Required fields are shown with yellow backgrounds and asterisks.

OMB APPROVAL

OMB Number: 3235-0045
Estimated average burden hours per response.......38

Page 1 of	f * 17		EXCHANGE CO GTON, D.C. 205 orm 19b-4	649	File No.*	SR - 2018 - * 013 Amendments *)		
Filing by Choe BZX Exchange, Inc.								
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934								
Initial * ✓	Amendment *	Withdrawal	Section 19(b)	(2) * Secti	ion 19(b)(3)(A) *	Section 19(b)(3)(B) *		
Pilot	Extension of Time Period for Commission Action *	Date Expires *		19b-4(19b-4(19b-4((f)(2) 19b-4(f)(5)			
Notice of proposed change pursuant to the Payment, Clean Section 806(e)(1) * Section 806(e)(2)			to the Securities Exchange Act of 1934			hange Act of 1934		
Exhibit 2 Sent As Paper Document Exhibit 3 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 to introduce a new data feed on its equity options platform to be known as BZX Options Top.								
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 Na	ame * Chris		Last Name * S	olgan				
Title *								
E-mail	E-mail * csolgan@cboe.com							
Telephone * (646) 856-8723								
	nt to the requirements of the	_		-	rized.			
[22/22/22/2	Γ	A : - t t - O	(Title *)				
I.	02/20/2018		Assistant Gener	ai Counsel				
Ву	Chris Solgan							
(Name *) 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 EFFS website. The self-regulatory organization must provide all required information, presented in a Form 19b-4 Information * clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal Remove is consistent with the Act and applicable rules and regulations under the Act. The Notice section of this Form 19b-4 must comply with the guidelines for publication Exhibit 1 - Notice of Proposed Rule Change * 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 Add Remove View 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) The Notice section of this Form 19b-4 must comply with the guidelines for publication **Exhibit 1A- Notice of Proposed Rule** in the Federal Register as well as any requirements for electronic filing as published Change, Security-Based Swap Submission, by the Commission (if applicable). The Office of the Federal Register (OFR) offers or Advance Notice by Clearing Agencies * 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, Copies of notices, written comments, transcripts, other communications. If such Transcripts, Other Communications documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G. Remove View Add Exhibit Sent As Paper Document П 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 Add Remove View referred to by the proposed rule change. Exhibit Sent As Paper Document The full text shall be marked, in any convenient manner, to indicate additions to and **Exhibit 4 - Marked Copies** deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit Add Remove View 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 Add Remove View of the proposed rule change. If the self-regulatory organization is amending only part of the text of a lengthy **Partial Amendment** 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.

1. Text of the Proposed Rule Change

- (a) Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² Cboe BZX Exchange, Inc. ("BZX" or the "Exchange") proposes to introduce a new data feed on its equity options platform ("BZX Options") to be known as BZX Options Top. The proposed changes to its rules is attached as Exhibit 5 and is available on the Exchange's website at http://markets.cboe.com/, at the Exchange's principal office and at the Public Reference Room of the Commission.
 - (b) Not applicable.
 - (c) Not applicable.

2. <u>Procedures of the Self-Regulatory Organization</u>

The Exchange submits the proposed rule change pursuant to authority delegated by the Board of Directors of the Exchange on February 11, 2014. Exchange staff will advise the Exchange's Board of Directors of any action taken pursuant to delegated authority. No other action is necessary for the filing of the rule change and, therefore, the Exchange's internal procedures with respect to the proposed change are complete.

The persons on the Exchange staff prepared to respond to questions and comments on the proposed rule change are:

Joanne Moffic-Silver EVP, General Counsel (312) 786-7462 Chris Solgan Assistant General Counsel (646) 856-8723

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

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

(a) <u>Purpose</u>

The Exchange proposes to introduce a new data feed on BZX Options to be known as BZX Options Top. The Exchange also proposes to amend Exchange Rule 21.15(b) to add a description of the BZX Options Top feed and to change the name of the Multicast PITCH feed to BZX Options Depth.

