary to satisfy those obligations. The Exchange's surveillance procedures will be revised as necessary to incorporate transactions that occur and orders and quotations that are submitted during Global Trading Hours. The Exchange believes its surveillance procedures are adequate to properly monitor trading of DJX options during Global Trading Hours.

Opening Process

Rule 6.11 sets forth the opening process the Exchange uses to open series on the Exchange at the market open each trading day (and after trading halts). Pursuant to the current opening process, the System determines and opening price for a series based on the NBBO[44] and crosses any interest on the book that is marketable at that price. The proposed rule change adopts an opening auction process, substantially similar to the Cboe Options opening auction process.[45] The Exchange believes an opening auction process will enhance the openings of series on the Exchange by providing an opportunity for price discovery based on then-current market conditions. Pursuant to the proposed opening auction process, the Exchange will have a Queuing Period, during which the System will accept orders and quotes and disseminates expected opening information; will initiate an opening rotation

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applicable laws, rule, and regulations). Trading Permit Holders may authorize (in a form and manner determined by the Exchange) individuals at these non-Trading Permit Holder entities to contact the Exchange during Global Trading Hours to address any issues.

44 The opening price (if not outside the NBBO and no more than a specified minimum amount away from the NBBO) is either the midpoint of the NBBO, the last disseminated transaction price after 9:30 a.m., or the last transaction price from the previous trading day. See current Rule 6.11(a)(2) and (3).

45 See Cboe Options Rule 6.2.

upon the occurrence of certain triggers; will conduct an opening rotation during which the System matches and executes orders and quotes against each other in order to establish an opening Exchange best bid and offer and trade price, if any, for each series, subject to certain price protections; and will open series for trading.[46]

Proposed Rule 6.11(a) sets forth the definitions of the following terms for purposes of the opening auction process in proposed Rule 6.11[47]:

- Composite Market: The term "Composite Market" means the market for a series comprised of (1) the higher of the then-current best appointed Market-Maker bulk message bid on the Queuing Book and the away best bid ("ABB") (if there is an ABB) and (2) the lower of the then-current best appointed Market-Maker bulk message offer on the Queuing Book and the away best offer ("ABO") (if there is an ABO). The term "Composite Bid (Offer)" means the bid (offer) used to determine the Composite Market.[48]

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46 The order of events that comprise this proposed opening auction process corresponds to the opening auction process on Cboe Options. See Cboe Options Rule 6.2.

47 A term defined elsewhere in the Rules has the same meaning with respect to Rule 6.11, unless otherwise defined in Rule 6.11.

48 Cboe Options similarly considers the Exchange's best quote bid and best quote offer when determining whether the Exchange's market is too wide. On Cboe Options, the term "quote" corresponds to the term "bulk message" on the Exchange. Cboe Options also considers quotes from any away markets, if it has activated Hybrid Agency Liaison ("HAL") at the open. While the Exchange does not have a step-up mechanism that corresponds to HAL, the Exchange believes considering any quotes from away markets in addition to quotes on its own market when determining whether to open a series will enhance the opening auction price by considering all available pricing information.

- <u>Composite Width</u>: The term "Composite Width" means the width of the Composite Market (*i.e.*, the width between the Composite Bid and the Composite Offer) of a series.
- <u>Maximum Composite Width</u>: The term "Maximum Composite Width" means the amount that the Composite Width of a series may generally not be greater than for the series to open (subject to certain exceptions, as described below). The Exchange determines this amount on a class and Composite Bid basis, which amount the Exchange may modify during the opening auction process (which modifications the Exchange disseminates to all subscribers to the Exchange's data feeds that deliver opening auction updates).[49]
- <u>Opening Auction Updates</u>: The term "opening auction updates" means Exchange-disseminated messages that contain information regarding the expected opening of a series based on orders and quotes in the Queuing Book for the applicable trading session and, if applicable, the GTH Book,[50]

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49 The Maximum Composite Width corresponds to the opening exchange prescribed width range ("OEPW") on Cboe Options. <u>See</u> Cboe Options Rule 6.2(d)(i)(A). The Exchange will determine the Maximum Composite Width in a slightly different manner than Cboe Options determines the OEPW; however, both are based on appointed Market-Maker quotes and are intended to create a reasonable range to ensure the market does not open at extreme prices. Additionally, as proposed, the Maximum Composite Width will factor in away prices in addition to quotes on the Exchange (unlike Cboe Options which considers only quotes on the Exchange).

50 In other words, for the RTH opening auction in an All Sessions class, the expected opening information to be disseminated in opening auction updates prior to the conclusion of the GTH trading session will be based on orders and quotes in the RTH Queuing Book (*i.e.*, RTH Only orders) and in the GTH Book (*i.e.*, All Sessions orders).

including the expected opening price, the then-current cumulative size on each side at or more aggressive than the expected opening price, and whether the series would open (and any reason why a series would not open).

- Opening Collar: The term "Opening Collar" means the price range that establishes limits at or inside of which the System determines the Opening Trade Price for a series. The Exchange determines the width of this price range on a class and Composite Bid basis, which range the Exchange may modify during the opening auction process (which modifications the Exchange disseminates to all subscribers to the Exchange's data feeds that deliver opening auction updates.[51]

- Opening Trade Price: The term "Opening Trade Price" means the price at which the System executes opening trades in a series during the opening rotation.[52]

- Queuing Book: The term "Queuing Book" means the book into which Users may submit orders and quotes (and onto which GTC and GTD orders remaining on the Book from the previous trading session or trading day, as applicable, are entered) during the Queuing Period for participation in the

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51 Cboe Options uses the OEPW as the range within which the opening price must be. See Cboe Options Rule 6.2(d)(i)(C). The Exchange will determine the Opening Collar in a slightly different manner than Cboe Options determines the OEPW; however, both are based on appointed Market-Maker quotes and are intended to create a reasonable range to ensure the market does not open at extreme prices. Additionally, as proposed, the Opening Collar will factor in away prices in addition to quotes on the Exchange (unlike Cboe Options which considers only quotes on the Exchange).

52 See current Rule 6.11(a)(2).

application opening rotation.[53] Orders and quotes on the Queuing Book may not execute until the opening rotation. The Queuing Book for the GTH opening auction process may be referred to as the "GTH Queuing Book," and the Queuing Book for the RTH opening auction process may be referred to as the "RTH Queuing Book."

- Queuing Period: The term "Queueing Period" means the time period prior to the initiation of an opening rotation during which the System accepts orders and quotes for participation in the opening rotation for the applicable trading session.[54]

Proposed paragraph (b) describes the Queuing Period. The Queuing Period begins at 7:30 a.m. for all class.[55] This is the same time at which the System begins accepting orders and quotes today. Therefore, Users will have the same amount of time to submit orders and quotes prior to the RTH opening. Additionally, Users will have one hour to submit orders and quotes in GTH classes prior to the GTH opening. The Exchange believes this is sufficient given that the Exchange will list fewer classes (one class, as proposed) during GTH.[56]

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53 In other words, at 7:30 a.m., All Sessions orders will rest on the GTH Queuing Book and be eligible to participate in the GTH opening auction process, and RTH Only orders will rest on the RTH Queuing Book and be eligible to participate in the RTH opening auction process.

54 See current Rule 6.11(a)(1) (the current rule does not use the term "Queuing Period"; however, it does provide for a time prior to the opening of a series during which the System accepts orders and quotes).

55 See proposed Rule 6.11(b)(1).

56 Pursuant to Cboe Options Rule 6.2(a), the pre-opening period (equivalent to the proposed Queuing Period) begins no earlier than 2:00 a.m. Central time for regular trading hours and no later than 4:00 p.m. on the previous day for global trading hours (as global trading hours on Cboe Options begins at 2:00 a.m.

Proposed subparagraph (b)(2) clarifies that orders and quotes on the Queuing Book are not eligible for execution until the opening rotation pursuant to proposed paragraph (e), as described below.[57] This is consistent with current order entry period, pursuant to which orders and quotes entered for inclusion in the opening process do not execute until the opening trade pursuant to current subparagraph (a)(3). The System accepts all orders and quotes that are available for a class and trading session pursuant to Rule 6.10(a) during the Queuing Period, which are eligible for execution during the opening rotation, except as follows:

- the System rejects IOC and FOK orders during the Queuing Period[58];
- the System accepts orders and quotes with MTP Modifiers during the Queuing Period, but does not enforce them during the opening rotation[59];
- the System accepts stop and stop-limit orders[60] during the Queuing Period, but they do not participate during the opening rotation. The System enters

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Central time). The Exchange does not propose to have flexibility as Cboe Options has, and believes the proposed time period for the Queuing Period is sufficient.

57 The proposed rule change moves the provision that states that GTC and GTD orders remaining on the Book from the previous trading day may participate in the opening process from current paragraph (b) to the definition of Queuing Book in proposed paragraph (a).

58 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(A); see also Cboe Options Rule 6.2(a)(i).

59 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(B). Cboe Options has Market-Maker trade prevention orders, which it does not accept prior to the opening. See Cboe Options Rule 6.2(a)(i).

60 Pursuant to Rule 6.10(b), stop and stop-limit orders are triggered based on the consolidated last sale price. Not participating in the opening process is consistent with this requirement, as the Exchange needs to be open (and thus have an opening trade occur) in order for there to be a consolidated last sale price that can trigger these orders.

any of these orders it receives during the Queuing Period into the Book following completion of the opening rotation (in time priority)[61];

- the System converts all ISOs received prior to the completion of the opening rotation into non-ISOs[62]; and
- complex orders do not participate in the opening auction described in Rule 6.11 and instead may participate in the COB Opening Process pursuant to Rule 6.13(c).[63]

Proposed paragraph (c) describes the opening auction updates the Exchange will disseminate as part of the opening auction process. As noted above, opening auction updates contain information regarding the expected opening of a series. These messages provide market participants with information that may contribute to enhanced liquidity and price discovery during the opening auction process. Beginning at a time (determined by the Exchange) no earlier than one hour prior to the expected initiation of the opening rotation for a trading session and until the conclusion of the opening rotation for a series, the Exchange disseminates opening auction updates for the series.[64] The Exchange

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61 This is consistent with current functionality, and the proposed rule change is adding this detail to the Rules. See also Cboe Options Rule 6.2(c)(i)(B) (which states that order with a stop contingency do not participate in the opening rotation).

62 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(D); see also Cboe Options Rule 6.2(a)(i) (which does not permit ISOs to be entered during the Cboe Options pre-opening period).

63 See current subparagraph (a)(1) and proposed subparagraph (a)(2)(E); see also Cboe Options Rule 6.2(c)(i)(B).

64 The Exchange only begins disseminating updates for series with locked or crossed interest or if the series needs Market-Maker bulk messages. There can only be an expected opening price to disseminate if these conditions have been met, and thus no updates will be disseminated if these conditions do not exist. See also Cboe Options Rule 6.2(a)(ii) (which provides that Cboe Options may begin

disseminates opening auction updates at regular intervals of time (the length of which the Exchange determines for each trading session), or less frequently if there are no updates to the opening information since the previously disseminated update, to all subscribers to the Exchange's data feeds that deliver these messages until a series opens.[65] If there have been no changes since the previous update, the Exchange does not believe it is necessary to disseminate duplicate updates to market participants at the next interval of time.

Proposed paragraph (d) describes the events that will trigger the opening rotation for a class. Pursuant to current subparagraph (a)(1), the System will open series in random order, staggered over regular intervals of time after a time period following the first transaction in the securities underlying the options on the primary market that is disseminated after 9:30 a.m. (with respect to equity options) or following 9:30 a.m. (with respect to index options). As proposed for Regular Trading Hours, after a time period (which the Exchange determines for all classes) following the System's observation after 9:30 a.m. of the first disseminated (1) transaction price for the security underlying an equity option or (2) index value for the index underlying an index option, the System will initiate the opening rotation for the series in that class, and the Exchange disseminates message to

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disseminated expected opening information ("EOIs") messages (which correspond to opening auction updates)). Cboe Options currently begins disseminating EOIs at 7:30 a.m. or 8:00 a.m. Central time (depending on the class), which is consistent with the proposed rule change to begin dissemination of opening auction messages no earlier than one hour prior to the expected initiation of the opening rotation for a series. The Exchange believes market participants generally want to receive this information closer to the opening of trading.

