



## Cboe BZX Exchange, Inc. Listing Application and Related Forms: Exchange Traded Products-New Series or Fund of a Cboe BZX Exchange, Inc. Listed Issuer

To list an “exchange traded product” or “ETP” on Cboe BZX Exchange, Inc. that is a New Series or Fund of an issuer with securities currently listed on Cboe BZX Exchange, Inc., a company must complete and submit all materials set forth below on the Listing Checklist to [listingapp@cboe.com](mailto:listingapp@cboe.com).

<b>LISTING CHECKLIST</b>	
<b>The following documentation is required to be submitted prior to launch:</b>	
<b>Due 10 days prior to launch:</b>	
Completed and Executed Listing Application including signatures on the following:	
Representation Affirmation	
Exemptive Relief Letter	
Fund Information Spreadsheet	
Underlying Index Constituent Data (please include “as of” date) or Proposed Portfolio Data (if listing under Rule 14.11(i))	
Board Resolution authorizing listing on Cboe BZX Exchange, Inc.	
Index Methodology (N/A for actively managed funds)	
Certificate of Good Standing dated within 90 days of launch	
Firewall Letter (if applicable)	
<b>Due 5 days prior to launch:</b>	
LMM Finalization	
<b>Due 4 p.m. ET 3 days prior to launch date (delays in adherence to this timeline will cause postponement of launch):</b>	
Form N-1A (Final Effective Registration Statement)	
Form 8-A (Registration of Securities)	

All application materials sent to Cboe BZX Exchange, Inc. (the “Exchange”) will be reviewed for completeness. All applications are deemed confidential and are handled in a secure environment. Applications may, however, be shared with the Securities and Exchange Commission (the “SEC”) and other self-regulatory organizations, as necessary, to evaluate and process the application.

The Exchange may request additional documentation in addition to what is listed in the Listing Checklist. If you have questions on completing the Listing Application and related forms, you may direct them to [listingapp@cboe.com](mailto:listingapp@cboe.com) or by telephone at 913-815-7101. **Each reference herein to “Rule” is a Cboe BZX Exchange, Inc. Listing Rule, unless otherwise indicated.**

Internal Use Only
Checklist Completed By:
Approved By:
Date:

**GENERAL LISTING INFORMATION**

GENERAL INFORMATION	
Corporation/Trust Name (the "Company"):	
Address of Principal Executive Office:	
City, State, Zip:	
Phone:	Website:
State of Incorporation/Date of Incorporation:	
<input type="checkbox"/> Foreign Private Issuer	
SEC File Number:	
BILLING INFORMATION	
Please provide contact information for purposes of billing for ETP Listings	
Firm Name:	
Billing Mailing Address:	
City, State, Zip:	
Billing Phone:	Billing Email Address:
Billing Contact(s):	Billing Contact Email Address (if different than email provided above):
APPLICATION PRIMARY CONTACT	
Please provide a primary contact for the purposes of processing this Listing Application.	
Firm Name:	
Contact Name:	
Address of Principal Executive Office:	
City, State, Zip:	
Phone:	Email:
SECURITY INFORMATION	
Name of Security:	
Ticker Symbol(s):	
Description:	

Initial Listing	
Listing Transfer Current listing market: _____ Current ticker symbol: _____	
Other (please specify):	
Rule Filing Number (if applicable):	
Expected effective date of registration statement:	
Expected date of initial trading on the Exchange (launch date):	
Will the CUSIP number(s) be included in the file of eligible issues of a registered securities depository upon the commencement of trading?	
Yes      No	

### ADDITIONAL INFORMATION AND DOCUMENTATION

The fact that an applicant may meet the Exchange’s numerical guidelines does not necessarily mean that its application will be approved. In connection with the review of any application, and as set forth in the Exchange’s Listing Rules, the Exchange reserves the right to request additional information or documentation, public or non-public, deemed necessary to make a determination regarding a security’s qualification for initial inclusion, including but not limited to, any material provided to or received from the SEC or other regulatory authority.

