

EXHIBIT 5

Proposed new language is underlined; proposed deletions are in [brackets].

Rules of BATS Exchange, Inc.

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CHAPTER IV. BOOKS AND RECORDS

Rules 4.1 – 4.2. (No change).

Rule 4.3. Record of Written Complaints

(a) Each Member shall keep and preserve for a period of not less than [five]four years a file of all written complaints of customers and action taken by the Member in respect thereof, if any. Further, for the first two years of the [five]four-year period, the Member shall keep such file in a place readily accessible to examination or spot checks.

(b) (No change).

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