

## OMB APPROVAL

OMB Number: 3235-0045  
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 hours per response.....38

Required fields are shown with yellow backgrounds and asterisks.

Page 1 of \* 17

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

File No. \* SR - 2017 - \* 47  
 Amendment No. (req. for Amendments \*)

Filing by NYSE MKT LLC

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

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

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

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

Section 806(e)(1) \*  
☐

Section 806(e)(2) \*  
☐

Section 3C(b)(2) \*  
☐

Exhibit 2 Sent As Paper Document



Exhibit 3 Sent As Paper Document



### Description

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

Proposed Change in Connection with its Name Change to NYSE American LLC and the Related Rebranding of NYSE Amex Options to NYSE American Options to Make Technical and Conforming Changes to the Rules of the Exchange and the NYSE Amex Options Fee Schedule

### Contact Information

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

First Name \* Jennifer Last Name \* McCallion  
 Title \* Counsel  
 E-mail \* Jennifer.McCallion@theice.com  
 Telephone \* (212) 656-5368 Fax (212) 656-8101

### 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.

(Title \*)

Date 07/21/2017

By Clare Saperstein

(Name \*)

Associate General Counsel

Clare Saperstein,

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 EFFT website.

**Form 19b-4 Information \***

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The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.

**Exhibit 1 - Notice of Proposed Rule Change \***

Add Remove View

The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

**Exhibit 1A- Notice of Proposed Rule Change, Security-Based Swap Submission, or Advance Notice by Clearing Agencies \***

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The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change, security-based swap submission, or advance notice being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

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

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Exhibit Sent As Paper Document

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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**

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Exhibit Sent As Paper Document

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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**

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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**

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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**

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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.

1. Text of the Proposed Rule Change

- (a) Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”)<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> NYSE MKT LLC (“NYSE MKT” or the “Exchange”) proposes, in connection with its name change to NYSE American LLC and the related rebranding of NYSE Amex Options to NYSE American Options, to make technical and conforming changes to the rules of the Exchange (“Rules”) and the NYSE Amex Options Fee Schedule (“Fee Schedule”).

The Exchange has designated the proposed rule change as one being concerned solely with the administration of the Exchange pursuant to Section 19(b)(3)(A)(iii)<sup>3</sup> of the Act and Rule 19b-4(f)(3)<sup>4</sup> thereunder, which renders the proposal effective upon filing with the Commission. A notice of the proposed rule change for publication in the Federal Register is attached hereto as Exhibit 1, and the text of the proposed rule change is attached as Exhibit 5.

- (b) The Exchange does not believe that the proposed rule change will have any direct effect, or any significant indirect effect, on any other Exchange rule in effect at the time of this filing.
- (c) Not applicable.

2. Procedures of the Self-Regulatory Organization

Senior management has approved the proposed changes to the rules of the Exchange pursuant to authority delegated to it by the Board of the Exchange. No further action is required under the Exchange’s governing documents. Therefore, the Exchange’s internal procedures with respect to the proposed rule change are complete.

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

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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)(3).

Jennifer McCallion  
Counsel  
NYSE Group, Inc.  
(212) 656-5368

Martha Redding  
Associate General Counsel  
NYSE Group, Inc.  
(212) 656-2938

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

(a) Purpose

NYSE MKT proposes, in connection with its name change to NYSE American LLC ("NYSE American") and the related rebranding of NYSE Amex Options to NYSE American Options, to make technical and conforming changes the Rules and Fee Schedule.

Background

On March 16, 2017, NYSE MKT filed rule changes with the Commission in connection with its name change to NYSE American.<sup>5</sup> In addition, on May 19, 2017, NYSE MKT filed rule changes with the Commission associated with the rebranding of NYSE Amex Options, the Exchange's facility for trading options, to NYSE American Options.<sup>6</sup> In those filings, the Exchange committed to submitting subsequent rule filings as necessary to make any technical and conforming changes to proposed rule changes that were pending as of the time of those filings or that occurred after such filings but before the operative date of the name change.<sup>7</sup> Accordingly, the Exchange now proposes to make technical and conforming changes to its Rules and Fee Schedule to reflect the name change to NYSE American and rebrand from NYSE Amex Options to NYSE American Options, as detailed below.