65 See also Cboe Options Rule 6.2(a)(ii) (Cboe Options will similarly disseminate EOIs at regular intervals or less frequently if there are no updates, and will not disseminate EOIs in certain circumstances, including if there is no locked or crossed interest (because there would be no expected opening price or size)).

market participants indicating the initiation of the opening rotation.[66] For Global Trading Hours, the System will initiate the opening rotation at 8:30 a.m.[67]

Proposed paragraph (e) describes the opening rotation process, during which the System will determine whether the Composite Market for a series is not wider than a maximum width, will determine the opening price, and open series.[68] The Maximum Composite Width Check and Opening Collar are intended to ensure that series open in a fair and orderly manner and at prices consistent with the current market conditions for the series and not at extreme prices, while taking into consideration prices disseminated from other options exchanges that may be better than the Exchange's at the open.

Proposed subparagraph (e)(1) describes the Maximum Composite Width Check.

- If the Composite Width of a series is less than or equal to the Maximum Composite Width, the series is eligible to open (and the System determines the Opening Price as described below).

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66 See current subparagraph (a)(1), pursuant to which the opening will be triggered upon the occurrence of similar events after a time period determined by the Exchange.

67 See also Cboe Options Rule 6.2(b). Unlike Cboe Options, the opening rotation will be triggered in all equity classes by observation of the first transaction in the underlying security (rather than some classes being triggered by a timer), and the opening rotation will be triggered in all index classes by observation of the first index value (rather than some classes being triggered by a timer). The Exchange does not believe it needs this flexibility.

68 See also Cboe Options Rule 6.2(d) (pursuant to which Cboe Options will generally not open a series if the width is wider than an acceptable price range or if the opening trade price is outside of an acceptable price range). The Exchange will similarly have a maximum quote width and acceptable opening price range, however, they may be calculated differently. Cboe Options has additional opening conditions that the Exchange does not propose to adopt.

- If the Composite Width of a series is greater than the Maximum Composite Width, but there are no non-M Capacity[69] market orders or buy (sell) limit orders with prices higher (lower) than the Composite Bid (Offer) and there are no locked or crossed orders or quotes, the series is eligible to open (and the System determines the Opening Price as described below).
- If neither of the conditions above are satisfied for a series, the series is ineligible to open. The Queuing Period for the series continues (including the dissemination of opening auction updates) until one of the above conditions for the series is satisfied.[70]

The Exchange will use the Maximum Composite Width Check as a price protection measure to prevent orders from executing at extreme prices at the open. If the width of the Composite Market (which represents the best market, as it is comprised of the better of Market-Maker bulk messages on the Exchange or any away market quotes) is no greater

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69 Capacity M is used for orders for the account of a Market-Maker (with an appointment in the class). See Rule 1.1 (definition of Capacity).

70 See Cboe Options Rule 6.2(c)(iii) (pursuant to which the opening rotation period on Cboe Options continues, including dissemination of EOIs, until the opening conditions are satisfied). The Exchange may also open a series pursuant to current paragraph (c) (proposed paragraph (h)), which permits the Exchange to deviate from the standard manner of the opening auction process, including adjusting the timing of the opening rotation in any class, modifying any time periods described in Rule 6.11, and delaying or compelling the opening of a series if the opening width is wider than Maximum Width, when it believes it is necessary in the interests of a fair and orderly market. The proposed rule change specifies additional ways in which the Exchange may deviate from the standard of opening (which it has the authority to do under the current rule). See also Cboe Options Rule 6.2(e) (pursuant to which Cboe Options may deviate from the standard manner of the opening auction process for the same reasons). The Exchange will continue to make and maintain records to document all determinations to deviate from the standard manner of the opening auction process, and periodically reviews these determinations for consistency with the interests of a fair and orderly market.

than the Maximum Composite Width, the Exchange believes it is appropriate to open a series under these circumstances and provide marketable orders with an opportunity to execute at a reasonable opening price (as discussed below), because there is minimal risk of execution at an extreme price. However, if the Composite Width is greater than the Maximum Composite Width but there are no non-M Capacity orders[71] that lock or cross the opposite-side widest point of the Composite Market (and thus not marketable at a price at which the Exchange would open, as described below), there is similarly no risk of an order executing at an extreme price on the open. Because the risk that the Maximum Composite Width Check is intended to address is not present in this situation, the Exchange believes it is appropriate to open a series in either of these conditions. However, if neither of these conditions is satisfied, the Exchange believes there may be risk that orders would execute at an extreme price if the series open, and therefore the Exchange will not open a series.

Proposed subparagraph (e)(2) describes how the System determines the Opening Trade Price for a series after it satisfies the Maximum Composite Width Check described above.

- The Opening Trade Price is the price that is not outside the Opening Collar and:
    - the price at which the largest number of contracts can execute (*i.e.*, the volume-maximizing price);

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71 Market-Maker bulk messages are considered when determining the Composite Market. The Exchange believes it is appropriate to consider Market-Maker bulk messages when determining an opening quote to ensure there will be liquidity in a series when it opens. Additionally, while it is possible for Market-Makers to submit M orders, the Exchange believes there is less risk of a Market-Maker inputting an order at an extreme price given that Market-Makers are generally responsible for pricing the market.

  - if there are multiple volume-maximizing prices, the price at which the fewest number of contracts remain unexecuted (*i.e.*, the imbalance-minimizing price); or
  - if there are multiple volume-maximizing, imbalance-minimizing prices, (1) the highest (lowest) price, if there is a buy (sell) imbalance, or (2) the price at or nearest to the midpoint of the Opening Collar, if there is no imbalance.
- There is no Opening Trade Price if there are no locked or crossed orders or quotes at a price not outside the Opening Collar.[72]

The Exchange believes the proposed volume-maximizing, imbalance-minimizing procedure is reasonable, as it will provide for the largest number of contracts in the Queuing Book that can execute, leaving as few as possible bids and offers in the Book that cannot execute.[73] The Exchange will use the Opening Collar as a price protection measure to prevent orders from executing at extreme prices at the open. If the Opening Trade Price is not outside the Opening Collar (which will be based on the best then-current market), the Exchange believes it is appropriate to open a series at that price, because there is minimal risk of execution at an extreme price. However, if the Opening Trade Price would be outside of the Opening Collar, the Exchange believes there may be risk that orders would execute at an extreme price if the series open, and therefore the Exchange will not open a series.

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72 See current Rule 6.11(a)(2)(A).

73 See also Cboe Options Rule 6.2(c)(i)(A) (pursuant to which Cboe Options will open at the market-clearing price, and if there are multiple prices at which the same number of contracts would clear, Cboe Options will use similar tie-breakers).

The following examples show the application of the Maximum Composite Width Check:

Example #1

Suppose the Maximum Composite Width for a class is 0.50, and the Composite Market is 1.00 x 2.00, comprised of an appointed Market-Maker bulk message bid of 2.00 and an appointed Market-Maker bulk message offer of 1.00. There is no other interest in the Queuing Book. The series is not eligible to open, because the width of the Composite Market is greater than the Maximum Composite Width but there are locked orders or quotes in the series. The Queuing Period for the series will continue until the series satisfies the Maximum Composite Width Check.

Example #2

Suppose the Maximum Composite Width for a class is 0.50, and the Composite Market is 1.00 x 2.00, comprised of an appointed Market-Maker bulk message bid of 1.00 and an appointed Market-Maker bulk message offer of 2.00. There is no other interest in the Queuing Book. The series is eligible to open, because the width of the Composite Market is greater than the Maximum Composite Width and there are no locked orders or quotes in the series or non-M Capacity orders. The System will then determine the Opening Trade Price.

Example #3

Suppose the Maximum Composite Width for a class is 0.50, and the Composite Market is 1.00 x 2.00, comprised of an appointed Market-Maker bulk message bid of 1.00 and an appointed Market-Maker bulk message offer of 2.00. There is a non-M Capacity limit order to buy for $1.99 in Queuing Book. The series is not eligible to open, because the width of the Composite Market is greater than the Maximum Composite Width, and there is a non-M Capacity order at a price inside of the Composite Market. The Queuing Period for the series will continue until the series satisfies the Maximum Composite Width Check.

Pursuant to proposed subparagraph (e)(3), if the System establishes an Opening Trade Price, the System will execute orders and quotes in the Queuing Book at the Opening Trade Price. The System will prioritize orders and quotes in the following order: market orders, limit orders and quotes with prices better than the Opening Trade Price, and orders and quotes at the Opening Trade Price.[74] The System allocates orders and quotes at the same price pursuant to the allocation algorithm that applies to a class intraday (in accordance with Rule 6.12), unless the Exchange determines to apply a different allocation algorithm from Rule 6.12 to a class during the opening rotation.[75] If there is no Opening Trade Price, the System opens a series without a trade.

Pursuant to proposed subparagraph (f), as is the case today, following the conclusion of the opening rotation, the System enters any unexecuted orders and quotes (or remaining portions) from the Queuing Book into the Book in time sequence (subject to a User's instructions – for example, a User may cancel an order), where they may be processed in accordance with Rule 6.12. Consistent with the OPG contingency (and current

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74 See current Rule 6.11(a)(3) (which states the System will prioritize orders and quotes that are price equal to or more aggressively than the Opening Price); see also Cboe Options Rule 6.2(c)(i)(C). The Exchange believes it is appropriate to prioritize orders with the most aggressive prices, as it provides market participants with incentive to submit their best-priced orders.

75 See Cboe Options Rule 6.2, Interpretation and Policy .04. While the allocation algorithm used during the opening rotation for a class will default to and generally be the same as the one used for that class intraday, the Exchange believes the flexibility is appropriate so that it can facilitate a robust opening with sufficient liquidity in all classes. Cboe Options may apply a different allocation algorithm for series that open at a minimum price increment due to a sell market order imbalance. The Exchange does not believe it needs this flexibility.

functionality), the System cancels any unexecuted OPG orders (or remaining portions) following the conclusion of the opening rotation.

The proposed rule change makes nonsubstantive changes to current paragraphs (b) and (d) (proposed paragraphs (g) and (i), respectively) to reflect the proposed defined terms and to make the provision more plain English.

Currently, if an order enters the Book following the Opening Process (which would include any GTC or GTD orders that reenter the Book from the prior trading day) and becomes subject to the drill-through protection pursuant to Rule 6.14(a)(4), the NBO (NBB) that existed at the time it enters (or reenters) the Book would be used when determining the drill-through price. Proposed Rule 6.14(a)(4)(A) provides that if an order that enters the Book following the Opening Auction Process and becomes subject to the drill-through protection, the bid (offer) limit of the Opening Collar plus (minus) the buffer amount will be the drill-through price.[76] As discussed above, the Opening Collar is a price protection, and the Exchange would execute orders at the open at prices at or within the Opening Collar (as it would execute orders at or within the NBBO). Therefore, the Exchange believes the Opening Collar limit price points are reasonable to use when determining the drill-through price for orders that are unable to execute during the opening rotation.

<u>Trading Hours and Halts for Index Options</u>

Currently, the Exchange lists for trading options on the Russell 2000 Index ("RUT options"), and as noted above, the Exchange intends to list DJX options in connection with the launch of the GTH trading session. Pursuant to current Rule 6.1(a), the Exchange has determined that Regular Trading Hours for these index options are (or

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[76] The proposed rule change makes corresponding changes to proposed Rule 6.14(a)(4)(B).

will be, with respect to DJX options) from 9:30 a.m. to 4:15 p.m. Proposed Rule 6.1(b)(2) provides that Regular Trading Hours for index options will be from 9:30 a.m. to 4:15 p.m., except for index options the Exchange designates to remain open for trading until 4:00 p.m. This is consistent with the current rule, pursuant to which trading for index options will end at 4:00 p.m. or 4:15 p.m. However, as proposed, Regular Trading Hours for an index option will default to a closing time of 9:30 a.m. to 4:15 p.m. (rather than until 4:00 p.m.), as the Exchange expects most index options to have a closing time of 4:15 p.m., and the Exchange will have authority to determine to have trading for an index option stop at 4:00 p.m.

