

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

Initial <input checked="" type="checkbox"/>	Amendment <input type="checkbox"/>	Withdrawal <input type="checkbox"/>	Section 19(b)(2) <input type="checkbox"/>	Section 19(b)(3)(A) <input checked="" type="checkbox"/>	Section 19(b)(3)(B) <input type="checkbox"/>
Pilot <input type="checkbox"/>			Rule		
Extension of Time Period for Commission Action <input type="checkbox"/>		Date Expires <input type="text"/>	<input type="checkbox"/> 19b-4(f)(1)	<input type="checkbox"/> 19b-4(f)(4)	
			<input type="checkbox"/> 19b-4(f)(2)	<input type="checkbox"/> 19b-4(f)(5)	
			<input type="checkbox"/> 19b-4(f)(3)	<input checked="" type="checkbox"/> 19b-4(f)(6)	

Exhibit 2 Sent As Paper Document <input type="checkbox"/>	Exhibit 3 Sent As Paper Document <input type="checkbox"/>
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**Description**  
Provide a brief description of the proposed rule change (limit 250 characters).

**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 proposed rule change.

First Name	<input type="text" value="Angelo"/>	Last Name	<input type="text" value="Evangelou"/>
Title	<input type="text" value="Assistant General Counsel"/>		
E-mail	<input type="text" value="evangelou@cboe.com"/>		
Telephone	<input type="text" value="(312) 786-7464"/>	Fax	<input type="text" value="(312) 786-7919"/>

**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 officer.

Date

By  Assistant Secretary  
(Name) (Title)

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.

SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

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

**Form 19b-4 Information**

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**

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 2 - Notices, Written Comments, Transcripts, Other Communications**

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 Sent As Paper Document

**Exhibit 3 - Form, Report, or Questionnaire**

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 Sent As Paper Document

**Exhibit 4 - Marked Copies**

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**

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**

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

The Chicago Board Options Exchange, Incorporated (the "Exchange" or "CBOE") proposes to amend the CBOE Fees Schedule to delete outdated references to the old linkage plan. Set forth below are the proposed changes to the rule text, with additions represented by underscoring and deletions represented by [bracketing].

Chicago Board Options Exchange, Incorporated  
Rules

\* \* \* \* \*

**CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED  
FEES SCHEDULE  
MARCH 16 [MARCH 1], 2010**

1.	OPTIONS TRANSACTION FEES (1)(3)(4)(7)(15):	PER CONTRACT
	<b>EQUITY OPTIONS (13):</b>	
I.	CUSTOMER.....	\$ .00
II.	VOLUNTARY PROFESSIONAL.....	\$ .20
III.	PROFESSIONAL.....	\$ .20
IV.	CBOE MARKET-MAKER/DPM/E-DPM (standard rate, subject to sliding scale) (10).....	\$ .20
V.	MEMBER FIRM PROPRIETARY: (11).....	\$ .20
VI.	BROKER-DEALER (16)	
	• MANUAL.....	\$ .25
	• ELECTRONIC.....	\$ .45
	• AIM EXECUTIONS.....	\$ .20
VII.	[LINKAGE ORDERS(8).....	\$ .30]
[VIII.]	CFLEX SURCHARGE FEE (17).....	\$ .10
	<b>QQQQ and SPDR OPTIONS:</b>	
I.	CUSTOMER (9)	
	• QQQQ.....	\$ .00
	• SPDR.....	\$ .18
II.	VOLUNTARY PROFESSIONAL.....	\$ .20
III.	PROFESSIONAL.....	\$ .20
IV.	CBOE MARKET-MAKER/DPM (standard rate, subject to sliding scale) (10).....	\$ .20
V.	MEMBER FIRM PROPRIETARY: (11).....	\$ .20
VI.	BROKER-DEALER (16)	
	• MANUAL.....	\$ .25
	• ELECTRONIC.....	\$ .45
	• AIM EXECUTIONS.....	\$ .20
VII.	[LINKAGE ORDERS (8).....	\$ .30]
[VIII.]	CFLEX SURCHARGE FEE (17).....	\$ .10
	<b>INDEX OPTIONS (includes ETF and HOLDRs options):</b>	
I.	CUSTOMER (2):	
	• SPX, PREMIUM > or = \$1.....	\$ .44
	• SPX, PREMIUM < \$1.....	\$ .35
	• DXL, OEX, XEO, DVS and VOLATILITY INDEXES (except OEX and XEO WEEKLYS).....	\$ .40
	• OEX and XEO WEEKLYS.....	\$ .30
	• OTHER INDEXES, ETFs and HOLDRs (9).....	\$ .18