Proposed Changes

- In Rule 36 – Equities, Supplementary Materials .21, .23, and .70 (Communications Between Exchange and Members' Offices), the Exchange proposes to change references to "NYSE Amex Options Trading Floor" to "NYSE American Options Trading Floor."
- In the Fee Schedule, under Section I. Options Transaction Fees and Credits, subpart M.BOLD Mechanism Fees & Credits, the Exchange

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<sup>5</sup> See Securities Exchange Act Release No.80283 (March 21, 2017), 82 FR 15244 (March 27, 2017) (SR-NYSEMKT-2017-14).

<sup>6</sup> See Securities Exchange Act Release No. 80748 (May 23, 2017), 82 FR 24764(May 30, 2017) (SR-NYSEMKT 2017-20).

<sup>7</sup> See supra note 5 at 15246 and note 6 at 24765.

proposes to change the reference to “NYSE Amex Options Market Makers” to “NYSE American Options Market Makers”.

None of the foregoing changes are substantive. The above-listed changes would become operative upon the effectiveness of an amendment to the Exchange’s Certificate of Formation, which is expected to be no later than July 30, 2017. The Exchange will announce the name change via Trader Update.

(b) Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Exchange Act<sup>8</sup> in general, and with Section 6(b)(1)<sup>9</sup> in particular, in that it enables the Exchange to be so organized as to have the capacity to be able to carry out the purposes of the Exchange Act and to comply, and to enforce compliance by its exchange members and persons associated with its exchange members, with the provisions of the Exchange Act, the rules and regulations thereunder, and the rules of the Exchange.

The proposed rule change is a non-substantive change and does not impact the governance or ownership of the Exchange. The Exchange believes that the proposed rule change would enable the Exchange to continue to be so organized as to have the capacity to carry out the purposes of the Exchange Act and comply and enforce compliance with the provisions of the Exchange Act by its members and persons associated with its members, because ensuring that the Rules and Fee Schedule accurately reflect the name of the Exchange and its facility for trading options would contribute to the orderly operation of the Exchange by adding clarity and transparency to such documents and rules.

For similar reasons, the Exchange also believes that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>10</sup> in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes that the proposed rule change would remove impediments to and perfect the mechanism of a free and open market and a national market system by ensuring that market participants can more easily navigate, understand and comply with the Rules and Fee Schedule. The Exchange believes that, by ensuring that the Rules and Fee Schedule accurately reflect the name of the

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<sup>8</sup> 15 U.S.C. 78f(b).

<sup>9</sup> 15 U.S.C. 78f(b)(1).

<sup>10</sup> 15 U.S.C. 78f(b)(5).

Exchange and its options market the proposed rule change would reduce potential investor or market participant confusion.

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

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is concerned solely with updating the Rules and Fee Schedule to reflect its name change from NYSE MKT to NYSE American and the related rebranding of NYSE Amex Options to NYSE American Options.

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

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

6. Extension of Time Period for Commission Action

Not applicable.

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

As described above, the proposed rule change is being filed solely to reflect the name change of the Exchange and is concerned solely with the administration of the Exchange pursuant to Section 19(b)(3)(A)(iii)<sup>11</sup> of the Act and Rule 19b-4(f)(3)<sup>12</sup> thereunder. Accordingly, the proposal will take effect upon filing with 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 necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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

The proposed rule change is not based on the rules of another self-regulatory organization or of the Commission.

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

Not applicable.

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<sup>11</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>12</sup> 17 CFR 240.19b-4(f)(3).

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

Not applicable.