Pursuant to Chapter 24, the Exchange may list for trading options on indexes that satisfy the criteria in Cboe Options Rule 24.2.[77] However, pursuant to Chapter 24, Cboe Options Rule 24.6, which sets forth the trading days and hours for index options that may be listed pursuant to Cboe Options Rule 24.2, does not apply to the Exchange. Because the Exchange may determine to list other index options pursuant to Cboe Options Rule 24.2, the Exchange proposes to add the trading hours for all index options the Exchange may determine to list for trading on its Exchange in the future, even though it currently only lists one index option, and plans to list another index option in the near future, for trading during the hours set forth in current Rule 6.1(a).[78] The proposed trading hours for index options in proposed Rule 6.1(b)(2) correspond to the same trading hours for those index options in Cboe Options Rule 24.6.

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77 Pursuant to Chapter 24, the Exchange incorporates by reference Cboe Options Rule 24.2.

78 The Exchange has no current plans to list additional index options for trading.

Proposed Rule 6.1(b)(2)(A) states the last trading day for A.M.-settled index options is the business day prior to the expiration date of the specific series. This will ensure trading in these options do not continue for an entire trading day after the settlement value has been determined. This is consistent with current trading hours for A.M.-settled index options on the Exchange (currently, the Exchange lists A.M.-settled options on the Russell 2000 Index ("RUT") for trading and intends to list A.M.-settled DJX options for trading), and is consistent with the last trading day for expiring A.M.-settled index options on Cboe Options.[79]

Proposed Rule 6.1(b)(2)(B) states on their last trading day, Regular Trading Hours for the following options are from 9:30 a.m. to 4:00 p.m.:

- Cboe S&P 500 AM/PM Basis options
- Index Options with Nonstandard Expirations (*i.e.*, Weeklys and EOMs) and Quarterly Expirations (*i.e.*, QIXs)
- SPX options (p.m.-settled)
- XSP options (p.m.-settled)

Generally, these options are priced in the market based on corresponding futures values. On the last day of trading, the closing prices of the component stocks (which are used to derive the exercise settlement value) are known at 4:00 p.m. (or soon after) when the equity markets close. Despite the fact that the exercise settlement value is fixed at or soon after 4:00 p.m., if the Exchange did not close trading in these expiring options on their last trading day, trading in these options would continue for an additional fifteen minutes until 4:15 p.m. and would not be priced on corresponding futures values, but

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[79] See Cboe Options Rule 24.9(a)(4).

rather the known cash value. At the same time, the prices of non-expiring series continue to move and be priced in response to changes in corresponding futures prices.

Because of the potential pricing divergence that could occur between 4:00 and 4:15 p.m. on the final trading day of these expiring options (*e.g.*, switch from pricing off of futures to cash), the Exchange believes that, in order to mitigate potential investor confusion, it is appropriate to cease trading in these expiring options at 4:00 p.m. on the last day of trading. The proposed change to the close of trading hours will apply to all outstanding expiring expirations for the above classes or series types listed on or before the effective date of this proposal.

Additionally, these are the same Regular Trading Hours for these options on their last trading day on Cboe Options.[80]

Proposed Rule 6.1(b)(2)(C) states on their last trading day, Regular Trading Hours for expiring FTSE Developed Europe Index options are from 9:30 a.m. to the closing time of the London Stock Exchange, which is usually 11:30 a.m. The Exchange is proposing that expiring FTSE Developed Europe Index options trade only during a portion of the day on their expiration date to align the trading hours of expiring FTSE Developed Europe Index options with expiring FTSE Developed Europe Index futures. FTSE Developed Europe Index futures trade on CME and stop trading at 10:30 a.m. (Chicago time) on the third Friday of the futures contract month.[81] Additionally, these are

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[80] See Cboe Options Rules 24.6, Interpretations and Policies .01 (QIXs), .03 (Cboe S&P 500 AM/PM Basis options), and .04 (P.M.-settled SPX and XSP options), and 24.9(e)(4) (Nonstandard Expirations).

[81] See CME Rule 39002.G, available at: http://www.cmegroup.com/rulebook/CME/IV/350/390.pdf.

the same Regular Trading Hours for these options on their last trading day on Cboe Options.[82]

Proposed Rule 6.1(b)(2)(D) provides that the last trading day for MSCI EAFE Index options and MSCI Emerging Markets Index options will be the business day prior to the expiration date of the specific series. MSCI EAFE and MSCI Emerging Markets Index options are p.m.-settled, which means the exercise settlement value of an expiring option is derived from the closing prices of the underlying components on the series expiration date. Each of these indexes consists of components from over 20 countries. Because the components of each of these indexes encompass multiple markets around the world, the components are subject to varying trading hours. For the MSCI EAFE Index, the first components open trading at approximately 6:00 p.m. Eastern time on the prior trading day, and the last components end trading at approximately 12:30 a.m. Eastern time. Similarly, for the MSCI Emerging Markets Index, the first components open trading at approximately 7:00 p.m. Eastern time on the prior trading day, and the last components end trading at approximately 4:30 p.m. Eastern time.

Because trading in various components would end prior to the beginning of MSCI EAFE and Emerging Market Index options Regular Trading Hours (*i.e.*, 9:30 a.m. Eastern time),[83] the closing prices of those components, which would be used to determine the exercise settlement value, would be determined prior to the time when the expiring options may begin trading on the expiration date. This increases the risk of providing liquidity in these products on that date. Generally, the prices of futures on these indexes can be a proxy

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82 See Cboe Options Rule 24.6, Interpretation and Policy .05.

83 Trading in the other components ends at various times throughout the trading day.

for the current level of the applicable index when options on those indexes are trading on the Exchange while the index level is not being disseminated. However, that is not the case on options' expiration dates, as the prices that will be used to determine the exercise settlement value are fixed once trading in the components ends, and thus futures trading prices after trading in those components end have no bearing on the exercise settlement value. Therefore, the Exchange believes it is appropriate to stop trading in expiring MSCI EAFE and Emerging Markets Index options on the business day prior to the expiration date. As proposed, on their last day of trading (the trading day prior to the expiration date), MSCI EAFE and Emerging Markets Index options would trade from 9:30 a.m. through 4:15 p.m. Eastern time. The proposed trading hours for these index options on their last trading day is also the same as the trading hours for those index options on Cboe Options.[84]

Proposed Rule 6.1(b)(2)(E) states with respect to options on a foreign index that is comprised of component securities trading in a single country, the Exchange may determine to not open the options for trading when the component securities of the foreign index are not trading due to a holiday for the foreign exchange(s) on which the component securities trade. The Exchange announces the days on which options on a particular foreign index will be closed at least once a year in January. Current Rule 6.1(c) (proposed Rule 6.1(d)) identifies the days on which the Exchange is not open due to a holiday.[85] Exchanges in foreign countries also have their own holiday schedules.[86]

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84 See Cboe Options Rule 24.6, Interpretation and Policy .05.

85 The Exchange is no open for business on New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day. When any holiday observed by the Exchange falls on a Saturday, the Exchange will not be open for business on the preceding Friday, and when any holiday observed by the Exchange falls on a Sunday, the Exchange will not be open for business on the following Monday,

If the Exchange determines to list for trading options that overlie various foreign indexes,[87] the components of which trade on foreign exchanges, the Exchange proposes to specify in its Rules that the Exchange may determine to not open options on foreign indexes when the component securities of the foreign index are not open for trading due to a holiday on the foreign exchange; however, the Exchange proposes to limit the application of this proposal to options on foreign indexes that are comprised of component securities trading in a single country.[88]

The Exchange may trade options on various foreign indexes after trading in all component securities has closed for the day and the index level is no longer widely disseminated at least once every fifteen seconds, provided that futures on the applicable indexes are trading and prices for those contracts may be used as a proxy for the current index value.[89] For example, the component securities of the FTSE China 50 Index open with the start of trading on the Stock Exchange of Hong Kong ("SEHK") at approximately 9:30 p.m. Eastern time (prior day) and close with the end of trading on the

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unless unusual business conditions exist at the time.

86 See, e.g., Stock Exchange of Hong Kong Holiday Schedule, available at: https://www.hkex.com.hk/eng/market/sec_tradinfo/tradcal/nont10.htm and London Stock Exchange Holiday Schedule, available at: http://www.lseg.com/areas-expertise/our-markets/london-stock-exchange/equities-markets/trading-services/business-days.

87 Pursuant to Cboe Options Rule 24.2, Interpretations .01 through .03, the Exchange may list options on the following foreign indexes: MSCI EAFE Index, MSCI Emerging Markets Index, FTSE Emerging Index, FTSE Developed Europe Index, FTSE 100 Index, and FTSE China 50 Index. As noted above, the Exchange does not currently list options on any of these indexes.

88 When there are multiple exchanges in a single country trading the component securities of a foreign index, the holiday schedule for exchanges within that country are likely to be the same or similar.

89 See Rules 24.2.01(a)(8), 24.2.02(a)(8), and 24.2.03(a)(8).

SEHK at approximately 4:00 a.m. Eastern time (next day). Thus, between 9:30 a.m. and 4:15 p.m. Eastern time, the FTSE China 50 Index level is a static value that market participants can access via data vendors. However, if the Exchange has FTSE China 50 options listed, the Exchange would continue to trade options on the FTSE China 50 Index ("China 50 options") from 9:30 a.m. to 4:15 a.m. Eastern time because prices of the E-Mini FTSE China 50 Index futures trading at the CME may be used as a proxy for the current index value.[90] When SEHK is closed because of a holiday, E-Mini FTSE China 50 Index futures remain open and may still be used as a proxy for the current index value. However, the Exchange may determine to keep China 50 Options (as well as other options on other foreign indexes) closed because of a holiday on SEHK (or the applicable foreign exchange on which the index constituents trade).

For example, SEHK was closed February 5 through 7 of 2019 for the Lunar New York. Although E-Mini FTSE China 50 Index futures can be used as a proxy, the Exchange may have determined that options participants would be better served by keeping China 50 options closed because the holiday caused the underlying index value to be unavailable for an extended period of time.

The Exchange has authority to determine trading hours for index options, and to change them if it determines there are unusual conditions.[91] This proposed rule change simply seeks to add a rule provision to notify market participants that the Exchange may

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90 The trading hours for E-Mini FTSE China 50 Index Futures are from 6:00 p.m. to 5:00 p.m. Eastern time the following day, Sunday through Friday. See E-Mini FTSE China 50 Index Future Contract specifications located at: http://www.cmegroup.com/education/files/e-mini-ftse-china-50-index-futures.pdf. The Exchange believes E-Mini FTSE China 50 Index Futures are an appropriate proxy for China 50 options.

91 See current Rule 6.1(b) (proposed Rule 6.1(b)(2))

determine not to open options on foreign indexes because of a holiday on a foreign exchange. Furthermore, as proposed, the Exchange will announce to market participants via Exchange Notice in January of every year (and more frequently if the Exchange determines that to be necessary) the particular days on which options on particular foreign indexes will not be open due to a holiday on a foreign exchange or exchanges.

