

OMB APPROVAL

OMB Number: 3235-0045  
 Expires: August 31, 2011  
 Estimated average burden  
 hours per response.....38

Required fields are shown with yellow backgrounds and asterisks.

Page 1 of \* 15

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

File No.\* SR - 2010 - \* 093

Amendment No. (req. for Amendments \*)

Proposed Rule Change by Chicago Board Options Exchange  
 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 checked="" type="checkbox"/> 19b-4(f)(2)	<input type="checkbox"/> 19b-4(f)(5)	
			<input type="checkbox"/> 19b-4(f)(3)	<input type="checkbox"/> 19b-4(f)(6)	

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

**Description**

Provide a brief description of the proposed rule change (limit 250 characters, required when Initial is checked \*).

This filing modifies transaction fees for CBSX.

**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 \* Angelo Last Name \* Evangelou  
 Title \* Assistant General Counsel  
 E-mail \* evangelou@cboe.com  
 Telephone \* (312) 786-7464 Fax (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 10/15/2010  
 By Angelo Evangelou 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.

Angelo Evangelou, evangelou@cboe.com

SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

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

**Form 19b-4 Information (required)**

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 (required)**

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**

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**

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**

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

(a) The Chicago Board Options Exchange, Incorporated (the “Exchange” or “CBOE”) proposes to amend the Fees Schedule for the CBOE Stock Exchange (“CBSX”).

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

\* \* \* \* \*

CBOE Stock Exchange  
Fees Schedule  
October 18 [1], 2010

**1. No change.****2. Transaction Fees**

<b>Rate Type (1)</b>	<b>Applies to</b>	<b>Rate</b>
Taker	Transactions in securities priced \$1 or greater	\$0.0014 per share rebate [\$0.0030 per share]
Taker for securities under \$1	Transactions in securities priced less than \$1	0.05% [0.30%] of dollar value of transaction
[Taker for selected securities <sup>1</sup>	Transactions in securities priced \$1 or greater	\$0.0014 per share rebate]

<sup>1</sup> Selected securities subject to this rate: AA, AMAT, AMD, ARNA, ATML, BAC, BGZ, BKC, BP, BRCD, BSX, C, CIM, CMCSA, COCO, CSCO, CX, DELL, DOW, DRYs, DUK, DXD, EBAY, EEM, EFA, EMC, EWJ, EWT, EWZ, F, FAS, FAX, FAZ, FITB, FLEX, FXI, GBG, GDX, GE, GLD, GLW, HBAN, HPQ, IDIX, INTC, IWM, IYR, JPM, KEY, LVL, LVS, MDT, MFE, MGM, MO, MOT, MRVL, MSFT, MU, IYR, MDT, MGM, NLY, NOK, NVDA, NWSA, ONNN, ORCL, PBR, PCBC, PFE, Q, QCOM, QID, QLD, QQQQ, RF, RFMD, RIMM, RRI, RSCR, S, SBUX, SDS, SH, SIRI, SKF, SLV, SMH, SNDK, SPLS, SPY, SSO, SYMC, T, TBT, TEVA, TLT, TNA, TSM, TXN, TWM, TZA, UCO, UNG, USO, UWM, UYG, VALE, VWO, VXX, VZ, WFC, X, XHB, XLB, XLE, XLI, XLF, XLK, XLP, XLU, XLV, XLY, XOM, XRT, XRX, YHOO.]

Maker	Transactions in securities priced \$1 or greater	\$0.0018 per share [\$0.0025 per share rebate]
Maker for securities under \$1	Transactions in securities priced less than \$1	0.01% [0.25%] of dollar value of transaction rebate
[Maker for selected securities <sup>2</sup>	Transactions in securities priced \$1 or greater	\$0.0018 per share]
Cross Trade	Cross Trades that are not part of stock option trades	\$0.00 per share
Sweep Portion of Cross and Sweep Orders	Transactions in securities priced \$1 or greater	\$0.0040 per share routed
Sweep Portion of Cross and Sweep Orders	Transactions in securities priced less than \$1	0.40% of dollar value of sweep portion
Orders Routed Away	All	\$0.0030 per share for transactions in securities priced \$1 or greater or 0.30% of dollar value of transaction for transactions in securities priced less than \$1
Cross Trade that is the Stock Component of a Qualified Contingent Trade <sup>1[3]</sup>	All	\$0.0010 per share (minimum rate of \$1 per