A description of each market data product offered by the Exchange is described in Exchange Rule 21.15(b). The Exchange proposes to amend Rule 21.15(b) to introduce and add a description of the BZX Options Top feed to Exchange under subparagraph (2).³ The BZX Options Top feed would be described as "a data feed that offers top of book quotations and execution information based on options orders entered into the System." The Exchange notes that its affiliate, Cboe EDGX Exchange, Inc. ("EDGX") offers an identical data feed for its equity options platform ("EDGX Options"), known as EDGX Options Top. The description of the BZX Options Top feed under Exchange Rule 21.15(b)(2) is substantially similar to the description of the EDGX Options Top feed under EDGX Rule 21.15(b)(2).⁵

The Exchange also propose to rename Multicast Pitch as BZX Options Depth and amend its rules and fee schedule accordingly. BZX Options Depth is a data feed that offers depth of book quotations and execution information based on options orders

The Exchange also proposes to renumber current subparagraph (2) as (3) and current subparagraph (3) as (4).

⁴ Exchange Rule 21.15(b)(2).

Unlike BZX, EDGX offers separate EDGX Options Top data feeds for the Exchange's Simple Book and the Exchange's Complex Order Book. See EDGX Rule 21.15(b)(2).

entered into the System.⁶

(b) Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act, 7 in general, and furthers the objectives of Section 6(b)(5) of the Act, 8 in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and to protect investors and the public interest, and that it is not designed to permit unfair discrimination among customers, brokers, or dealers. This proposal is in keeping with those principles in that it promotes increased transparency through the dissemination of BZX Options Top. The proposed rule change would benefit investors by facilitating their prompt access to real-time top-of-book information contained in BZX Options Top. The Exchange notes that its affiliate, EDGX, offers an identical data feed for EDGX Options, known as EDGX Options Top. The description of the BZX Options Top feed under Exchange Rule 21.15(b)(2) is substantially similar to the description of the EDGX Options Top feed under EDGX Rule 21.15(b)(2).9

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

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes

⁶ Exchange Rule 21.15(b)(1).

⁷ 15 U.S.C. 78f.

⁸ 15 U.S.C. 78f(b)(5).

Unlike BZX, EDGX offers separate EDGX Options Top data feeds for the EDGX's Simple Book and Complex Order Book. See EDGX Rule 21.15(b)(2).

of the Act. The Exchange believes that the proposal will promote competition by the Exchange offering a service similar to that offered by Nasdaq. ¹⁰ Thus, the Exchange believes this proposed rule change is necessary to permit fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

5. <u>Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others</u>

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

- Extension of Time Period for Commission Action
 Not applicable.
- 7. <u>Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for Accelerated Effectiveness Pursuant to Section 19(b)(2)</u>

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act¹¹ and paragraph (f)(6) of Rule 19b-4 thereunder. ¹² The Exchange asserts that the proposed rule change: (1) will not significantly affect the protection of investors or the public interest, (2) will not impose any significant burden on competition, and (3) and will not become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate. In addition, the Exchange provided

BONO stands for Best of Nasdaq Options ("BONO SM") is a data feed that provides The Nasdaq Options Market ("NOM") Best Bid and Offer and last sale information for trades executed on NOM. See Nasdaq Sec. 4(d), NASDAQ Options Market Data Distributor Fees available at http://www.nasdaqtrader.com/Micro.aspx?id=optionsPricing.

¹⁵ U.S.C. 78s(b)(3)(A).

¹² 17 CFR 240.19b-4.

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, at least five business days prior to the date of filing, or such shorter time as designated by the Commission.¹³

Accordingly, the Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act¹⁴ and paragraph (f)(6) of Rule 19b-4 thereunder.¹⁵

The Exchange believes that the proposed rule change meets the criteria of subparagraph (f)(6) of Rule 19b-4¹⁶ because the proposed rule change would not significantly affect investors or the public interest. The proposed rule change does not impose any significant burden on competition for the reasons stated under Section 4 above. The Exchange notes that its affiliate, EDGX, offers an identical data feed for EDGX Options, known as EDGX Options Top. The description of the BZX Options Top feed under Exchange Rule 21.15(b)(2) is substantially similar to the description of the EDGX Options Top feed under EDGX Rule 21.15(b)(2).¹⁷ Therefore, the proposed rule change presents no new novel issues. Based on the foregoing, the Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act¹⁸ and paragraph (f)(6) of Rule 19b-4 thereunder.¹⁹

The Exchange respectfully requests that the Commission waive the 30-day

¹³ 17 CFR 240.19b-4(f)(6)(iii).