Although keeping options trading closed because of a foreign exchange's holidays will cause users of these particular options to not be able to trade when the U.S. market is otherwise open, the closures will only occur a few times a year. Furthermore, users will have sufficient notice of such closures via Exchange Notice that will be published every January. Finally, this proposal may potentially allow users to receive better executions because for certain holidays, such as during the Lunar New Year described above, the closing of the component securities may not allow Market-Makers to quote as tightly and aggressively as they would otherwise. In effect, limiting users' ability to trade particular index options to days on which there is not a holiday on a foreign exchange may better serve users because they will be trading on days in which Market-Makers may potentially provide tighter markets. Additionally, Cboe Options has the same rule.[92]

Pursuant to Chapter 24, Cboe Options Rule 24.7, which sets forth the trading days and hours for index options that may be listed pursuant to Cboe Options Rule 24.2, does not apply to the Exchange. Current Rule 6.32(a) states the Exchange may halt trading in any class in the interests of a fair and orderly market. It also lists factors, among others, the Exchange may consider when determining whether to halt trading in a class. Several factors would apply to any class (*i.e.*, equity or index), such as:

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[92] See Cboe Options Rules 24.6, Interpretation and Policy .06.

- occurrence of an act of God or other event outside the Exchange's control;
- occurrence of a System technical failure or failures including, but not limited to, the failure of a part of the central processing system, a number of Trading Permit Holder trading applications, or the electrical power supply to the System itself or any related system; or
- other unusual conditions or circumstances are present.[93]

Current Rule 6.32(a)(1) and (2) (proposed Rule 6.32((a)(1)(A) and (B)) provides factors the Exchange may consider when consider when determining whether to halt trading in an equity option class. However, there are specific factors the Exchange may consider when determining whether to halt trading in an index option class, and the proposed rule change adds those to proposed Rule 6.32(a)(2):

- the extent to which trading in the stocks or options underlying the index is not occurring;
- the current calculation of the index derived from the current market prices of the stock;
- the "current index level" (which is the implied forward level based on volatility index (security) futures prices) for a volatility is not available or the cash (spot) value for a volatility index is not available[94]; or
- the activation of price limits on futures exchanges or the halt of trading in related futures.

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93 See Rule 6.32(a)(3) – (5) and .

94 The Exchange does not currently list, and has no current plans to list, options on a volatility index.

Rule 6.32 does not restrict the factors the Exchange may consider when determining whether to halt trading in a class; the factors listed in paragraph (a) (currently and as proposed) are examples of factors the Exchange may consider. Therefore, the Exchange already has authority to consider these factors when determining whether to halt trading in an index option class, as changes in these factors would likely be considered unusual circumstances and would likely be considered to determine whether these changes have an impact on a fair and orderly market for the index options. The proposed rule change provides transparency to investors regarding the factors the Exchange may consider when determining to halt trading in an index option class, as Rule 6.32 currently does for equity option classes. Additionally, these factors are listed as factors Cboe Options may consider when determining whether to halt trading in an index option class.[95]

Additionally, proposed Rule 6.32(e) states that when the primary market for a security underlying the current index value of an index option does not open for trading, halts trading prematurely, or otherwise experiences a disruption of normal trading on a given day, or if a particular security underlying the current index option does not open for trading, halts trading prematurely, or otherwise experiences a disruption of normal trading on a given day in its primary market, the price of that security is determined, for the purposes of calculating the current index value at expiration, in accordance with the Rules and By-Laws of The Options Clearing Corporation ("OCC"). Investors who trade index options against the underlying stocks as well as those who trade the index options against index futures generally rely upon the final settlement value of index options

95 See Cboe Options Rule 24.7(a)(ii) and (iii), and Interpretations and Policies .01 and .03.

converging with the corresponding values of the underlying index or index future. Without this convergence, investors may face significant unexpected exposure to market risk. Many public customers and market-makers use index options to hedge "cash" positions they hold in the stocks which make up the index. The Exchange's Rules are currently silent regarding the calculation of the settlement value for an index option if the above circumstances exist. The Exchange believes the proposed rule change provides transparency with the respect to the process the Exchange will use in the event the above circumstances transpire and assures convergence at settlement between the value of index options and index futures and thus minimizes these risks. OCC's Rules and By-Laws provide OCC with broad discretionary authority to adjust settlement values for OCC-cleared index options and futures whenever, and in whatever manner, OCC deems appropriate to avoid a disconnect between the futures and options markets or among the futures markets.[96] Cboe Options has the same provision in its rules.[97]

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act") and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[98] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[99] requirements that the rules of an exchange be designed to prevent

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96 See OCC By-Laws Articles XII, Section 5 and XVII, Section 4; see also Securities Exchange Act Release No. 46561 (September 26, 2002), 67 FR 61943 (October 2, 2002) (SR-OCC-2002-09).

97 See Cboe Options Rule 24.7(e).

98 15 U.S.C. 78f(b).

99 15 U.S.C. 78f(b)(5).

fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[100] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the proposed rule change to adopt Global Trading Hours will remove impediments to and perfect the mechanism of a free and open market and a national market system. Global Trading Hours is a competitive initiative designed to improve the Exchange's marketplace for the benefit of investors. The proposed rule change provides a new investment opportunity within the options trading industry that is consistent with the continued globalization of the securities markets and closer aligns the Exchange's trading hours with extended trading hours of stock exchanges. The Exchange believes the proposed rule change will enhance competition by providing a service to investors that most other options exchanges currently are not providing. The Exchange believes the competition among exchanges ultimately benefits the entire marketplace. Given the robust competition among the options exchanges, innovative trading mechanisms are consistent with the above-mentioned goals of the Exchange Act.

The proposed rule change also provides a mechanism for the Exchange to more effectively compete with exchanges located outside of the United States. Global markets

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[100] Id.

have become increasingly interdepending and linked, both psychologically and through improved communications technology. This has been accompanied by an increased desire among investors to have access to U.S.-listed exchange products outside of Regular Trading Hours, and the Exchange believes this desire extends to its exclusively listed products. The Exchange believes that the proposed rule change is reasonably designed to provide an appropriate mechanism for trading outside of Regular Trading Hours while providing for appropriate Exchange oversight pursuant to the Act, trade reporting, and surveillance.

While only one other options exchange is currently open for trading outside of Regular Trading Hours, the Commission has authorized stock exchanges to be open for trading outside of these hours pursuant to the Act. Additionally, futures exchanges also operate outside of those hours. Thus, the proposed rule change to adopt Global Trading Hours is not novel or unique. The Exchange has currently authorized one class to list for trading during Global Trading Hours. As the proposed rule change is a new Exchange initiative, the Exchange believes it is reasonable to trade a limited number of classes upon implementation for which demand is believed to be the highest during Global Trading Hours.

The vast majority of the Exchange's trading rules will apply during Global Trading Hours in the same manner as during Regular Trading Hours, which rules have all be previously filed with the Commission as being consistent with the goals of the Act. Rules that will apply equally during Global Trading Hours include rules that protect public customers, impose best execution requirements on Trading Permit Holders, and prohibit acts and practices that are inconsistent with just and equitable principles of trade as well as fraudulent and manipulative practices. The proposed rule change also provides opportunities for price improvement during Global Trading Hours and applies the same allocation and priority rules that are available to the Exchange during Regular Trading Hours. The Exchange believes, therefore, that the rules that will apply during Global Trading Hours will continue to promote just and equitable principles of trade and prevent fraudulent and manipulative acts.

The proposed rule change clearly identifies the ways in which trading during Regular Trading Hours will different from trading during Global Trading Hours (such as identifying order types and instructions that will not be available during Global Trading Hours). This ensures that investors are aware of any differences among trading sessions. The Exchange believes the differences are consistent with the expected differences in liquidity, participation, and trading activity between Regular Trading Hours and Global Trading Hours. The flexibility provided to the Exchange to make determinations for each trading session will allow the Exchange to apply settings and parameters to address the different market conditions that may be present during each trading session. Additionally, to further protect investors from any additional risks related to trading during Global Trading Hours, the proposed rule change requires that disclosures be made to customers describing these potential risks. The proposed All Sessions order and RTH Only order will protect investors by permitting investors who do not wish to trade during Global Trading Hours from having orders or quotes execute during those orders. Consistent with the goal of investor protection, the Exchange will not allow market orders during Global Trading Hours due to the expected increased volatility and decreased liquidity during these hours.

Additionally, the Exchange believes that the proposed rule change will foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, as the Exchange will ensure that adequate staffing is available during Global Trading Hours to provide appropriate trading support during those hours, as well as Exchange officials to make any necessary determinations under the rules during Global Trading Hours (such as trading halts and trade nullification for obvious errors). The Exchange is also committed to fulfilling its obligations as a self-regulatory organization at all times, including during Global Trading Hours. The Exchange's surveillance procedures will also be revised to incorporate transactions that occur and orders and quotations that are submitted during Global Trading Hours. The Exchange believes its surveillance procedures are adequate to properly monitor trading in DJX options during Global Trading Hours. Clearing and settlement processes will be the same for Global Trading Hours as they are for Regular Trading Hours transactions.

The proposed rule change further removes impediments to a free and open market and does not unfairly discriminate among market participants, as all Trading Permit Holders with access to the Exchange may trade during Global Trading Hours using the same connection lines, message formats data feeds, and EFIDs they use during Regular Trading Hours, minimizing any preparation efforts necessary to participate during Global Trading Hours. Trading Permit Holders will not be required to trade during Global Trading Hours.

As demonstrated above, while the proposed rule change increases the total time during which a Market-Maker with a DJX appointment must quote, this increase is de minimis given that a Market-Maker's compliance with its continuous quoting obligation is based on all classes in which it has an appointment in the aggregate. Selecting an appointment in DJX options will be optional and within the discretion of a Market-Maker. Additionally, the Exchange is providing Market-Makers with the opportunity to quote during GTH (and receive the benefits of acting as a Market-Maker with respect to transactions it effects during that time) without obtaining an additional Trading Permit or creating additional connections to the Exchange (as is required on Cboe Options). The Exchange believes Market-Makers will have an incentive to quote in DJX options during Global Trading Hours given the significance of the Dow Jones Industrial Average within the financial markets, the expected demand, and given that the stocks underlying the index are also trading during those hours (which may permit execution of certain hedging strategies). Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. The Exchange believes that the slight additional burden of extending the continuous quoting obligation to the GTH trading session in one class is outweighed by the Exchange's efforts to add liquidity in All Sessions classes, the minimal preparation a Market-Maker may require to participate in the GTH trading session, and the benefits to investors that may result from that liquidity. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations.

The proposed rule change is also consistent with Section 11A of the Act and Regulation NMS thereunder, because it provides for the dissemination of transaction and quotation information during Global Trading Hours through OPRA, pursuant to the

OPRA Plan, which Commission approved and indicated to be consistent with the Act. While Section 11A and Regulation NMS contemplate an integrated system for trading securities, they also envision competition between markets, and innovation that provides marketplace benefits to attract order flow to an exchange does not result in unfair competition if other markets are free to compete in the same manner.[101]

The proposed rule change will remove impediments to and perfect the mechanism of a free and open market and a national market system because, as noted above, another options exchange currently offers a Global Trading Hours session.[102] While there are some differences among the proposed rule change and the Cboe Options Global Trading Hours session, such as the length of the session (Cboe Options GTH trading session begins at 3:00 a.m. and the proposed Exchange GTH trading session begins at 8:30 a.m.), the participation (while all TPHs on Cboe Options will have the opportunity to participate, as all TPHs on the Exchange will, Cboe Options requires TPHs to obtain a separate GTH trading permit, log-ins, and Market-Maker appointments to participate in GTH while the Exchange will not), the proposed Exchange GTH trading session is similar to the Cboe Options GTH trading session.

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101 See Exchange Act Release Nos. 73704 (November 28, 2014), 79 FR 72044 (December 4, 2014) (SR-CBOE-2014-062) (approval of proposed rule change for Cboe Options to extend its trading hours outside of Regular Trading Hours); and 29237 (May 24, 1991), 46 FR 24853 (May 31, 1991) (SR-NYSe-1990-052 and SR-NYSE-1990-053) (approval of proposed rule change for NYSE to extend its trading hours outside of Regular Trading Hours). The Exchange also notes that no other U.S. options exchange provides for trading DJX options outside of Regular Trading Hours, so there is currently no need for intermarket linkage during Global Trading Hours. If another Cboe Affiliated Exchange lists DJX options outside of Regular Trading Hours, trading of DJX options on the Exchange would comply with linkage rules.

