

EXHIBIT 5

Below is the text of the proposed rule change. Proposed new language is underlined.

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**7000. CLEARING, TRANSACTION AND ORDER DATA REQUIREMENTS,
AND FACILITY CHARGES**

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**7600. DATA PRODUCTS AND CHARGES FOR TRADE REPORTING
FACILITY SERVICES**

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**7600B. DATA PRODUCTS AND CHARGES FOR FINRA/NYSE TRADE
REPORTING FACILITY SERVICES**

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7640B. Data Products Offered By NYSE

(a) Under the terms of the business arrangement establishing the FINRA/NYSE Trade Reporting Facility, NYSE Market (DE), Inc. (“NYSE Market”), as the Business Member, has a non-exclusive, irrevocable, worldwide, perpetual, royalty-free right and license to use covered market data, consistent with all applicable laws, rules and regulations. NYSE Market, as the Business Member, has a contractual right to distribute and sell covered market data to third parties, consistent with the Exchange Act, and has determined to distribute or sell the products referenced in paragraph (c) of this Rule that use covered market data through its affiliated self-regulatory organization, New York Stock Exchange LLC (“NYSE”). For purposes of this Rule, “covered market data” means market data generated by the FINRA/NYSE Trade Reporting Facility, other than data generated exclusively for regulatory purposes.

(b) Any fee for products that use covered market data shall be charged by NYSE pursuant to a proposed rule change filed with the Commission by NYSE, in its capacity as an affiliated self-regulatory organization of the Business Member.

(c) The following data products offered by NYSE pursuant to proposed rule changes filed with the Commission by NYSE use covered market data:

(1) NYSE Trades feed; and

(2) NYSE BQT feed.

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