

EXHIBIT 5 TO SR-CBOE-2013-087

(additions are underlined; deletions are [bracketed]
Only those fees that are affected are shown)

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**MARKET DATA EXPRESS, LLC (MDX)
CBOE STREAMING MARKETS
FEE SCHEDULE
[MAY 1] SEPTEMBER 30, 2013**

I. The fees for the BBO Data Feed are as follows:

BBO DATA FEED:

	Data Fee (per month)
CBOE	\$5,000
[CBOE FLEX]	[\$0]

The Data Fee for the BBO Data Feed is payable by all “Customers”. A BBO Data Feed “Customer” is any entity that receives the BBO Data Feed, either directly from MDX’s system or through a connection to MDX provided by an approved redistributor (i.e., a market data vendor or an extranet service provider), and distributes it externally or uses it internally.

II. Effective October 1, 2013, the fees for the Complex Order Book Data Feed are as follows:

COMPLEX ORDER BOOK (“COB”) DATA FEED:

	<u>Data Fee (per month)</u>	<u>User Fees (per month)</u>
<u>CBOE</u>	<u>\$3,000</u>	<u>\$25 per Device or user ID for Professional Users (Internal and External Users)</u>
	<u>COB Data Feed Data Fee is waived for BBO Data Feed Customers</u>	<u>\$1 – Non-Professional User</u>
		<u>User Fees are subject to a cap of \$2000 per month</u>

The fees for the COB Data Feed are payable by all “Customers”. A COB Data Feed “Customer” is any entity that receives the COB Data Feed, either directly from MDX’s system or through a connection to MDX provided by an approved redistributor (i.e., a market data vendor or an extranet service provider), and distributes it externally or uses it internally, except that an entity or person that receives the COB

Data Feed from a Customer and only uses it internally is not a “Customer” if it receives the COB Data Feed from a Customer subject to a form of “Subscriber Agreement” that has been approved by MDX.

Non-Professional User. A “Non-Professional User” is a natural person who uses the COB Data Feed only for personal purposes and not for any commercial purpose and who, if he or she works in the United States, is not: (i) registered or qualified in any capacity with the Securities and Exchange Commission, the Commodities Futures Trading Commission, any state securities agency, any securities exchange or association, or any commodities or futures contract market or association; (ii) engaged as an “investment adviser” as that term is defined in Section 201(11) of the Investment Advisors Act of 1940 (whether or not registered or qualified under that Act); or (iii) employed by a bank or other organization exempt from registration under federal or state securities laws to perform functions that would require registration or qualification if such functions were performed for an organization not so exempt; or, if he or she works outside of the United States, does not perform the same functions as someone who would qualify as a Non-Professional User if he or she worked in the United States.

Professional User. A “Professional User” is any natural person recipient of the COB Data Feed who is not a Non-Professional User.

User Fees. User fees for Professional Users are payable for both “internal” Professional Users (Devices or user IDs of employees of a Customer) and “external” Professional Users (Devices or user IDs of Professional Users who receive the Data from a Customer and are not employed by the Customer). (Non-Professional Users must be external since a person who uses the Data for a commercial purpose cannot be a Non-Professional User.) A “Device” means any computer, workstation or other item of equipment, fixed or portable, that receives, accesses and/or displays data in visual, audible or other form.

III. The fees for the FLEX Options Data Feed are as follows:

FLEX OPTIONS DATA FEED:

	<u>Data Fee (per month)</u>	<u>User Fees (per month)</u>
<u>CBOE FLEX</u>	<u>\$0</u>	<u>\$0</u>

A FLEX Options Data Feed “Customer” is any entity that receives the FLEX Options Data Feed, either directly from MDX’s system or through a connection to MDX provided by an approved redistributor (i.e., a market data vendor or an extranet service provider), and distributes it externally or uses it internally, except that an entity or person that receives the FLEX Options Data Feed from a Customer and only uses it internally is not a “Customer” if it receives the FLEX Options Data Feed from a Customer subject to a form of “Subscriber Agreement” that has been approved by MDX.

*MDX will not charge fees for any of the data feeds set forth in Sections I-III above for any calendar month in which Customer commences receipt of the data after the 15th day of the month or discontinues receipt of the data before the 15th day of the month.

[III]IV. Systems Fees:

Port Fee for CBOE BBO data \$500/per data port/month

Port Fee. The port fee is payable by any Customer that has established a port connection to an MDX server. MDX will not charge the port fee for any calendar month in which Customer establishes the connection after the 15th day of the month or disconnects before the 15th day of the month.

[III. Definitions:]

[1. *Data Fee.* The data fee is payable by a “Customer”. A “Customer” is any entity that receives the BBO Data Feed directly from MDX’s system or through a connection to MDX provided by an approved redistributor (i.e., a market data vendor or an extranet service provider) and then distributes it internally and/or externally. MDX will invoice for this fee on a calendar month basis. MDX will not charge the data fee for any calendar month in which Customer commences receipt of the Data after the 15th day of the month or discontinues receipt of the Data before the 15th day of the month.]

[2. *Port Fee.* The port fee is payable by any Customer that has established a port connection to an MDX server. MDX will invoice for this fee on a calendar month basis. MDX will not charge the port fee for any calendar month in which Customer establishes the connection after the 15th day of the month or disconnects before the 15th day of the month.]

[3. *Late Payments.* If any amount due from Customer to MDX pursuant to this Agreement has not been paid by the 30th day after such amount is due, MDX may impose a late payment charge for each day from and after the due date that the amount remains unpaid. The late payment charge shall be at an annual rate that does not exceed the lesser of (i) the commercial prime rate of interest as last published in The Wall Street Journal prior to the date such charge is computed plus three percent, or (ii) the maximum rate of interest permitted by applicable law.]