102 See Cboe Options Rules 6.1 and 6.1A.

The Exchange believes the proposed rule change to adopt an opening auction will protect investors, because it will enhance the openings of series on the Exchange by providing an opportunity for price discovery based on then-current market conditions. The proposed Queuing Period is substantively the same as the current Order Entry Period on the Exchange. The proposed detail regarding the Queuing Period provide additional transparency regarding the handling of orders and quotes submitted during that time, and will thus benefit investors. The proposed rule change, including orders that are not permitted during the Queuing Period or orders that are not eligible to trade during the opening rotation, is also similar to the pre-opening period on Cboe Options.[103]

The proposed rule change will protect investors by ensuring they have access to information regarding the opening of a series, which will provide them with transparency that will permit them to participate in the opening auction process and contribute to, and benefit from, the price discovery the auction may provide. The proposed opening auction updates are not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers, as all market participants may subscribe to the Exchange's data feeds that deliver these message, and thus all market participants may have access to this information.

The proposed opening rotation triggers are substantially similar to the current events that will trigger series openings on the Exchange. The proposed trigger events will remove impediments to and perfect the mechanism of a free and open market and a

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[103] See Cboe Options Rule 6.2(a). Cboe Options provides a longer pre-opening period than the proposed rule change. However, the Exchange is not proposing to change the time at which it begins to accept orders and quotes, believes the time period is sufficient for market participants to submit orders and quotes to participate in the opening rotation.

national market system, as they ensure that during Regular Trading Hours, the underlying securities will have begun trading, or the underlying index values will have begun being disseminated, before the System opens a series for trading. As this information will not be available during Global Trading Hours, the Exchange believes it is appropriate to begin the opening rotation for Global Trading Hours at a specified time (as Cboe Options does).

The proposed Maximum Composite Width Check and Opening Collar will protect investors by providing price protection measures to prevent orders from executing at extreme prices at the open. The Exchange believes it is appropriate to open a series under the proposed circumstances and provide marketable orders with an opportunity to execute at a reasonable opening price (as discussed below), because there is minimal risk of execution at an extreme price. These proposed price protections incorporate all available pricing information, including Market-Maker bulk messages (which are generally used to price markets for series) and any quotes disseminated from away markets, and thus may lead to a more accurate Opening Trade Price based on then-current market conditions. As noted above, Cboe Options applies similar price protections during its opening rotation. Cboe Options similarly considers Market-Maker quotes (the equivalent of Market-Maker bulk message on the Exchange), and in certain classes, quotes of away exchanges, and whether there are crossing orders or quotes when determining whether the opening width and trade price are reasonable. The Exchange proposes to calculate the maximum width and opening price range in a different, but reasonable manner intended to ensure a fair and orderly opening.

The proposed priority with respect to trades during the opening rotation are consistent with current priority principles that protect investors, which are to provide priority to more aggressively priced orders and quotes. Orders and quotes will be subject to the same allocation algorithms that the Exchange may apply during the trading day. The proposed priority and allocation of orders and quotes at the opening trade is substantially similar to the priority and allocation of orders and quotes at the opening of Cboe Options.[104]

The Exchange believes the proposed opening auction process is designed to ensure sufficient liquidity in a series when it opens and ensure series open at prices consistent with then-current market conditions, and thus will ensure a fair and orderly opening process. Additionally, as noted above, the proposed opening auction process is substantially similar to the opening auction process of Cboe Options.[105] As described above and below, the differences between proposed Rule 6.11 and Cboe Options Rule 6.2 primarily relate to differences between the exchanges, including functionality Cboe Options offers that the Exchange does not and products Cboe Options lists for trading that the Exchange does not.

The proposed rule change to add trading hours for certain index options will protect investors by providing transparency to the Rules regarding the trading hours of these index options in the event the Exchange determines to list them for trading. As noted above, the Exchange has the authority to list these options pursuant to Chapter 24,

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[104] See Cboe Options Rule 6.2(c)(i)(C) and Interpretation and Policy .04.

[105] See Cboe Options Rule 6.2.

but currently does not and has no current plans to do so. Therefore, the proposed rule change has no impact on current trading of index options.

The proposed rule change regarding the last trading day for A.M.-settled index options will remove impediments to and perfect the mechanism of a free and open market and a national market system, because it clarifies current trading hours for these options and are the same trading hours for A.M.-settled index options on Cboe Options.[106]

The proposed trading hours for Cboe S&P 500 AM/PM Basis options, index options with Nonstandard Expirations and Quarterly Expirations, SPX options that are p.m.-settled, and XSP options that are p.m.-settled protects investors by preventing continue trading on a product after the exercise settlement value has been fixed, thus eliminating potential confusion. Additionally, these are the same trading hours for these series of options on Cboe Options.[107]

The proposed rule change regarding the trading hours for FTSE Developed Europe Index Options on their last trading day will protect investors, because it will eliminate pricing risk for liquidity providers on the last day of trading of expiring options in these products. The proposed hours align the trading hours of expiring FTSE Developed Europe Index options with expiring FTSE Developed Europe Index futures. FTSE Developed Europe Index futures trade on CME and stop trading at 10:30 a.m. (Chicago time) on the third Friday of the futures contract month.[108] Additionally, these

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106 See Cboe Options Rule 24.9(a)(4).

107 See Cboe Options Rules 24.6, Interpretations and Policies .01 (QIXs), .03 (Cboe S&P 500 AM/PM Basis options), and .04 (P.M.-settled SPX and XSP options), and 24.9(e)(4) (Nonstandard Expirations).

108 See CME Rule 39002.G, available at: http://www.cmegroup.com/rulebook/CME/IV/350/390.pdf.

are the same Regular Trading Hours for these options on their last trading day on Cboe Options.[109]

The proposed rule change regarding the last trading day for MSCI EAFE and Emerging Markets Index options will protect investors, because it will eliminate pricing risk for liquidity providers on the last trading day of expiring series in these products. The Exchange expects reduced liquidity on expiration dates of expiring EAFE and EM series due to the pricing risk associated with providing liquidity after the components whose closing prices will be used to determine the exercise settlement value of expiring options have stopped trading. Market-Makers and other liquidity providers generally price EAFE and EM options using the disseminated index values and data from the markets on which the components trade. As noted above, when these markets are not trading during U.S. trading hours, these liquidity providers price the options using prices of futures trading on the MSCI EAFE and EM indexes. While those futures prices can serve as a proxy for the index value, they cannot serve as a proxy for the settlement value on the expiration date for the options. This is because the futures pricing is intended to represent the then-current index value, but does not incorporate the closing prices of the components that will be used to determine the settlement value. This creates risk for Market-Makers and other liquidity providers, as they have no data they can use to price the expiring options based on the ultimate settlement value. This may result in trades at prices inconsistent with the settlement value of those options. The proposed rule change removes impediments to and perfects the mechanism of a free and open market by eliminating this pricing risk for liquidity providers on the last trading day of expiring

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109 See Cboe Options Rule 24.6, Interpretation and Policy .05.

series in these products. The Exchange believes this may encourage additional liquidity providers to participate on the last trading of expiring series, which may provide more competitive pricing and additional trading opportunities for expiring series, and ultimately benefits investors. Additionally, this is the same last trading for expiring series in these products as Cboe Options.[110]

The proposed rule change regarding not opening options on foreign indexes for trading when component securities are not trading will remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest by (1) limiting users' ability to trade particular index options to days on which there is not a holiday on a foreign exchange because doing so allows users of these index options to trade on days in which Market-Makers may potentially provide tighter markets and (2) providing a mechanism for notifying market participants of the days on which options on a particular foreign index will not be open due to a holiday on the foreign exchange(s) on which the index constituents trade. Additionally, Cboe Options has the same provision in its Rules.[111]

The proposed rule change is generally intended to align system functionality currently offered by the Exchange with Cboe Options functionality in order to provide a consistent technology offering for the Cboe Affiliated Exchanges. A consistent technology offering, in turn, will simplify the technology implementation, changes, and maintenance by Users of the Exchange that are also participants on Cboe Affiliated Exchanges. The Exchange believes this consistency will promote a fair and orderly

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110 See Cboe Options Rule 24.6, Interpretation and Policy .05.

111 See Cboe Options Rule 24.6, Interpretation and Policy .06.

national options market system. When Cboe Options migrates to the same technology as that of the Exchange and other Cboe Affiliated Exchanges, Users of the Exchange and other Cboe Affiliated Exchanges will have access to similar functionality on all Cboe Affiliated Exchanges. As such, the proposed rule change would foster cooperation and coordination with persons engaged in facilitating transactions in securities and would remove impediments to and perfect the mechanism of a free and open market and a national market system.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange does not believe that the proposed rule change to adopt Global Trading Hours will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because all Trading Permit Holders will be able, but not be required, to participate during Global Trading Hours, and will be able to do so using the same connectivity as they use during Regular Trading Hours. Participation in GTH will be voluntary and within the discretion of TPHs. While the proposed rule change increases the total time during which a Market-Maker with a DJX appointment must quote, this increase is de minimis given that a Market-Maker's compliance with its continuous quoting obligation is based on all classes in which it has an appointment in the aggregate. Selecting an appointment in DJX options will be optional and within the discretion of a Market-Maker. Additionally, the Exchange is providing Market-Makers with the opportunity to quote during GTH (and receive the benefits of acting as a Market-Maker with respect to transactions it effects during that time) without obtaining an additional Trading Permit or creating additional connections to the Exchange (as is required on Cboe Options). Extending a Market-Maker's appointment to Global Trading Hours will enhance liquidity during that trading session, which benefits all investors during those hours. The Exchange believes that the slight additional burden of extending the continuous quoting obligation to the GTH trading session in one class is outweighed by the Exchange's efforts to add liquidity in All Sessions classes, the minimal preparation a Market-Maker may require to participate in the GTH trading session, and the benefits to investors that may result from that liquidity. Therefore, the Exchange believes the proposed rule change provides customer trading interest with a net benefit, and continues to maintain a balance of Market-Maker benefits and obligations.

The Exchange does not believe that the proposed rule change to adopt Global Trading Hours will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because the proposed rule change is competitive initiative that will benefit the marketplace and investors. The Exchange believes the proposed rule change will enhance competition by providing a service to investors that only one other options exchange current provides. Additionally, all options exchanges are free to compete in the same manner. The Exchange further believes that the same level of competition among options exchanges will continue during Regular Trading Hours. Because the Exchange proposes to make only exclusively listed products available for trading during Global Trading Hours, and because any All Sessions orders that do not trade during GTH will be eligible to trade during the RTH trading session in the same manner as all other orders during Regular Trading Hours, the proposed rule change will have no effect on the national best prices or trading during Regular Trading Hours. The Exchange also believes the proposed rule change could increase its competitive position outside of the United States by providing investors with an additional investment vehicle with respect to their global trading strategies during times that correspond with parts of regular trading hours outside of the United States.

The Exchange does not believe that the proposed rule change to adopt an opening auction process will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because it will apply to orders and quotes of all market participants in the same manner. The same order types that are not currently accepted prior to the opening, and that do not participate in the opening process, will similarly not be accepted during the Queuing Period or be eligible for trading during the opening rotation.

The Exchange does not believe that the proposed rule change to adopt an opening auction process will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because it is designed to open series on the Exchange in a fair and orderly manner. The Exchange believes an opening auction process will enhance the openings of series on the Exchange by providing an opportunity for price discovery based on then-current market conditions. The proposed auction process will provide an opportunity for price discovery when a series opens ensure there sufficient liquidity in a series when it opens, and ensure series open at prices consistent with then-current market conditions (at the Exchange and other exchanges) rather than extreme prices that could result in unfavorable executions to market participants. Additionally, as discussed above, the proposed opening auction process is substantially similar to the Cboe Options opening auction process.[112]

The Exchange believes the proposed rule change regarding trading hours for index options will not impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because those trading hours will apply to all market participants that elect to trade in those options. If the Exchange determines in the future to list these index options for trading, trading in these index options would be in the discretion of market participants. The Exchange believes the proposed rule change will not impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because the proposed trading hours for these index options are the same as those on another options exchange.[113]

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

A. significantly affect the protection of investors or the public interest;

B. impose any significant burden on competition; and

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112 See Cboe Options Rule 6.2.