II.	<b>VOLUNTARY PROFESSIONAL:</b>	
	• DXL, OEX, XEO, DVS and VOLATILITY INDEXES.....	\$.40
	• OTHER INDEXES, ETFs AND HOLDRs.....	\$.20
III.	<b>PROFESSIONAL:</b>	
	• DXL, OEX, XEO, DVS and VOLATILITY INDEXES.....	\$.40
	• OTHER INDEXES, ETFs AND HOLDRs.....	\$.20
IV.	<b>CBOE MARKET-MAKER/DPM (standard rate, subject to sliding scale) (10).....</b>	<b>\$.20</b>
V.	<b>MEMBER FIRM PROPRIETARY: (11).....</b>	<b>\$.20</b>
VI.	<b>BROKER-DEALER (16)</b>	
	• OEX, XEO, SPX, DVS and VOLATILITY INDEXES .....	\$.40
	• OTHER INDEXES, ETFs and HOLDRs - MANUAL .....	\$.25
	• OTHER INDEXES, ETFs and HOLDRs - ELECTRONIC.....	\$.45
	• AIM EXECUTIONS .....	\$.20
VII.	<b>SURCHARGE FEE: (14)</b>	
	• VOLATILITY INDEXES.....	\$.08
	• OEX, XEO, SPX, DVS, DJX and DXL.....	\$.10
	• MNX, NDX and RUT .....	\$.15
VIII.	<b>[LINKAGE ORDERS (8)(14).....</b>	<b>\$.30]</b>
[IX.]	<b>CFLEX SURCHARGE FEE (17).....</b>	<b>\$.10</b>

Remainder of Section 1. No change.

2.- 4. No change.

#### FOOTNOTES:

(1)-(5) No change.

(6) The marketing fee will be assessed only on transactions of Market-Makers, e-DPMs, and DPMs, resulting from (i) customer orders from payment accepting firms, or (ii) customer orders that have designated a "Preferred Market-Maker" under CBOE Rule 8.13 at the per contract rate provided above on all classes of equity options, options on HOLDRs, options on ETFs, and index options; except that the marketing fee shall not apply to DJX, DXL, EEM, EWC, EWT, IWM, MNX, MVR, OEX, QQQQ, RSP, SPX, VIX, VPL, VWO, XBI, XEO, DVS, binary options, credit default options, and credit default basket options. The fee will not apply to: Market-Maker-to-Market-Maker transactions including transactions resulting from orders from non-member market-makers; [transactions resulting from inbound P/A orders or a transaction resulting from the execution of an order against the DPM's account if an order directly related to that order is represented and executed through the Linkage Plan using the DPM's account;] transactions resulting from accommodation liquidations (cabinet trades); and transactions resulting from dividend strategies, merger strategies, and short stock interest strategies as defined in footnote 13 of this Fees Schedule; and transactions in the Penny Pilot classes resulting from orders executed through the Hybrid Agency Liaison under Rule 6.14. A Preferred Market-Maker will only be given access to the marketing fee funds generated from a Preferred order if the Preferred Market-Maker has an appointment in the class in which the Preferred order is received and executed.

**Rebate/Carryover Process.** If less than 80% of the marketing fee funds collected in a given month is paid out by the DPM or Preferred Market-Maker in a given month, then the Exchange would refund such surplus at the end of the month on a pro rata basis based upon contributions made by the Market-Makers, e-DPMs, and DPMs in that month. However, if 80% or more of the funds collected in a given month is paid out by the DPM or Preferred Market-Maker, there will not be a rebate for that month unless the DPM or Preferred Market-Maker elects to have funds rebated. In the absence of such election, any excess funds will be included in an Excess Pool of funds to be used by the DPM or Preferred Market-Maker in subsequent months. The total balance of the Excess Pool of funds for a DPM or a Preferred Market-Maker cannot exceed \$100,000. If in any month the Excess Pool balance were to exceed \$100,000, the funds in excess of \$100,000 would be refunded on a pro rata basis based upon contributions made by the Market-Makers, DPMs, and e-DPMs in that month. In addition, in any month, a DPM or a Preferred Market-Maker can elect to

have any funds in its Excess Pool refunded on a pro rata basis based upon contributions made by the Market-Makers, DPMs, and e-DPMS in that month.

Each month, the Exchange assesses an administrative fee of .45% on the total amount of the funds collected each month; provided, however, that beginning on October 1, 2007, no Market-Maker, e-DPM or DPM would contribute more than 15% of the total amount of funds raised by the .45% administrative fee.