***Please provide information in a separate attachment to this application if the Company must answer in the affirmative to the questions below.***

#### **Regulatory Proceedings/Litigation**

Check here if the Company can answer in the affirmative to the following:

With respect to the Company, its predecessors and its subsidiaries, the Company has engaged in inquiries, investigations, lawsuits, litigation, arbitration, hearings, or any other legal or administrative proceedings commenced within the past ten (10) years:

- a) that are or were initiated or conducted by any regulatory, civil or criminal agency (including but not limited to the SEC, FINRA, PCAOB, state securities regulators, Commodities Futures Trading Commission, Department of Justice, state bar associations, state boards of accountancy, or any foreign regulatory, civil or criminal authority); or
- b) in which claims material to the Company are or were asserted under federal and/or state securities, tax or bankruptcy laws; or
- c) in which claims material to the Company are or were asserted otherwise alleging fraud, deceit or misrepresentation. To the extent that such items have been disclosed in the Company’s SEC filings, the applicant may refer to and/or submit copies of the relevant SEC’s filings in which such matters were disclosed in lieu of providing a detailed description.

In connection with all proceedings that have been concluded, please provide documentation, which reflects the final disposition of each proceeding. The Company should update Staff promptly of any and all material developments related to the matters identified in the response to these questions and should supplement its response if additional matters arise while its application is pending.

Check here if the Company can answer in the affirmative to the following:

With respect to current executive officers, directors, and ten (10) percent or greater shareholders, the Company has engaged in inquiries, investigations, lawsuits, litigation, arbitration, hearings, or any other legal or administrative proceedings:

- a) that are or were initiated or conducted by any regulatory, civil or criminal agency (including but not limited to the SEC, FINRA, PCAOB, state securities regulators, Commodities Futures Trading Commission, Department of Justice, state bar associations, state boards of accountancy, or any foreign regulatory, civil or criminal authority); or
- b) in which claims are or were asserted otherwise alleging fraud, deceit or misrepresentation and seeking damages in excess of \$100,000.

Note: With respect to the regulatory proceedings and litigation questions above, there is no limit on the time frame covered by the request.

Upon review of the information provided by the applicant, Staff may request additional information, such as copies of all court and administrative filings, and documents, which reflect the substance of the allegations of any proceedings described above, and the sanctions imposed, including but not limited to, complaints, indictments, opinions, orders, final judgments, letters of censure, consents, undertakings and SEC formal orders of investigation.

#### **Bridge Financings, Shelf Registrations, Regulation S Offerings or Private Placements**

Check here if the Company has entered into any bridge financings, shelf registrations, Regulation S offerings, or private placements within the past six months. In a separate attachment to this application, describe the transactions in detail (i.e., date, price per share, discount, terms of conversion, the investors and their relationship to the company or other participants in the transactions), including the terms and conditions of any resale restrictions.

#### **Direct Registration Program (Rule 14.7)**

Check here if the Company is eligible for a Direct Registration Program operated by a clearing agency registered under Section 17A of the Exchange Act, such as the one offered by The Depository Trust Company (“DTC”); and that the security to be listed is eligible for a Direct Registration Program, or will be on the commencement of trading on the Exchange, **or** the security is issued in book entry form only and is exempt from this requirement.

#### **Board Resolutions Authorizing Issuance and Listing**

Check here if the Company has included with this application a board resolution authorizing issuance and listing or separate documentation representing authority to determine the appropriate primary listing Exchange for the Fund.

#### **Continued Listing Standards Representation**

Check here if the Company affirms that it will advise the Exchange of any failure by the Fund or Funds to comply with the continued listing requirements applicable under Rule 14.11(c) (for Index Fund Shares) or 14.11(i) (for Managed Fund Shares) or, where the Fund or Funds are listed pursuant to a rule filing under Section 19(b) of the Act, the Company affirms that it will advise the Exchange of any failure by the Fund or Funds to comply with the continued listing requirements, which include all statements and representations made in the associated rule filing regarding the index composition, the description of the portfolio or reference assets, limitations on portfolio holdings or reference assets, dissemination and availability of index, reference asset, and intraday indicative values (as applicable), or the applicability of Exchange listing rules specified in the filing.