113 See Cboe Options Rules 24.6 and 24.9(e)(4).

C. become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate,

it has become effective pursuant to Section 19(b)(3)(A) of the Act[114] and Rule 19b-4(f)(6)[115] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic comments:

- Use the Commission's Internet comment form (http://www.sec.gov/rules/sro.shtml); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-C2-2019-009 on the subject line.

Paper comments:

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090.

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114 15 U.S.C. 78s(b)(3)(A).

115 17 CFR 240.19b-4(f)(6).

All submissions should refer to File Number SR-C2-2019-009. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet website (http://www.sec.gov/rules/sro.shtml). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, D.C. 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-C2-2019-009 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[116]

Secretary

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[116] 17 CFR 200.30-3(a)(12).

EXHIBIT 5

(additions are underlined; deletions are [bracketed])

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Rules of Cboe C2 Exchange, Inc.

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Rule 1.1. Definitions

All Sessions Classes

The term "All Sessions classes" mean the options classes the Exchange lists for trading during both GTH and RTH.

* * * * *

Book [or]and Simple Book

The terms "Book" [or]and "Simple Book" mean the electronic book of simple orders and quotes maintained by the System on which orders and quotes may execute during the applicable trading session. The Book during GTH may be referred to as the "GTH Book," and the Book during RTH may be referred to as the "RTH Book."

* * * * *

Business Day and Trading Day

The terms "business day" and "trading day" mean a day on which the Exchange is open for trading during Regular Trading Hours. A business day or trading day includes both trading sessions on that day. If the Exchange is not open for Regular Trading Hours on a day, then it will not be open for Global Trading Hours on that day.

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Global Trading Hours and GTH

The terms "Global Trading Hours" and "GTH" mean the trading session consisting of the hours outside of Regular Trading Hours during which transactions in options may be effected on the Exchange and are set forth in Rule 6.1.

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Market Close

The term "market close" means the time the Exchange specifies for the end of a trading session on the Exchange on that trading day.

Market Open

The term "market open" means the time the Exchange specifies for the start of a trading session on the Exchange on that trading day.

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Regular Trading Hours and RTH

The terms "Regular Trading Hours" and "RTH" mean the trading session consisting of the regular hours during which transactions in options may be effected on the Exchange and are set forth in Rule 6.1.

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RTH Classes

The term "RTH classes" means the options classes the Exchange lists for trading during RTH only.

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Trading Session

The term "trading session" means the hours during which the Exchange is open for trading for Regular Trading Hours or Global Trading Hours (each of which may referred to as a trading session), each as set forth in Rule 6.1. Unless otherwise specified in the rules or the context otherwise indicates, all Rules apply in the same manner during each trading session.

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Rule 1.2. Exchange Determinations

(a) The Exchange announces to Trading Permit Holders all determinations it makes pursuant to the Rules via:

([a]1) specifications, Notices, or Regulatory Circulars with appropriate advanced notice, which will be posted on the Exchange's website, or as otherwise provided in the Rules;

([b]2) electronic message[,]; or

([c]3) other communication method as provided in the Rules.

(b) To the extent the Rules allow the Exchange to make a determination, including on a class-by-class or series-by-series basis, the Exchange may make a determination for GTH that differs from the determination it makes for RTH.

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Rule 3.19. GTH Customer Disclosure

No Trading Permit Holder may accept an order from a customer for execution during Global Trading Hours without disclosing to that customer that trading during Global Trading Hours involves material trading risks, including the possibility of lower liquidity, high volatility, changing prices, an exaggerated effect from news announcements, wider spreads, the absence of an updated underlying index or portfolio value or intraday indicative value and lack of regular trading in the securities underlying the index or portfolio and any other relevant risk. The disclosures required pursuant to this Rule may take the following form or such other form as provides substantially similar information:

(a) Risk of Lower Liquidity. Liquidity refers to the ability of market participants to buy and sell securities. Generally, the more orders and quotes that are available in a market, the greater the liquidity. Liquidity is important because with greater liquidity it is easier for investors to buy or sell securities, and as a result, investors are more likely to pay or receive a competitive price for securities purchased or sold. There may be lower liquidity during Global Trading Hours as compared to Regular Trading Hours, including fewer Market-Makers quoting during Global Trading Hours. As a result, your order may only be partially executed, or not at all.

(b) Risk of Higher Volatility. Volatility refers to the changes in price that securities undergo when trading. Generally, the higher the volatility of a security, the greater its price swings. There may be greater volatility during Global Trading Hours as compared to Regular Trading Hours. As a result, your order may only be partially executed, or not at all, or you may receive an inferior price during Global Trading Hours as compared to Regular Trading Hours.

(c) Risk of Changing Prices. The prices of securities traded during Global Trading Hours may not reflect the prices either at the end of Regular Trading Hours, or upon the opening of Regular Trading Hours the next business day. As a result, you may receive an inferior price during Global Trading Hours as compared to Regular Trading Hours.

(d) Risk of News Announcements. Normally, issuers make news announcements that may affect the price of their securities after Regular Trading Hours. Similarly, important financial information is frequently announced outside of Regular Trading Hours. These announcements may occur during Global Trading Hours, and if combined with lower liquidity and higher volatility, may cause an exaggerated and unsustainable effect on the price of a security.

(e) Risk of Wider Spreads. The spread refers to the difference between the price for which you can buy a security and the price for which you can sell it. Lower liquidity and higher volatility during Global Trading Hours may result in wider than normal spreads for a particular security.

(f) Risk of Lack of Calculation or Dissemination of Underlying Index Value or Intraday Indicative Value ("IIV") and Lack of Regular Trading in Securities Underlying Indexes. For certain products, an updated underlying index or portfolio value or IIV will not be calculated or publicly disseminated during Global Trading Hours. Since the underlying index or portfolio value and IIV are not calculated or widely disseminated during Global Trading Hours, an investor who is unable to calculate implied values for certain products during Global Trading Hours may be at a disadvantage to market professionals. Additionally, securities underlying the indexes or portfolios will not be regularly trading as they are during Regular Trading Hours, or may not be trading at all. This may cause prices during Global Trading Hours to not reflect the prices of those securities when they open for trading.

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Rule 6.1. Days and Hours of Business

(a) *Acceptance of Orders and Quotes.* The System accepts orders and quotes at the times set forth in Rule 6.9.

(b) *Regular Trading Hours.*

(1) *Equity Options.* Except as otherwise set forth in the Rules or under unusual conditions as may be determined by the Exchange, Regular Trading Hours for [T]transactions in equity options (including options on individual stocks, ETFs, ETNs, and other securities) are the normal business days and hours set forth in the rules of the primary market currently trading the securities underlying the options [may be made on the Exchange from 9:30 a.m. to 4:00 p.m.], except for option contracts on ETFs, ETNs, [Index Options, Units, Index-Linked Exchangeable Notes,] Index Portfolio Shares, Index Portfolio Receipts, and Trust Issued Receipts the Exchange designates to remain open for trading beyond 4:00 p.m. but no later than 4:15 p.m.

(2) *Index Options.* Except as otherwise set forth in the Rules or under unusual conditions as may be determined by the Exchange, Regular Trading Hours for transactions in index options are from 9:30 a.m. to 4:15 p.m., except for index options the Exchange designates to remain open for trading until 4:00 p.m.

(A) The last trading day for A.M.-settled index options is the business day prior to the expiration date of the specific series.

(B) On their last trading day, Regular Trading Hours for the following options are from 9:30 a.m. to 4:00 p.m.:

Cboe S&P 500 AM/PM Basis options

Index Options with Nonstandard Expirations (*i.e.*, Weeklys and EOMs) and Quarterly Expirations (*i.e.*, QIXs)

SPX options (p.m.-settled)

XSP options (p.m.-settled)

(C) On their last trading day, Regular Trading Hours for expiring FTSE Developed Europe Index options are from 9:30 a.m. to the closing time of the London Stock Exchange, which is usually 11:30 a.m.

(D) The last trading day for the following options is the business day prior to the expiration date of the specific series:

MSCI EAFE Index options

MSCI Emerging Markets Index options

(E) With respect to options on a foreign index that is comprised of component securities trading in a single country, the Exchange may determine to not open the options for trading when the component securities of the foreign index are not trading due to a holiday for the foreign exchange(s) on which the component securities trade. The Exchange announces the days on which options on a particular foreign index will be closed at least once a year in January.

(c) *Global Trading Hours.* Except under unusual conditions as may be determined by the Exchange, Global Trading Hours are from 8:30 a.m. to 9:15 a.m. on Monday through Friday.

(1) *Classes.* The Exchange may designate as eligible for trading during Global Trading Hours any exclusively listed index option designated for trading under Cboe Options Rule 24.2. Currently, options on the Dow Jones Industrial Average (DJX) are approved for trading during Global Trading Hours.

(2) *Series.* The Exchange may list for trading during Global Trading Hours any series in eligible classes that it may list pursuant to Cboe Options Rule 24.9. Any series in eligible classes that are expected to be open for trading during Regular Trading Hours will be open for trading during Global Trading Hours on that same trading day (subject to Rule 6.11 and Cboe Options Rule 24.13).

(3) *Index Values.* No current index value underlying an index option trading during Global Trading Hours is disseminated during or at the close of that trading session.

[(b) Except as set forth in paragraph (a) above or under unusual conditions as may be determined by the Exchange, hours during which transactions in options on individual stocks may be made on the Exchange correspond to the normal business days and hours set forth in the rules of the primary market currently trading the stocks underlying Exchange options.]

([c]d) *Holidays.* The Exchange is not open for business on New Year's Day, Martin Luther King, Jr. Day, Presidents' Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, or Christmas Day. When any holiday observed by the Exchange falls on a Saturday, the Exchange is not open for business on the preceding Friday, and when any holiday observed by the Exchange falls on a Sunday, the Exchange is not open for business on the following Monday, unless unusual business conditions exist at the time.

* * * * *

Rule 6.9. Entry and Cancellation of Orders

Users can enter orders into the System[, or cancel previously entered orders,] from 7:30 a.m. until market close, and cancel previously entered orders, subject to the following requirements and conditions:

(a) – (d) No change.

(e) After the RTH market close, Users may cancel orders with Time-in-Force of GTC or GTD that remain on the book until 4:45 p.m.

Rule 6.10. Availability of Orders

(a) *Availability.* [T]Unless otherwise specified in the Rules or the context indicates otherwise, the Exchange [may] determines which of the following [to make certain] order types, Order Instructions, and Times-in-Force [not]are available on a class, system, or trading session basis [for all Exchange systems or classes]. Rule 6.13 sets forth the order types, Order Instructions, and Times-in-Force the Exchange may make available for complex orders.

(b) *Order Types.* An order may be either a limit or market order:

* * * * *

Market Order

A "market order" is an order to buy or sell a stated number of option contracts at the best price available at the time of execution. Users may not designate a market order as All Sessions. Bulk messages may not be market orders.

(c) *Order Instructions.* An "Order Instruction" is a processing instruction a User may apply to an order or quote (multiple instructions may apply to a single order), subject to the restrictions set forth in Rule 6.8(c) with respect to orders and bulk messages submitted through bulk ports and any other restrictions set forth in the Rules, when entering it into the System and includes:

* * * * *

All Sessions

An "All Sessions" order is an order a User designates as eligible to trade during both GTH and RTH. An unexecuted All Sessions order on the GTH Book at the end of a GTH trading session enters the RTH Queuing Book and becomes eligible for execution during the RTH opening rotation and trading session on that same trading day, subject to a User's instructions.

* * * * *

RTH Only

An "RTH Only" order is an order a User designates as eligible to trade only during RTH or not designated as All Sessions. An unexecuted RTH Only order with a Time-in-Force of GTC or GTD on the RTH Book at the end of an RTH trading session enters the RTH Queuing Book and becomes eligible for execution during the RTH opening rotation and trading session on the following trading day (but not during the GTH trading session on the following trading day), subject to a User's instructions.