**(7) No change.**

**(8)** [Linkage order fees in effect on a pilot basis until July 31, 2010, except for Satisfaction Orders, which are not assessed Exchange fees per Linkage rules. Please see Section 21 for details of DPM Linkage Fee Credits and pass-through of certain Linkage P order related costs.] Reserved.

**(9)-(13) No change.**

**(14)** The Surcharge Fee applies to all non-public customer transactions (i.e. CBOE and non-member market-maker, member firm and broker-dealer), including voluntary professionals, and professionals [and linkage orders except for satisfaction orders (see Footnote 8)].

**(15)-(17) No change.**

**5.- 20. No change.**

**21. Reserved. [DPM LINKAGE FEES CREDIT**

PA Orders: CBOE will rebate DPM transaction fees generated from transactions against customer orders that underlie outbound principal acting as agent (PA) orders ("CBOE Transactions"). In addition, when DPMs incur fees to execute PA orders at other exchanges ("Away Transactions"), those DPMs will be credited an additional amount per contract to offset such fees. The amount of such credit will be a weighted average of the Linkage transaction fees assessed by other exchanges calculated based on outbound Linkage contract volume sent to each of the other exchanges. CBOE will also credit DPMs an additional amount per contract on both CBOE Transactions and Away Transactions to offset the Sales Value Fee and Options Clearing Corporation (OCC) and clearing firm fees incurred by DPMs on those transactions. The amount of such credit will be comprised of the Sales Value Fee assessed under Section 6 of this Fees Schedule, the OCC per contract fee applicable to market-makers and specialists set forth on the OCC Schedule of Fees and an estimated average clearing firm per contract fee. A DPM will be expected to reimburse the Exchange to the extent that the funds received by the DPM via this program exceed the DPM's actual costs incurred in executing CBOE Transactions and Away Transactions. This program shall expire upon the earlier of: (i) thirty days after Commission approval of use of an Exchange account to send and respond to PA orders; or (ii) July 31, 2010 (the expiration date of the Linkage fees pilot program).

P Orders: CBOE will rebate DPM transaction fees generated from transactions against non-customer orders that underlie outbound principal (P) orders ("CBOE Transactions"). In addition, when DPMs incur fees to execute such P orders at other exchanges ("Away Transactions"), those DPMs will be credited an additional amount per contract to offset such fees. The amount of such credit will be a weighted average of the Linkage transaction fees assessed by other exchanges calculated based on outbound Linkage contract volume sent to each of the other exchanges. CBOE will also credit DPMs an additional amount per contract on both CBOE Transactions and Away Transactions to offset the Sales Value Fee and Options Clearing Corporation (OCC) and clearing firm fees incurred by DPMs on those transactions. The amount of such credit will be comprised of the Sales Value Fee assessed under Section 6 of this Fees Schedule, the OCC per contract fee applicable to market-makers and specialists set forth on the OCC Schedule of Fees and an estimated average clearing firm per contract fee. A DPM will be expected to reimburse the Exchange to the extent that the funds received by the DPM via this program exceed the DPM's actual costs incurred in executing CBOE Transactions and Away Transactions. The Exchange shall pass through the total amount of the credits above to the member that originated the order underlying the P order.]

**22.-23. No change**

**Remainder of Fees Schedule – No change.**

\* \* \* \* \*

(b) Not applicable.

(c) Not applicable.

Item 2. Procedures of the Self-Regulatory Organization

(a) CBOE's Office of the Chairman pursuant to delegated authority approved the proposed rule change on February 23, 2010. No further action is required.

(b) Please refer questions and comments on the proposed rule change to Joanne Moffic-Silver, General Counsel, CBOE, 400 South LaSalle, Chicago, IL 60605, (312) 786-7462 or Angelo Evangelou, (312) 786-7464.

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

Purpose

The filing proposes to (i) eliminate references in the fee schedule to execution charges for inbound "Linkage Orders" which only applied to the execution of linkage orders under the old linkage plan (which is no longer in use); (ii) delete references to the old linkage in footnote (6) regarding the marketing fee; (iii) delete references to the old linkage in footnote (14) regarding a surcharge fee; and (iv) eliminate Section 21 of the fee schedule which provided for DPM linkage fee credits under the old linkage plan.

Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act")<sup>1</sup> and the rules and regulations thereunder and, in

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<sup>1</sup> 15 U.S.C. 78s(b)(1).

particular, the requirements of Section 6(b) of the Act.<sup>2</sup> Specifically, the Exchange believes that by simplifying the fee schedule to delete outdated references, the proposed rule change is consistent with the Section 6(b)(5)<sup>3</sup> requirements that the rules of an exchange be designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, to remove impediments to and to perfect the mechanism for a free and open market and a national market system, and, in general, to protect investors and the public interest.