¹⁴ 15 U.S.C. 78s(b)(3)(A).

¹⁵ 17 CFR 240.19b-4.

¹⁶ 17 CFR 240.19b-4(f)(6).

Unlike BZX, EDGX offers separate EDGX Options Top data feeds for the EDGX's Simple Book and Complex Order Book. See EDGX Rule 21.15(b)(2).

¹⁸ 15 U.S.C. 78s(b)(3)(A).

¹⁹ 17 CFR 240.19b-4(f)(6).

operative delay period after which a proposed rule change under Rule 19b-4(f)(6) becomes effective. Waiver of the 30-day operative delay would benefit investors by enabling the Exchange to implement the proposed rule change on March 9, 2018, the anticipated date upon which the Exchange expects to offer BZX Options Top and the effective date of the proposed fees for BZX Options Top that are to be separately filed with the Commission.²⁰ Waiver of the operative delay is, therefore, consistent with the protection of investors and the public interest.

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.

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

The proposed rule change is based on the EDGX Options Top feed under EDGX Rule 21.15(b)(2). Unlike as proposed herein, EDGX offers separate EDGX Options Top data feeds for the EDGX's Simple Book and Complex Order Book.

- Security Based-Swap Submissions Filed Pursuant to Section 3C of the Act
 Not applicable.
- 10. Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act
 Not applicable.

See Cboe BZX and EDGX Options Exchanges to Introduce Multicast Top Feed, available at http://cdn.batstrading.com/resources/release_notes/2018/Cboe-BZX-and-EDGX-Options-Exchanges-to-Introduce-Multicast-Top-Feed.pdf.

11. Exhibits

Exhibit 1 – Form of Notice of Proposed Rule Change for <u>Federal Register</u>.

Exhibit 5 – Text of the Proposed Rule Change.

EXHIBIT 1

SECURITIES AND EXCHAN	IGE COMMISSION
(Release No. 34-	; File No. SR-CboeBZX-2018-013)

Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Introduce a New Data Feed on the Exchange's Equity Options Platform

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

The Exchange filed a proposal to introduce a new data feed on its equity options platform ("BZX Options") to be known as BZX Options Top.

The text of the proposed rule change is available at the Exchange's website at www.markets.cboe.com, at the principal office of the Exchange, and at the Commission's Public Reference Room.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f)(6)(iii).

II. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> 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 parts of such statements.

- (A) <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory</u>
 <u>Basis for, the Proposed Rule Change</u>
- 1. Purpose

The Exchange proposes to introduce a new data feed on BZX Options to be known as BZX Options Top. The Exchange also proposes to amend Exchange Rule 21.15(b) to add a description of the BZX Options Top feed and to change the name of the Multicast PITCH feed to BZX Options Depth.

A description of each market data product offered by the Exchange is described in Exchange Rule 21.15(b). The Exchange proposes to amend Rule 21.15(b) to introduce and add a description of the BZX Options Top feed to Exchange under subparagraph (2).⁵ The BZX Options Top feed would be described as "a data feed that offers top of book quotations and execution information based on options orders entered into the System." The Exchange notes that its affiliate, Cboe EDGX Exchange, Inc. ("EDGX") offers an identical data feed for its equity options platform ("EDGX Options"), known as EDGX Options Top. The description of the BZX Options Top feed under Exchange Rule

The Exchange also proposes to renumber current subparagraph (2) as (3) and current subparagraph (3) as (4).

Exchange Rule 21.15(b)(2).

