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AND EXCHANGE COMMISSION

Washington, D.C. 20549



OMB Number: 3235-0504 Expires: August 31, 2010 Estimated average burden hours per response.....3.60

Washington, D.C. 20549

FORM 19b-4(e)

Intermediate Regulatory Organization Listing and Trading a New Derivative Securities Product Pursuant to Rule 19b-4(e) Under the Securities Exchange Act of 1934 READ ALL INSTRUCTIONS PRIOR TO COMPLETING FORM Part I **Initial Listing Report** Name of Self-Regulatory Organization Listing New Derivative Securities Product: The NASDAQ Stock Market LLC (traded pursuant to unlisted trading privileges) Type of Issuer of New Derivative Securities Product (e.g., clearinghouse, broker-dealer, corporation, etc.): **Open End Management Investment Company**

- Class of New Derivative Securities Product:
 - **Exchange Traded Fund**
- 4. Name of Underlying Instrument:
- S&P 1500 Positive Momentum Tilt Index
- If Underlying Instrument is an Index, State Whether it is Broad-Based or Narrow-Based: **Broad-based**
- 6. Ticker Symbol(s) of New Derivative Securities Product: **MMTM**
- 7. Market or Markets Upon Which Securities Comprising Underlying Instrument Trades: Listed on: NASDAQ Stock Market LLC, NYSE, NYSE Amex
- 8. Position Limits of New Derivative Securities Product (if applicable): Regular way trades settle on T + 3 (cash settled)
- 9. Position Limits of New Derivative Securities Product (if applicable): **N/A**

Part II Execution

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The undersigned represents that the governing body of the above-referenced Self-Regulatory Organization has duly approved, or has duly delegated its approval to the undersigned for, the listing and trading of the above-referenced new derivative securities product according to its relevant trading rules, procedures, surveillance programs and listing

Name of Official Responsible for Form:

Gary N. Sundick

Title:

Vice President, Listing Qualifications

Telephone Number: 1-301-978-5214

Manual Signature of Official Responsible for Form:

Date: October 26, 2012

Act Securities Exchange Act of 1934

Section 19b-4 Rule 19b-4(e)

Public

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