Stop (Stop-Loss)

A "Stop (Stop-Loss)" order is an order to buy (sell) that becomes a market order when the consolidated last sale price (excluding prices from complex order trades if outside of the NBBO) or NBB (NBO) for a particular option contract is equal to or above (below) the stop price specified by the User. Users may not designate a Stop order as All Sessions. Users may not designate bulk messages as Stop [O]orders.

Stop Limit

A "Stop-Limit" order is an order to buy (sell) that becomes a limit order when the consolidated last sale price (excluding prices from complex order trades if outside the NBBO) or NBB (NBO) for a particular option contract is equal to or above (below) the stop price specified by the User. Users may not designate a Stop Limit order as All Sessions. Users may not designate bulk messages as Stop Limit [O]orders.

* * * * *

(d) *Time-in-Force.* A "Time-in-Force" means the period of time the System holds an order, subject to the restrictions set forth in Rule 6.8(c) with respect to bulk messages submitted through bulk ports, for potential execution, and includes:

Day

The term "Day" means, for an order so designated, an order that, if not executed, expires at the RTH market close. All bulk messages have a Time-in-Force of Day as set forth in Rule 6.8(c).

* * * * *

Rule 6.11. Opening Auction Process

(a) *[Opening Process.]Definitions.* For purposes of the opening auction process in this Rule 6.11, the following terms have the meaning below. A term defined elsewhere in the Rules has the same meaning with respect to this Rule 6.11, unless otherwise defined below.

Composite Market

The term "Composite Market" means the market for a series comprised of (1) the higher of the then-current best appointed Market-Maker bulk message bid on the Queuing Book and the ABB (if there is an ABB) and (2) the lower of the then-current best appointed Market-Maker bulk message offer on the Queuing Book and the ABO (if there is an ABO). The term "Composite Bid (Offer)" means the bid (offer) used to determine the Composite Market.

Composite Width

The term "Composite Width" means the width of the Composite Market (*i.e.*, the width between the Composite Bid and the Composite Offer) of a series.

Maximum Composite Width

The term "Maximum Composite Width" means the amount that the Composite Width of a series may generally not be greater than for the series to open (subject to certain exceptions set forth in subparagraph (e)(1)). The Exchange determines this amount on a class and Composite Bid basis, which amount the Exchange may modify during the opening auction process (which modifications the Exchange disseminates to all subscribers to the Exchange's data feeds that deliver opening auction updates).

Opening Auction Updates

The term "opening auction updates" means Exchange-disseminated messages that contain information regarding the expected opening of a series based on orders and quotes in the Queuing Book for the applicable trading session and, if applicable, the GTH Book, including the expected opening price, the then-current cumulative size on each side at or more aggressive than the expected opening price, and whether the series would open (and any reason it would not open).

Opening Collar

The term "Opening Collar" means the price range that establishes limits at or inside of which the System determines the Opening Trade Price for a series. The Exchange determines the width of this price range on a class and Composite Bid basis, which range the Exchange may modify during the opening auction process (which modifications the Exchange disseminates to all subscribers to the Exchange's data feeds that deliver opening auction updates).

Opening Trade Price

The term "Opening Trade Price" means the price at which the System executes opening trades in a series during the opening rotation.

Queuing Book

The term "Queuing Book" means the book into which Users may submit orders and quotes (and onto which GTC and GTD orders remaining on the Book from the previous trading session or trading day, as applicable, are entered) during the Queuing Period for participation in the applicable opening rotation. Orders and quotes on the Queuing Book may not execute until the opening rotation. The Queuing Book for the GTH opening auction process may be referred to as the "GTH Queuing Book," and the Queuing Book for the RTH opening auction process may be referred to as the "RTH Queuing Book."

Queuing Period

The term "Queuing Period" means the time period prior to the initiation of an opening rotation during which the System accepts orders and quotes in the Queuing Book for participation in the opening rotation for the applicable trading session.

(b) [(1) *Order Entry]Queuing Period.*

(1) *Time.* The Queuing Period begins at [System accepts orders and quotes (including GTC and GTD orders remaining on the Book from the previous trading day) for inclusion in the opening process (the "Opening Process") beginning at] 7:30 a.m. for all classes.[and continues to accept market and limit orders and quotes until the time when the System initiates the Opening Process in that option series (the "Order Entry Period").]

(2) *Orders and Quotes.* Orders and quotes on the Queuing Book are not eligible for execution until the opening rotation pursuant to paragraph (e) below. The System accepts all orders and quotes that are available for a class and trading session pursuant to Rule 6.10(a) during the Queuing Period, which are all eligible for execution during the opening rotation, except as follows:

(A) [T]the System [does not accept]rejects IOC [or]and FOK orders [prior to the completion of the Opening Process]during the Queuing Period.

(B) [T]the System accepts [but does not enforce]orders and quotes with MTP Modifiers during the Queuing Period, but does not enforce them during the [O]opening [Process]rotation.

(C) the System accepts stop and stop-limit orders during the Queuing Period, but they do not participate in the opening rotation. The System enters any of these orders it receives during the Queuing Period into the Book following completion of the opening rotation (in time priority).

(D) the System converts all ISOs received prior to the completion of the opening rotation into non-ISOs.

(E) [C]complex orders do not participate in the [O]opening [Process]auction described in this Rule 6.11 and instead may participate in the COB Opening Process pursuant to Rule 6.13(c). [The System converts all ISOs received prior to the completion of the Opening Process into non-ISOs. Orders entered during the Order Entry Period are not eligible for execution until the opening trade occurs pursuant to subparagraph (4) below.]

(c) *Opening Auction Updates.* Beginning at a time (determined by the Exchange) no earlier than one hour prior to the expected initiation of the opening rotation for a trading session and until the conclusion of the opening rotation for a series, the Exchange disseminates opening auction updates for the series. The Exchange disseminates opening auction updates at regular intervals of time (the length of which the Exchange determines for each trading session), or less frequently if there are no updates to the opening information since the previously disseminated update, to all subscribers to the Exchange's data feeds that deliver these messages until a series opens.

(d) *Opening Rotation Triggers.* Upon the occurrence of one of the following triggers for a class, the System initiates the opening rotation for the series in that class, and the Exchange disseminates a message to market participants indicating the initiation of the opening rotation.

(1) *Regular Trading Hours.* After a time period (which the Exchange determines for all classes) following the System's observation after 9:30 a.m. of the first disseminated (A) transaction price for the security underlying an equity option or (B) index value for the index underlying an index option, the System initiates the opening rotation.[:

(A) following the first transaction in the securities underlying the options on the primary market that is disseminated ("First Listing Market Transaction") after 9:30 a.m. with respect to equity options, or

(B) following 9:30 a.m. with respect to index options,

the, staggered over regular intervals of time (the Exchange determines the length and number of these intervals for all classes) pursuant to subparagraphs (2) through (5).]

(2) *Global Trading Hours.* At 8:30 a.m., the System initiates the opening rotation.

[(2) *Opening Price.*

(A) *Equity Options.* The System determines a single price at which a particular equity option series will be opened (the "Opening Price") within 30 seconds of the First Listing Market Transaction. If there are no contracts in a series that would execute at any price, the System opens the series for trading without determining an Opening Price. The Opening Price, if valid pursuant to subparagraph (3), of a series will be:

(i) if there is both an NBB and an NBO, the midpoint of the NBBO (if the midpoint is a half increment, the System rounds down to the nearest minimum increment) (the "NBBO Midpoint");

(ii) if the NBBO Midpoint is not a valid price, the last disseminated transaction price in the series after 9:30 a.m. (the "Last Print"); or

(iii) if the NBBO Midpoint and the Last Print are not valid prices, the last disseminated transaction in the series from the previous trading day (the "Previous Close").

If the NBBO Midpoint, Last Print, and Previous Close are not valid, the Exchange in its discretion may extend the Order Entry Period by up to 30 seconds or open the series for trading.

(B) Index Options. The System determines the Opening Price within 30 seconds of an away options exchange(s) disseminating a quote in a series. Following an away options exchange's dissemination of a quote in a series, if there are no contracts in a series that would execute at any price, the System opens the series for trading without determining an Opening Price. The Opening Price, if valid pursuant to subparagraph (3), of a series will be the NBBO Midpoint. If the NBBO Midpoint is not valid, the Exchange in its discretion may extend the Order Entry Period by up to 30 seconds or open the series for trading.

(3) *Validating the Opening Price.* For purposes of subparagraph (a)(2):

(A) the NBBO Midpoint and, for equity options, the Last Print or the Previous Close, is a valid price if it is not outside the NBBO, and the price is no more than the following Minimum Amount away from the NBB or NBO for the series:

NBB	**Minimum Amount**
Below $2.00	$0.25
$2.00 to $5.00	$0.40
Above $5.00 to $10.00	$0.50
Above $10.00 to $20.00	$0.80
Above $20.00 to $50.00	$1.00
Above $50.00 to $100.00	$1.50
Above $100.00	$2.00

and

(B) for equity options, the Last Print or Previous Close is a valid price if there is no NBB and no NBO, or there is a NBB (NBO) and no NBO (NBB) and the price is equal to or greater (less) than the NBB (NBO).]

(e) *Opening Rotation.* After the System initiates the opening rotation for a series pursuant to paragraph (d) above, the System conducts the opening rotation as follows.

(1) *Maximum Composite Width Check.*

(A) If the Composite Width of a series is less than or equal to the Maximum Composite Width, the series is eligible to open (and the System determines the Opening Trade Price pursuant to subparagraph (2) below).

(B) If the Composite Width of a series is greater than the Maximum Composite Width, but there are (i) no non-M Capacity (a) market orders or (b) buy (sell) limit orders with prices higher (lower) than the Composite Bid (Offer) and (ii) no locked or crossed orders or quotes, the series is eligible to open (and the System determines the Opening Trade Price pursuant to subparagraph (2) below).

(C) If the conditions in neither subparagraph (A) nor (B) are satisfied for a series, the series is ineligible to open. The Queuing Period for the series continues (including the dissemination of opening auction updates) until one of the conditions in subparagraph (A) or (B) for the series is satisfied, or the Exchange opens the series pursuant to paragraph (h).

(2) *Opening Trade Price Determination.* After a series satisfies the Maximum Composite Width Check in subparagraph (1), the System determines the Opening Trade Price for the series.

(A) *Opening Trade Price.* The Opening Trade Price is the price that is not outside the Opening Collar and:

(i) the price at which the largest number of contracts can execute (*i.e.*, the volume-maximizing price);

(ii) if there are multiple volume-maximizing prices, the price at which the fewest number of contracts remain unexecuted (*i.e.*, the imbalance-minimizing price); or

(iii) if there are multiple volume-maximizing, imbalance-minimizing prices, (A) the highest (lowest) price, if there is a buy (sell) imbalance, or (B) the price at or nearest to the midpoint of the Opening Collar, if there is no imbalance.

(B) *No Opening Trade Price.* There is no Opening Trade Price if there are no locked or crossed orders or quotes at a price not outside the Opening Collar.

(3) *Opening [Trades] of a Series.*

(A) *Opening Trade.* [After establishing a valid] If the System establishes an Opening Trade Price, the System [matches] executes [(in accordance with the priority applicable to the class pursuant to Rule 6.12(a))] orders and quotes [in the System that are priced equal to or more aggressively than the Opening Price] in the Queuing Book at the Opening Trade Price. [Matches occur until there is no remaining volume or an imbalance of orders. All orders and quotes (or unexecuted portions) matched during the Opening Process execute at the Opening Price.]

(i) The System prioritizes orders and quotes in the following order: market orders, limit orders and quotes with prices better than the Opening Trade Price, and orders and quotes at the Opening Trade Price.

(ii) The System allocates orders and quotes at the same price pursuant to the allocation algorithm that applies to a class intraday (in accordance with Rule 6.12), unless the Exchange determines to apply a different allocation algorithm from Rule 6.12 to a class during the opening rotation.