<sup>2</sup> Selected securities subject to this rate: AA, AMAT, AMD, ARNA, ATML, BAC, BGZ, BKC, BP, BRCD, BSX, C, CIM, CMCSA, COCO, CSCO, CX, DELL, DOW, DRYS, DUK, DXD, EBAY, EEM, EFA, EMC, EWJ, EWT, EWZ, F, FAS, FAX, FAZ, FITB, FLEX, FXI, GBG, GDX, GE, GLD, GLW, HBAN, HPQ, IDIX, INTC, IWM, IYR, JPM, KEY, LVL, LVS, MDT, MFE, MGM, MO, MOT, MRVL, MSFT, MU, IYR, MDT, MGM, NLY, NOK, NVDA, NWSA, ONNN, ORCL, PBR, PCBC, PFE, Q, QCOM, QID, QLD, QQQQ, RF, RFMD, RIMM, RRI, RSCR, S, SBUX, SDS, SH, SIRI, SKF, SLV, SMH, SNDK, SPLS, SPY, SSO, SYMC, T, TBT, TEVA, TLT, TNA, TSM, TXN, TWM, TZA, UCO, UNG, USO, UWM, UYG, VALE, VWO, VXX, VZ, WFC, X, XHB, XLB, XLE, XLI, XLF, XLK, XLP, XLU, XLV, XLY, XOM, XRT, XRX, YHOO.]

		trade, maximum rate of \$15 per trade)
Stock Component of Stock-Option Trade Matched Pursuant to CBOE Rule 6.53C, Rule 6.74A.07, and Rule 6.74B.01.	All	See Note (2)
Cross Trade – Cash Settlement	All	\$.0025 per share (minimum rate of \$1 per trade, maximum rate of \$50 per trade)
Cross Trade – Next Day Settlement	All	\$.0025 per share (minimum rate of \$1 per trade, maximum rate of \$30 per trade)
NBBO Step-Up Trades	[All] <u>Transactions in securities priced \$1 or greater</u>	The order that is flashed will receive a \$0.0014 per share rebate. The responder will be charged \$0.0018 per share. [be charged \$0.0005 per share. There are no rebates.]
<u>NBBO Step-Up Trades</u>	<u>Transactions in securities priced less than \$1</u>	<u>The order that is flashed will be charged 0.05% of the dollar value of the transaction, the responder will receive a rebate equal to 0.01% of the dollar value of the transaction.</u>

### 3. – 7. No change.

<sup>113]</sup> A “Qualified Contingent Trade” is a transaction consisting of two or more component orders, executed as agent or principal, where: (1) at least one component order is in an NMS stock; (2) all components are effected with a product or price contingency that either has been agreed to by the respective counterparties or arranged for by a broker-dealer as principal or agent; (3) the execution of one component is contingent upon the execution of all other components at or near the same time; (4) the specific relationship between the component orders (e.g., the spread between the prices of the component orders) is determined at the time the contingent order is placed; (5) the component orders either bear a derivative relationship to one another, represent different classes of shares of the same issuer, or involve the securities of participants in mergers or with intentions to merge that have been announced or since cancelled; and (6) the stock portion of the transaction is fully hedged (without regard to any prior existing position) as a result of the other components of the contingent trade.

\* \* \* \* \*

(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 October 14, 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

(a) Purpose

On August 23, 2010, the Commission published an immediately effective rule filing to modify the transaction fees for 24 securities traded on CBSX (the following symbols: BAC, C, DXD, EMC, EWJ, F, FAX, FAZ, GE, INTC, MOT, MSFT, MU, NOK, Q, QID, S, SIRI, SKF, T, TWM, UNG, UWM, XLF).<sup>3</sup> On September 9, 2010, the Commission published an immediately effective rule filing to modify the transaction fees for 51 more securities traded on CBSX (the following symbols: AA, AMAT, AMD, BGZ, BP, BSX, CMCSA, COCO, CSCO, CX, DELL, DUK, EBAY, EEM, EWT, FAS, FLEX, HBAN, IYR, MDT, MGM, IYR, MDT, MGM, NLY, NVDA, NWSA, ORCL, PFE, QCOM, QQQQ, SBUX, SH, SLV, SMH, SSO, SYMC, TBT, TSM, TXN, UCO, USO, VALE, VWO, WFC,

---

<sup>3</sup> See Securities Exchange Act Release No. 34-62758 (August 23, 2010), 75 FR 52792 (August 27, 2010) (SR-CBOE-2010-075).

