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FORM 19b-4(e)

Information Required of a Self-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

- 1. Name of Self-Regulatory Organization Listing New Derivative Securities Product: **NASDAQ OMX BX, Inc. (traded pursuant to unlisted trading privileges)**
- 2. Type of Issuer of New Derivative Securities Product (e.g., clearinghouse, broker-dealer, corporation, etc.): **Open End Management Investment Company**
- 3. Class of New Derivative Securities Product: **Exchange Traded Fund**
- 4. Name of Underlying Instrument: **Reality Shares DIVCON Dividend Guard Index**
- 5. 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: **GARD**
- 7. Market or Markets Upon Which Securities Comprising Underlying Instrument Trades: **Listed on: NASDAQ Stock Market LLC, NYSE**
- 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**

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Part II Execution

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 standards.

Name of Official Responsible for Form: **Colleen Steele**

Title: **Assistant Corporate Secretary**

Telephone Number: **301-978-8736**

Manual Signature of Official Responsible for Form: *[Handwritten Signature]*

Date: **January 20, 2016**

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