11. Exhibits

Exhibit 1 – Form of Notice of Proposed Rule Change for Publication in the Federal Register

Exhibit 5 – Text of the Proposed Rule Change

A. Rules

B. Fee Schedule

## EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION  
(Release No. 34- ; File No. SR-NYSEMKT-2017-47)

[Date]

Self-Regulatory Organizations; NYSE MKT LLC; Notice of Filing and Immediate Effectiveness of Proposed Change in Connection with its Name Change to NYSE American LLC and the Related Rebranding of NYSE Amex Options to NYSE American Options, to Make Technical and Conforming Changes to the Rules of the Exchange and the NYSE Amex Options Fee Schedule

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the “Act”)<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on July 21, 2017, NYSE MKT LLC (the “Exchange” or “NYSE MKT”) 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 self-regulatory organization. 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 in connection with its name change to NYSE American LLC and the related rebranding of NYSE Amex Options to NYSE American Options, to make technical and conforming changes to the rules of the Exchange (“Rules”) and the NYSE Amex Options Fee Schedule (“Fee Schedule”). The proposed change is available on the Exchange’s website at [www.nyse.com](http://www.nyse.com), at the principal office of the Exchange, and at the Commission’s Public Reference Room.

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

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.



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

In its filing with the Commission, the 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

NYSE MKT proposes, in connection with its name change to NYSE American LLC ("NYSE American") and the related rebranding of NYSE Amex Options to NYSE American Options, to make technical and conforming changes the Rules and Fee Schedule.

#### Background

On March 16, 2017, NYSE MKT filed rule changes with the Commission in connection with its name change to NYSE American.<sup>4</sup> In addition, on May 19, 2017, NYSE MKT filed rule changes with the Commission associated with the rebranding of NYSE Amex Options, the Exchange's facility for trading options, to NYSE American Options.<sup>5</sup> In those filings, the Exchange committed to submitting subsequent rule filings

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<sup>4</sup> See Securities Exchange Act Release No.80283 (March 21, 2017), 82 FR 15244 (March 27, 2017) (SR-NYSEMKT-2017-14).

<sup>5</sup> See Securities Exchange Act Release No. 80748 (May 23, 2017), 82 FR 24764(May 30, 2017) (SR-NYSEMKT 2017-20).

as necessary to make any technical and conforming changes to proposed rule changes that were pending as of the time of those filings or that occurred after such filings but before the operative date of the name change.<sup>6</sup> Accordingly, the Exchange now proposes to make technical and conforming changes to its Rules and Fee Schedule to reflect the name change to NYSE American and rebrand from NYSE Amex Options to NYSE American Options, as detailed below.

#### Proposed Changes

- In Rule 36 – Equities, Supplementary Materials .21, .23, and .70 (Communications Between Exchange and Members' Offices), the Exchange proposes to change references to “NYSE Amex Options Trading Floor” to “NYSE American Options Trading Floor.”
- In the Fee Schedule, under Section I. Options Transaction Fees and Credits, subpart M.BOLD Mechanism Fees & Credits, the Exchange proposes to change the reference to “NYSE Amex Options Market Makers” to “NYSE American Options Market Makers”.

None of the foregoing changes are substantive. The above-listed changes would become operative upon the effectiveness of an amendment to the Exchange’s Certificate of Formation, which is expected to be no later than July 30, 2017. The Exchange will announce the name change via Trader Update.

#### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section

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<sup>6</sup> See supra note 4 at 15246 and note 5 at 24765.

6(b) of the Exchange Act<sup>7</sup> in general, and with Section 6(b)(1)<sup>8</sup> in particular, in that it enables the Exchange to be so organized as to have the capacity to be able to carry out the purposes of the Exchange Act and to comply, and to enforce compliance by its exchange members and persons associated with its exchange members, with the provisions of the Exchange Act, the rules and regulations thereunder, and the rules of the Exchange.

The proposed rule change is a non-substantive change and does not impact the governance or ownership of the Exchange. The Exchange believes that the proposed rule change would enable the Exchange to continue to be so organized as to have the capacity to carry out the purposes of the Exchange Act and comply and enforce compliance with the provisions of the Exchange Act by its members and persons associated with its members, because ensuring that the Rules and Fee Schedule accurately reflect the name of the Exchange and its facility for trading options would contribute to the orderly operation of the Exchange by adding clarity and transparency to such documents and rules.