XHB, XLB, XLK, XLP, XLU, XLV, XLY, XRX, YHOO).<sup>4</sup> On September 28, 2010 the Commission published an immediately effective rule filing to modify the transaction fees for 51 more securities traded on CBSX (the following symbols: ARNA, ATML, BKC, BRCD, CIM, DOW, DRYS, EFA, EWZ, FITB, FXI, GBG, GDX, GLD, GLW, HPQ, IDIX, IWM, JPM, KEY, LVLTL, LVS, MFE, MO, MRVL, ONNN, PBR, PCBC, QLD, RF, RFMD, RIMM, RRI, RSCR, SDS, SNDK, SPLS, SPY, TEVA, TLT, TNA, TZA, UYG, VXX, VZ, X, XLE, XLI, XOM, XRT).<sup>5</sup>

CBSX now proposes to modify its transaction fees so that all securities are subject to the Maker and Taker fees and rebates to which the aforementioned securities became subject. The Taker rebate shall be \$0.0014 per share for transactions in all securities traded on CBSX that are priced \$1 or greater. The Maker fee shall be \$0.0018 per share for transactions in all securities traded on CBSX that are priced \$1 or greater.

Additionally, CBSX proposes to modify the Maker and Taker fees and rebates for transactions in securities priced less than \$1. The Taker fee for such transactions shall be 0.05% of the dollar value of the transaction. The Maker rebate for such transaction shall be 0.01% of the dollar value of the transaction.

Consistent with the new fees set forth above, CBSX also proposes to amend the fee and rebate for NBBO Step-Up Trades. For stocks priced \$1 and over, the order that is flashed will receive a \$0.0014 per share rebate and the responder will be charged \$0.0018 per share. For stocks priced under \$1, the maker/taker fees will correspond to those in place for non-flashed executions (i.e. the Taker fee for such transactions shall be 0.05% of the dollar

---

<sup>4</sup> See Securities Exchange Act Release No. 34-62878 (September 9, 2010), 75 FR 56627 (September 16, 2010) (SR-CBOE-2010-079).

<sup>5</sup> See Securities Exchange Act Release No. 34-63000 (September 28, 2010), 75 FR 61549 (October 5, 2010) (SR-CBOE-2010-089).

value of the transaction, and the Maker rebate for such transaction shall be 0.01% of the dollar value of the transaction).

The fee changes will become effective on October 18, 2010.

(b) Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (“Act”),<sup>6</sup> in general, and furthers the objectives of Section 6(b)(4)<sup>7</sup> of the Act in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among CBOE Trading Permit Holders and other persons using Exchange facilities.

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

Not Applicable.

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 designated by the Exchange as establishing or changing a due, fee, or other charge, thereby qualifying for effectiveness on filing pursuant to Section

---

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

<sup>7</sup> 15 U.S.C. 78f(b)(4).

19(b)(3)(A)(ii)<sup>8</sup> of the Act and subparagraph (f)(2) of Rule 19b-4<sup>9</sup> thereunder. 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 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.

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.

---

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

<sup>9</sup> 17 C.F.R. 240.19b-4(f)(2).

EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION  
(Release No. 34- ; File No. SR-CBOE-2010-093)

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

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to modify the Fee Schedule for the CBOE Stock Exchange

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 October 15, 2010, the Chicago Board Options Exchange, Incorporated (the “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 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 proposes to amend the Fee Schedule of the CBOE Stock Exchange (“CBSX”) to modify certain transaction fees. The text of the proposed rule change is available on the Exchange’s Web site (<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

---

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

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

In its filing with the Commission, the self-regulatory organization 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