21.15(b)(2) is substantially similar to the description of the EDGX Options Top feed under EDGX Rule 21.15(b)(2).⁷

The Exchange also propose to rename Multicast Pitch as BZX Options Depth and amend its rules and fee schedule accordingly. BZX Options Depth is a data feed that offers depth of book quotations and execution information based on options orders entered into the System.⁸

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act, 9 in general, and furthers the objectives of Section 6(b)(5) of the Act, 10 in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and to protect investors and the public interest, and that it is not designed to permit unfair discrimination among customers, brokers, or dealers. This proposal is in keeping with those principles in that it promotes increased transparency through the dissemination of BZX Options Top. The proposed rule change would benefit investors by facilitating their prompt access to real-time top-of-book information contained in BZX Options Top. The Exchange notes that its affiliate, EDGX, offers an identical data feed for EDGX Options, known as EDGX Options Top. The description of the BZX Options Top feed under

Unlike BZX, EDGX offers separate EDGX Options Top data feeds for the EDGX's Simple Book and Complex Order Book. See EDGX Rule 21.15(b)(2).

⁸ Exchange Rule 21.15(b)(1).

⁹ 15 U.S.C. 78f.

¹⁰ 15 U.S.C. 78f(b)(5).

Exchange Rule 21.15(b)(2) is substantially similar to the description of the EDGX Options Top feed under EDGX Rule 21.15(b)(2).¹¹

(B) <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposal will promote competition by the Exchange offering a service similar to that offered by Nasdaq. Thus, the Exchange believes this proposed rule change is necessary to permit fair competition among national securities exchanges. Therefore, the Exchange does not believe the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

(C) <u>Self-Regulatory Organization's Statement on Comments on the Proposed</u> <u>Rule Change Received from Members, Participants or Others</u>

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

III. <u>Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action</u>

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 (C) by its terms, become operative for 30 days from the date on which it

Unlike BZX, EDGX offers separate EDGX Options Top data feeds for the EDGX's Simple Book and Complex Order Book. See EDGX Rule 21.15(b)(2).

BONO stands for Best of Nasdaq Options ("BONO SM") is a data feed that provides The Nasdaq Options Market ("NOM") Best Bid and Offer and last sale information for trades executed on NOM. See Nasdaq Sec. 4(d), NASDAQ Options Market Data Distributor Fees available at http://www.nasdaqtrader.com/Micro.aspx?id=optionsPricing.

was filed or such shorter time as the Commission may designate it has become effective pursuant to Section 19(b)(3)(A) of the Act¹³ and paragraph (f)(6) of Rule 19b-4 thereunder, ¹⁴ the Exchange has designated this rule filing as non-controversial. 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.

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: (1) necessary or appropriate in the public interest; (2) for the protection of investors; or (3) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule 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 proposal 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 <u>rule-comments@sec.gov</u>. Please include File No. SR-CboeBZX-2018-013 on the subject line.

¹⁵ U.S.C. 78s(b)(3)(A).

¹⁴ 17 CFR 240.19b-4.

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 No. SR-CboeBZX-2018-013. 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, DC 20549, on official business days between the hours of 10:00 am and 3:00 pm. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR-CboeBZX-2018-013 and should be submitted on or before [_____21 days from publication in the Federal Register].

For the Commission, by the Division of Trading and Markets, pursuant to

delegated authority. 15

Robert W. Errett Deputy Secretary

15

EXHIBIT 5

Proposed new language is <u>underlined</u>; proposed deletions are in [brackets].

Cboe BZX Options Exchange Rules

* * * * *

- 21.15. Data Dissemination
 - (a) (No change).
- (b) Exchange Data Products. The Exchange offers the following data products free of charge, except as otherwise noted in the Fee Schedule:
 - (1) [Multicast PITCH]<u>BZX Options Depth</u>. [Multicast PITCH]<u>BZX Options Depth</u> is an uncompressed data feed that offers depth of book quotations and execution information based on options orders entered into the System.
 - (2) BZX Options Top. BZX Options Top is an uncompressed data feed that offers top of book quotations and execution information based on options orders entered into the System.
 - ([2]3) DROP. DROP is an uncompressed data feed that offers information regarding the options trading activity of a specific Member. DROP is only available to the Member to whom the specific data relates and those recipients expressly authorized by the Member.
 - ([3]4) Historical Data. Historical Data is a data product that offers historical options data.

* * * * *