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

CBOE does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

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 proposal.

Item 6. Extension of Time Period for Commission Action

CBOE does not consent to an extension of the time period for Commission action.

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

The proposed rule change is filed for immediate effectiveness pursuant to Section 19(b)(3)(A)<sup>4</sup> of the Securities Exchange Act of 1934 and Rule 19b-4(f)(6)<sup>5</sup> thereunder because it 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

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<sup>2</sup> 15 U.S.C. 78f(b).

<sup>3</sup> 15 U.S.C. 78f(b)(5).

<sup>4</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>5</sup> 17 CFR 240.19b-4(f)(6).

as the Commission may designate if consistent with the protection of investors and the public interest.

The proposed rule change will simplify the fee schedule. Additionally, the Exchange provided the Commission with written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, prior to the date of the filing of the proposed rule change.

For the foregoing reasons, this rule filing qualifies for immediate effectiveness as a “non-controversial” rule change under paragraph (f)(6) of Rule 19b-4 of the Act. The Exchange respectfully requests that the Commission waive the provision providing for “non-controversial” rule changes to become operative in 30 days, and permit the proposed rule change to take effect and become operative upon filing pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6) thereunder. The Exchange also requests that the Commission waive the full 5-day prefiling requirement. Waiver of these time periods will allow the change to become immediately operative and will allow the Exchange to immediately remove references to the old linkage that may be confusing to members and investors. The proposal does not present any novel issues for the Commission’s consideration.

Item 8. Proposed Rule Change Based on Rules or By-Laws of Another Self-Regulatory Organization or of the Commission

Not applicable.

Item 9. Exhibits

Exhibit 1. Form of notice of proposed rule change for publication in the Federal Register.

## EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION  
(Release No. 34- ; File No. SR-CBOE-2010-029)

Dated: \_\_\_\_\_

## Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Delete Outdated References in the Exchange Fees Schedule

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on March 16, 2010, the Chicago Board Options Exchange, Incorporated (“Exchange” or “CBOE”) 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<sup>3</sup> and Rule 19b-4(f)(6) thereunder.<sup>4</sup> 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

The Exchange proposes to delete outdated references to the old linkage plan in its fees schedule. The text of the proposed rule change is available on the Exchange’s website ([www.cboe.org/Legal](http://www.cboe.org/Legal)), at the Exchange’s Office of the Secretary and at the Commission.

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


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<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>4</sup> 17 CFR 240.19b-4(f)(6).

In its filing with the Commission, the CBOE 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 those 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 parts of such statements.

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

1. Purpose

The filing proposes to (i) eliminate references in the fee schedule to execution charges for inbound "Linkage Orders" which only applied to the execution of linkage orders under the old linkage plan (which is no longer in use); (ii) delete references to the old linkage in footnote (6) regarding the marketing fee; (iii) delete references to the old linkage in footnote (14) regarding a surcharge fee; and (iv) eliminate Section 21 of the fee schedule which provided for DPM linkage fee credits under the old linkage plan.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act")<sup>5</sup> and the rules and regulations thereunder and, in particular, the requirements of Section 6(b) of the Act.<sup>6</sup> Specifically, the Exchange believes that by simplifying the fee schedule to delete outdated references, the proposed rule change is consistent with the Section 6(b)(5)<sup>7</sup> requirements that the rules of an exchange be designed to

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<sup>5</sup> 15 U.S.C. 78s(b)(1).

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(5).

promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, to remove impediments to and to perfect the mechanism for a free and open market and a national market system, and, in general, to protect investors and the public interest.

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

CBOE does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

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 proposal.

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

Because the foregoing rule does not (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest, provided that the self-regulatory organization has given the Commission written notice of its intent to file 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, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>8</sup> and Rule 19b-4(f)(6) thereunder.<sup>9</sup> At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that

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<sup>8</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>9</sup> 17 CFR 240.19b-4(f)(6).

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.

#### 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](mailto:rule-comments@sec.gov). Please include File Number SR-CBOE-2010-029 on the subject line.

##### Paper comments:

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

All submissions should refer to File Number SR-CBOE-2010-029. 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 Web site (<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 inspection and copying

in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10:00 am and 3:00 pm. Copies of such filing also will be available for inspection and copying at the principal office of the CBOE. 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-CBOE-2010-029 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>10</sup>

Elizabeth M. Murphy  
Secretary

Dated: \_\_\_\_\_

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<sup>10</sup> 17 CFR 200.30-3(a)(12).