For similar reasons, the Exchange also believes that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>9</sup> in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public

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

<sup>8</sup> 15 U.S.C. 78f(b)(1).

<sup>9</sup> 15 U.S.C. 78f(b)(5).

interest.

The Exchange believes that the proposed rule change would remove impediments to and perfect the mechanism of a free and open market and a national market system by ensuring that market participants can more easily navigate, understand and comply with the Rules and Fee Schedule. The Exchange believes that, by ensuring that the Rules and Fee Schedule accurately reflect the name of the Exchange and its options market the proposed rule change would reduce potential investor or market participant confusion.

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

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended to address competitive issues but rather is concerned solely with updating the Rules and Fee Schedule to reflect its name change from NYSE MKT to NYSE American and the related rebranding of NYSE Amex Options to NYSE American Options.

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 has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>10</sup> and Rule 19b-4(f)(3)<sup>11</sup> thereunder in that the proposed rule change is concerned solely with the administration of the Exchange.

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<sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)<sup>12</sup> of the Act to determine whether the proposed rule change should be approved or disapproved.

#### IV. Solicitation of Comments

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

##### Electronic comments:

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEMKT-2017-47 on the subject line.

##### Paper comments:

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

All submissions should refer to File Number SR-NYSEMKT-2017-47. This file number should be included on the subject line if e-mail is used. To help the Commission

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<sup>11</sup> 17 CFR 240.19b-4(f)(3).

<sup>12</sup> 15 U.S.C. 78s(b)(2)(B).

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 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEMKT-2017-47 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

Robert W. Errett  
Deputy Secretary

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<sup>13</sup> 17 CFR 200.30-3(a)(12).

Additions underscored  
 Deletions [bracketed]

## NYSE American Rules

### General and Floor Rules

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### Equities Rules

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### General Rules (Rules 1 – Equities-38 – Equities)

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### Rule 36 - Equities. Communications Between Exchange and Members' Offices

*This Rule is not applicable to trading on the Pillar trading platform.*

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### • • • *Supplementary Material:*

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### .21 Use of a cellular or wireless phone by a Floor broker:

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(e) Floor brokers may not use a cellular or wireless phone registered with the Exchange and used to trade equities while on the NYSE [Amex]American Options Trading Floor.

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### .23 Use of Personal Portable or Wireless Communication Devices.

Notwithstanding any other provisions of this Rule 36 - Equities, members and employees of member organizations: (1) are permitted to use cellular or wireless 40 of 42 communications devices outside the Trading Floor, provided such use is consistent with all other Exchange Rules and federal securities laws and the rules thereunder; and (2) are prohibited from using cellular or wireless communications devices while on the NYSE [Amex]American Options Trading Floor. Those members and employees of member organizations that are also registered to trade options on the Exchange are permitted to use cellular or wireless communications devices while on the

NYSE [Amex]American Options Trading Floor in accordance with applicable Exchange Options rules and regulations, including Rules 220 and 902NY, subject to .21(e) of this Rule.

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**.70 Use and Possession of Wireless Hand-Held Devices.**

(a)(i) Members and employees of member organizations are prohibited from using or possessing any wireless hand-held device ("hand-held device") that may be used to view or enter orders into the Exchange's Equities automated trading systems while on the NYSE [Amex]American Options Trading Floor.

(ii) Members and employees of member organizations are also prohibited from using or possessing any hand-held

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EXHIBIT 5B

Additions underscored  
Deletions [bracketed]

**NYSE AMERICAN OPTIONS FEE SCHEDULE\***

\*NYSE American Options is the options trading facility of NYSE American LLC

**Effective as of [June 16]July 24, 2017**

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**Section I. Options Transaction Fees and Credits**

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**M.BOLD Mechanism Fees & Credits.** The following transaction fees and credits apply to orders executed via the BOLD Mechanism.

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<sup>1</sup> NYSE [Amex]American Options Market Makers will not be assessed Marketing Charges for transactions resulting from the BOLD Mechanism.

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