(B) *No Opening Trade.* If there is no Opening Trade Price, the System opens a series without a trade.

(f) *Unexecuted Orders and Quotes.* Following the conclusion of the opening rotation, [T]the System enters any [non-]unexecuted orders and quotes (or [unexecuted]remaining portions) from the Queuing Book into the Book in time sequence (subject to a User's instructions), where they may be processed in accordance with Rule 6.12. The System cancels any unexecuted OPG orders (or [unexecuted]or remaining portions) following the conclusion of the opening rotation [that do not execute during the Opening Process].

[(5) *Contingent Open.* If the Exchange opens a series for trading when the NBBO Midpoint, Last Print, and Previous Close are not valid pursuant to subparagraph (2) above, the System enters non-executed orders and quotes (or unexecuted portions) into the Book in time sequence, where they may be processed in accordance with Rule 6.12.]

([b]g) *Opening Auction Process Following Trading Halts.* The Exchange opens series using the same [O]opening auction [P]process described in [paragraph (a) above]this Rule following a trading halt, except:

(1) *[Pre-Opening]Queuing Period.* If the primary market for the applicable underlying security declares a regulatory trading halt, suspension, or pause with respect to such security (a "Regulatory Halt"), the [Order Entry]Queuing Period begins immediately when the Exchange halts trading in the series. If [the Exchange halts trading in a series pursuant to Rule 6.32 but not due to a] there is a non-Regulatory Halt pursuant to Rule 6.32, there is no [Order Entry]Queuing Period.

(2) *Open Orders.* The System queues a User's open orders [upon]if there is a Regulatory Halt, unless the User entered instructions to cancel its open orders [upon]in there is a Regulatory Halt, for participation in the [O]opening [Process]rotation following the Regulatory Halt. The System cancels a User's open orders and quotes [upon a halt that is not a] if there is a non-Regulatory Halt.

(3) *Opening Time.* Following a trading halt, the System opens a series once the primary market lifts the Regulatory Halt or upon the Exchange's determination that the conditions that led to the halt are no longer present or that the interests of a fair and orderly market are best served by a resumption of trading.

[(4) *Opening Auction Price.* The System determines the Opening Price within 30 seconds of the Regulatory Halt or other trading halt being lifted.]

([c]h) *Deviation from Standard Opening Auction Process.* The Exchange may deviate from the standard manner of the [O]opening auction [P]process described in this Rule 6.11, including adjusting the timing of the [O]opening [Process]rotation in any class, modifying any time periods described in this Rule 6.11, and delaying or compelling the opening of a series if the opening width is wider than the Maximum Width, when it believes it is necessary in the interests of a fair and orderly market. The Exchange makes and maintains records to document all determinations to deviate from the standard manner of the [O]opening auction [P]rocess, and periodically reviews these determinations for consistency with the interests of a fair and orderly market.

([d]i) *Limit Up-Limit Down States.* If the underlying security for a class is in a limit up-limit down state when the [O]opening [Process]rotation begins for that class, then the System cancels or rejects all market orders. In addition, if the [O]opening [Process]rotation has already begun for a class when a limit up-limit down state initiates for the underlying security of that class, market and limit orders will continue through the end of the [O]opening [Process]rotation.

* * * * *

Rule 6.13. Complex Orders

Trading of complex orders is subject to all other Rules applicable to trading of orders, unless otherwise provided in this Rule 6.13.

(a) Definitions. For purposes of this Rule, the following terms have the meanings below. A term defined elsewhere in the Rules has the same meaning with respect to this Rule 6.13, unless otherwise defined below.

* * * * *

Complex Order Book [or]and COB

The terms "Complex Order Book" [or]and "COB" mean the Exchange's electronic book of complex orders and used for all trading sessions.

* * * * *

(b) *Types of Complex Orders.* The Exchange determines which Times-in-Force of Day, GTC, GTD, IOC, or OPG are available for complex orders (including for eligibility to enter the COB and initiate a COA). The Exchange determines which Capacities (i.e., non-broker-dealer customers, broker-dealers that are not Market-Makers on an options exchange, or Market-Makers on an options exchange) are eligible for entry onto the COB. Complex orders are Book Only and may be market or limit orders. Users may designate complex orders as Attributable or Non-Attributable. Users may not submit complex orders through bulk ports. The System also accepts the following instructions for complex orders:

(1) – (6) No change.

(7) *All Sessions Complex Order.* An "All Sessions" complex order is a complex order a User designates as eligible to trade during both GTH and RTH. An unexecuted All Sessions complex order on the COB at the end of a GTH trading session remains on the COB and

becomes eligible for execution during the RTH COB Opening Process or trading session on that same trading day, subject to a User's instructions.

(8) *RTH Only Complex Order.* An "RTH Only" complex order is a complex order a User designates as eligible to trade only during RTH or not designated as All Sessions. An unexecuted RTH Only complex order with a Time-in-Force of GTC or GTD on the COB at the end of an RTH trading session remains on the COB and becomes eligible for execution during the RTH trading session on the following trading day (but not during the GTH trading session on the following trading day), subject to a User's instructions.

* * * * *

(c) *COB Opening Process (Including After a Trading Halt).* The COB Opening Process occurs at the beginning of each trading [day]session and after a trading halt.

(d) – (h) No change.

(i) *Evaluation.* The System evaluates an incoming complex order upon receipt after the open of trading to determine whether it is a COA-eligible order or a do-not-COA order and thus whether it should be processed pursuant to paragraph (d) or (e), respectively. The System re-evaluates a complex order resting on the COB (including an order (or unexecuted portion) that did not execute pursuant to paragraph (d) or (e) upon initial receipt):

(1) – (2) No change.

(3) during the trading [day]session when the leg market price or quantity changes to determine whether the complex order:

* * * * *

Rule 6.14. Order and Quote Price Protection Mechanism and Risk Controls

The System's acceptance and execution of orders, quotes, and bulk messages, as applicable, pursuant to the Rules, including Rules 6.11 through 6.13, are subject to the following price protection mechanisms and risk controls, as applicable.

(a) *Simple Orders.*

(1) – (3) No change.

(4) *Drill-Through Protection.*

(A) If a buy (sell) order enters the Book at the conclusion of the opening auction process, the System executes the order up to a buffer amount (established by the Exchange) above (below) the offer (bid) limit of the Opening Collar (the "drill-through price").

([A]B) If a [User enters a] buy (sell) order would execute or post to the Book at the time of order entry[into the System (including an order that enters the Book following the Opening Process and a GTC or GTD order that reenters the Book from the prior trading day)], the System executes the order up to a buffer amount (the Exchange determines the amount on a class and premium basis) above (below) the NBO (NBB) that existed at the time of order entry[or time it reenters the Book from the prior trading day, as applicable] ("the drill-through price").

* * * * *

Rule 6.32. Trading Halts

(a) The Exchange may halt trading in any class in the interests of a fair and orderly market. The Trade Desk, in consultation with a designated senior executive officer of the Exchange, may halt trading in any security in the interests of a fair and orderly market for a period exceeding two consecutive business days. Any trading halt that lasts more than two consecutive business days is reviewed by the President or his/her designee, who may determine whether, in the interests of a fair and orderly market, to terminate or modify any such trading halt that is then still in effect. When considering whether to halt trading in a class, the Exchange considers the following factors, among others:

(1) in the case of an option on a security[,]:

(A) trading in the underlying security has been halted or suspended in one or more of the markets trading the underlying security; generally, trading will be halted when a Regulatory Halt in the underlying security has occurred in the primary market for that security; or

(B) [(2) in the case of an option on a security,] the opening of the underlying security has been delayed because of unusual circumstances;

(2) in the case of an option on an index:

(A) the extent to which trading in the stocks or options underlying the index is not occurring;

(B) the current calculation of the index derived from the current market prices of the stock;

(C) the "current index level" (which is the implied forward level based on volatility index (security) futures prices) for a volatility index is not available or the cash (spot) value for a volatility index is not available; or

(D) the activation of price limits on futures exchanges or the halt of trading in related futures;

(3) occurrence of an act of God or other event outside the Exchange's control;

(4) occurrence of a System technical failure or failures including, but not limited to, the failure of a part of the central processing system, a number of Trading Permit Holder trading applications, or the electrical power supply to the System itself or any related system; or

(5) other unusual conditions or circumstances are present.

When the hours of trading of the underlying primary securities market for an index option do not overlap or coincide with those of the Exchange, and during Global Trading Hours, subparagraphs (1) and (2) above do not apply.

(b) If the Exchange determines to halt trading, all trading in the effected class(es) is halted. For non-Regulatory Halts, the System cancels all orders in the class(es). For Regulatory Halts, the System queues a User's open orders pursuant to Rule 6.11(b) unless a User entered instructions to cancel its orders. C2 disseminates through its trading facilities and over OPRA a symbol with respect to the class(es) indicating that trading in the class(es) has been halted. The Exchange makes available to vendors a record of the time and duration of the halt.

(c) No Trading Permit Holder or person associated with a Trading Permit Holder may effect a trade on the Exchange in any class during the time in which a halt is in effect for the class. The Exchange will nullify any transaction in a class that occurs during a trading halt of that class or, with respect to equity options (including options overlying ETFs), during a Regulatory Halt as declared by the primary listing market for the underlying security.

(d) The Exchange may determine to resume trading in a class that has been the subject of a halt pursuant to this Rule if the interests of a fair and orderly market are best served by a resumption of trading. When considering whether to resume trading in a class, the Exchange will consider, among other factors, whether the conditions which led to the halt are no longer present.

(e) When the primary market for a security underlying the current index value of an index option does not open for trading, halts trading prematurely, or otherwise experiences a disruption of normal trading on a given day, or if a particular security underlying the current index value of an index option does not open for trading, halts trading prematurely, or otherwise experiences a disruption of normal trading on a given day in its primary market, the price of that security is determined, for the purposes of calculating the current index value at expiration, in accordance with the Rules and By-Laws of OCC.

. . . Interpretations and Policies:

.01 The Exchange will halt trading in all stock options whenever a market-wide trading halt commonly known as a circuit breaker is initiated in response to extraordinary market conditions. This Rule will be in effect during a pilot period to coincide with the pilot period for the Regulation NMS Plan to Address Extraordinary Market Volatility. If the pilot is not either extended or approved permanently at the end of the pilot period, the prior version of Rule 6.32 will be in effect. This Interpretation and Policy .01 does not apply during Global Trading Hours.

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Rule 8.2. Market-Maker Class Appointments

(a) A registered Market-Maker may select class appointments to make markets in those classes during all trading sessions.

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Rule 8.6. Market-Maker Quotes

(a) – (c) No change.

(d) *Continuous Quotes.* A Market-Maker must enter continuous bids and offers (in accordance with the requirements in Rules 8.5 and 8.6) in 60% of the cumulative number of seconds, or such higher percentage as the Exchange may announce in advance, for which that Market Maker's appointed classes are open for trading on a trading day, excluding any adjusted series, any intra-day add-on series on the day during which such series are added for trading, any Quarterly Option Series, and any series with an expiration of greater than 270 days.

(1) No change.

(2) Specifically, the Exchange will calculate this requirement by taking the total number of seconds the Market Maker disseminates quotes in each appointed class, excluding any adjusted series, any intra-day add-on series on the day during which such series are added for trading, any Quarterly Option Series, and any series with an expiration of greater than 270 days, and dividing that time by the eligible total number of seconds each appointed class is open for trading that trading day (including all trading sessions). Quoting is not required in every appointed class. This quoting obligation applies to all of a Market-Maker's appointed classes collectively. The Exchange determines compliance by a Market-Maker with the quoting obligations in this paragraph (d) on a monthly basis. However, determining compliance with this quoting obligation on a monthly basis does not relieve a Market-Maker from meeting this obligation on a daily basis, nor does it prohibit the Exchange from taking disciplinary action against a Market-Maker for failing to meet this obligation each trading day.

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