### **Index Fund Shares Representations**

Check here if the Company affirms that any internal advisory committee, supervisory board, or similar entity that advises or makes decisions on the index or portfolio composition, methodology and related matters, must implement and maintain, or be subject to, procedures designed to prevent the use and dissemination of material non-public information regarding the applicable index.

Check here if an unaffiliated third party acts as the index provider for the fund(s) (the “Index Provider”).

Please note that, to the extent that any unaffiliated third party acts as the Index Provider for the fund(s), the Company must attach a separate representation letter in which each Index Provider represents that any advisory committee, supervisory board, or similar entity that advises or makes decisions on the index or portfolio composition, methodology and related matters, implements and maintains, or is subject to, procedures designed to prevent the use and dissemination of material non-public information regarding the applicable index.

Check here if the Company affirms that, upon listing, the Funds’ Net Asset Value per share will be calculated daily and the NAV and portfolio holdings will be made available to all market participants at the same time.

Please provide underlying index constituent data including CUSIP/ISIN/SEDOL and respective weight (sum total must equal 100%) in excel format.

### **Managed Fund Shares Representations**

Check here if the Company affirms that, to the extent that the investment adviser: (i) is currently affiliated with a broker-dealer, the investment advisor has implemented a fire wall with respect to its relevant personnel and such broker-dealer regarding access to information concerning the composition and/or changes to the portfolio; and (ii) becomes affiliated with a broker-dealer, the investment adviser will implement a fire wall with respect to its relevant personnel or broker-dealer affiliate regarding access to information concerning the composition and/or changes to the portfolio.

Check here if the Company affirms that any personnel who make decisions on the fund’s portfolio composition are subject to procedures designed to prevent the use and dissemination of material nonpublic information regarding the applicable portfolio.

Check here if the Company affirms that, upon listing, the Funds’ Net Asset Value per share will be calculated daily and the NAV and Disclosed Portfolio will be made available to all market participants at the same time.

Please provide a sample portfolio including CUSIP/ISIN/SEDOL, number of units for each component (if applicable), and respective weight (sum total must equal 100%) in excel format.

### **Initial Shares Outstanding**

Check here if the Fund will have a minimum of 100,000 shares at start-up of trading.

AFFIRMATION	
I,  (Name of Individual)	as  (Title)
of  (Company Name)	
hereby certify, to the best of my knowledge and belief, that the information contained in the application is true and correct, as of the date below, and will notify the Exchange promptly of any material changes.	
  (Signature of Company Officer)	  (Date)

## Securities Exchange Act of 1934 Exemptive Relief

Indicate method by which Issuer will achieve no-action/exemptive relief necessary to operate as a listed Exchange Traded Product of its type:

The following is a list of commonly cited no action/exemptive relief letters issued by the SEC's Division of Trading and Markets under the Securities Exchange Act of 1934. This list is provided for the convenience of the issuer and is not intended to suggest that the issuer is necessarily entitled to rely on any such referenced letter(s):

### Letters for Exchange Traded Funds

#### A. Exchange Traded Funds

- Letter dated November 21, 2005 (Section 11(d) and Extension of Class Relief)
- Letter dated October 24, 2006 (Class Relief Letter for ETFs)
- Letter dated April 9, 2007 (Class Relief Letter for Fixed Income ETFs)
- Letter dated June 27, 2007 (Combination ETFs)
- Revised Staff Legal Bulletin No. 9 (September 10, 2010)(for Actively Managed ETFs)
- Letter dated May 9, 2008 or Letter dated June 16, 2011 (regarding Section 11(d) for Actively Managed ETFs)(one but not both may be cited)

### Letters for Other Security Types

#### B. Other Security Types

- Letter dated June 21, 2006 (CurrencyShares; Commodity-Based Investment Vehicles)
- Letter dated January 19, 2006 (DB Commodity Index Tracking Fund)

If additional exemptive relief letters will be relied upon, please indicate the dates that those letters were or will be issued.

**All conditions to the no-action/exemptive relief are required to be met upon commencement of trading on Cboe BZX Exchange, Inc.**