On August 23, 2010, the Commission published an immediately effective rule filing to modify the transaction fees for 24 securities traded on CBSX (the following symbols: BAC, C, DXD, EMC, EWJ, F, FAX, FAZ, GE, INTC, MOT, MSFT, MU, NOK, Q, QID, S, SIRI, SKF, T, TWM, UNG, UWM, XLF).<sup>3</sup> On September 9, 2010, the Commission published an immediately effective rule filing to modify the transaction fees for 51 more securities traded on CBSX (the following symbols: AA, AMAT, AMD, BGZ, BP, BSX, CMCSA, COCO, CSCO, CX, DELL, DUK, EBAY, EEM, EWT, FAS, FLEX, HBAN, IYR, MDT, MGM, IYR, MDT, MGM, NLY, NVDA, NWSA, ORCL, PFE, QCOM, QQQQ, SBUX, SH, SLV, SMH, SSO, SYMC, TBT, TSM, TXN, UCO, USO, VALE, VWO, WFC, XHB, XLB, XLK, XLP, XLU, XLV, XLY, XRX, YHOO).<sup>4</sup> On September 28, 2010 the Commission published an immediately effective rule filing to modify the transaction fees for 51 more securities traded on CBSX (the following

---

<sup>3</sup> See Securities Exchange Act Release No. 34-62758 (August 23, 2010), 75 FR 52792 (August 27, 2010) (SR-CBOE-2010-075).

<sup>4</sup> See Securities Exchange Act Release No. 34-62878 (September 9, 2010), 75 FR 56627 (September 16, 2010) (SR-CBOE-2010-079).

symbols: ARNA, ATML, BKC, BRCD, CIM, DOW, DRYS, EFA, EWZ, FITB, FXI, GBG, GDX, GLD, GLW, HPQ, IDIX, IWM, JPM, KEY, LVLT, LVS, MFE, MO, MRVL, ONNN, PBR, PCBC, QLD, RF, RFMD, RIMM, RRI, RSCR, SDS, SNDK, SPLS, SPY, TEVA, TLT, TNA, TZA, UYG, VXX, VZ, X, XLE, XLI, XOM, XRT).<sup>5</sup>

CBSX now proposes to modify its transaction fees so that all securities are subject to the Maker and Taker fees and rebates to which the aforementioned securities became subject. The Taker rebate shall be \$0.0014 per share for transactions in all securities traded on CBSX that are priced \$1 or greater. The Maker fee shall be \$0.0018 per share for transactions in all securities traded on CBSX that are priced \$1 or greater.

Additionally, CBSX proposes to modify the Maker and Taker fees and rebates for transactions in securities priced less than \$1. The Taker fee for such transactions shall be 0.05% of the dollar value of the transaction. The Maker rebate for such transaction shall be 0.01% of the dollar value of the transaction.

Consistent with the new fees set forth above, CBSX also proposes to amend the fee and rebate for NBBO Step-Up Trades. For stocks priced \$1 and over, the order that is flashed will receive a \$0.0014 per share rebate and the responder will be charged \$0.0018 per share. For stocks priced under \$1, the maker/taker fees will correspond to those in place for non-flashed executions (i.e. the Taker fee for such transactions shall be 0.05% of the dollar value of the transaction, and the Maker rebate for such transaction shall be 0.01% of the dollar value of the transaction).

The fee changes will become effective on October 18, 2010.

## 2. Statutory Basis

---

<sup>5</sup> See Securities Exchange Act Release No. 34-63000 (September 28, 2010), 75 FR 61549 (October 5, 2010) (SR-CBOE-2010-089).

The proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 (“Act”),<sup>6</sup> in general, and furthers the objectives of Section 6(b)(4)<sup>7</sup> of the Act in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among CBOE members and other persons using its facilities.

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

No written comments were solicited or received with respect to the proposed rule change.

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

The proposed rule change is designated by the Exchange as establishing or changing a due, fee, or other charge, thereby qualifying for effectiveness on filing pursuant to Section 19(b)(3)(A)(ii)<sup>8</sup> of the Act and subparagraph (f)(2) of Rule 19b-4<sup>9</sup> thereunder. 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 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.

---

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

<sup>7</sup> 15 U.S.C. 78f(b)(4).

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

<sup>9</sup> 17 C.F.R. 240.19b-4(f)(2).

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-2010-093 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.

All submissions should refer to File Number SR-CBOE-2010-093. 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 a.m. and 3:00 p.m. 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-2010-093 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>

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

Secretary

---

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