

Exhibit 5

(Changes are indicated by underlining additions and [bracketing deletions].
Only those fees that are affected are shown.)

CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED
FEES SCHEDULE
[JUNE 21] JULY 16, 2010

1.	OPTIONS TRANSACTION FEES (1)(3)(4)(7)(15):	PER CONTRACT
	EQUITY OPTIONS (13):	
	I. – VII. No change.	
	QQQQ and SPDR OPTIONS:	
	I.-VII. No change.	
	INDEX OPTIONS (includes ETF, <u>ETN</u> and HOLDRs options):	
	I. CUSTOMER (2):	
	• SPX, PREMIUM > or = \$1.....	\$.44
	• SPX, PREMIUM < \$1.....	\$.35
	• DXL, OEX, XEO, S&P 500 Dividend Index and VOLATILITY INDEXES (except OEX and XEO WEEKLYS)	\$.40
	• OEX and XEO WEEKLYS.....	\$.30
	• OTHER INDEXES, ETFs, <u>ETNs</u> and HOLDRs (9).....	\$.18
	II. VOLUNTARY PROFESSIONAL:	
	• DXL, OEX, XEO, S&P 500 Dividend Index and VOLATILITY INDEXES	\$.40
	• OTHER INDEXES, ETF[S]s, <u>ETNs</u> AND HOLDRs	\$.20
	III. PROFESSIONAL:	
	• DXL, OEX, XEO, S&P 500 Dividend Index and VOLATILITY INDEXES	\$.40
	• OTHER INDEXES, ETF[S]s, <u>ETNs</u> AND HOLDRs	\$.20
	IV. CBOE MARKET-MAKER/DPM (standard rate, subject to sliding scale) (10).....	\$.20
	V. CLEARING TRADING PERMIT HOLDER PROPRIETARY: (11).....	\$.20
	VI. BROKER-DEALER (16)	
	• OEX, XEO, SPX, S&P 500 Dividend Index and VOLATILITY INDEXES	\$.40
	• OTHER INDEXES, ETFs, <u>ETNs</u> and HOLDRs - MANUAL	\$.25
	• OTHER INDEXES, ETFs, <u>ETNs</u> and HOLDRs - ELECTRONIC	\$.45
	• AIM EXECUTIONS.....	\$.20
	VII. SURCHARGE FEE: (14)	
	• VOLATILITY INDEXES	\$.08
	• OEX, XEO, SPX, S&P 500 Dividend Index, DJX and DXL	\$.10
	• MNX, NDX and RUT	\$.15
	VIII. CFLEX SURCHARGE FEE (17).....	\$.10

For assistance, please contact John Mavindidze at 312-786-7689 (mavindidze@cboe.com) or Don Patton at 312-786-7026 (patton@cboe.com).

CREDIT DEFAULT OPTIONS AND CREDIT DEFAULT BASKET OPTIONS:

I – VI. No change.

LIQUIDITY PROVIDER SLIDING SCALE (10):

Tiers	Contracts per Month	Rate
First	First 85,000	20 cents
Second	Next 1,265,000	18 cents
Third	Next 2,075,000	15 cents
Fourth	Next 2,050,000	10 cents
Fifth	Next 5,025,000	3 cents
Sixth	Above 10,500,000	1 cent

CLEARING TRADING PERMIT HOLDER PROPRIETARY SLIDING SCALE (11):

Tiers	Contracts per Month	Rate
First	First 450,000	20 cents
Second	Next 225,000	15 cents
Third	Next 175,000	10 cents
Fourth	Next 100,000	5 cents
Fifth	Above 950,000	2 cents

2. MARKETING FEE (6)	\$.65
• XSP.....	\$.10
• Penny Pilot Classes	
• Equity Options.....	\$.25
• [OIH, SMH, XLE, and XLF] <u>ETF, ETN and HOLDRs Options</u>	\$.25
• DIA and SPY.....	\$.10
• QQQQ [and], IWM, <u>EEM and EWT</u>	\$.00
3. FLOOR BROKERAGE FEE (1)(5)(15):	
• DXL, OEX and SPX INDEX OPTIONS.....	\$.04
• DXL, OEX and SPX CROSSED ORDERS.....	\$.02
• VOLATILITY INDEX OPTIONS.....	\$.02
• VOLATILITY INDEX CROSSED ORDERS.....	\$.01

4. SPONSORED USER FEES

Registration Fee \$2,500 (one-time)*

* This fee is a one-time fee payable by a TPH organization for the registration of each of its Sponsored Users. The Sponsored User Program is governed by CBOE Rule 6.20A.

CBOE Sponsored User Inactivity Fee \$5,000 per month*

*This fee would be charged only if a CBOE Sponsored User is not software certified by CBOE and has not established a production network connection and passed a login test within 90 days of CBOE's acceptance of its Sponsored User registration status and would continue to apply until the Sponsored User has completed all of the foregoing requirements or the Sponsored User's registration status is withdrawn.

FOOTNOTES:

(1) – (5) No change.

(6) The marketing fee will be assessed only on transactions of Market-Makers, e-DPMs, and DPMs, resulting from (i) customer orders from payment accepting firms, or (ii) customer orders that have designated a "Preferred Market-Maker" under CBOE Rule 8.13 at the per contract rate provided above on all classes of equity options, options on HOLDRs, options on ETFs, options on ETNs and index options; except that the marketing fee shall not apply to DJX, DXL, EEM, EWC, EWT, IWM, MNX, MVR, OEX, QQQQ, RSP, SPX, VIX, VPL, VWO, XBI, XEO, S&P 500 Dividend Index, binary options, credit default options, and credit default basket options. The fee will not apply to: Market-Maker-to-Market-Maker transactions including transactions resulting from orders from non-Trading Permit Holder market-makers; transactions resulting from accommodation liquidations (cabinet trades); and transactions resulting from any of the strategies identified and/or defined in footnote 13 of this Fees Schedule; and transactions in the Penny Pilot classes resulting from orders executed through the Hybrid Agency Liaison under Rule 6.14. A Preferred Market-Maker will only be given access to the marketing fee funds generated from a Preferred order if the Preferred Market-Maker has an appointment in the class in which the Preferred order is received and executed.

Rebate/Carryover Process. If less than 80% of the marketing fee funds collected in a given month is paid out by the DPM or Preferred Market-Maker in a given month, then the Exchange would refund such surplus at the end of the month on a pro rata basis based upon contributions made by the Market-Makers, e-DPMs, and DPMs in that month. However, if 80% or more of the funds collected in a given month is paid out by the DPM or Preferred Market-Maker, there will not be a rebate for that month unless the DPM or Preferred Market-Maker elects to have funds rebated. In the absence of such election, any excess funds will be included in an Excess

Pool of funds to be used by the DPM or Preferred Market-Maker in subsequent months. The total balance of the Excess Pool of funds for a DPM or a Preferred Market-Maker cannot exceed \$100,000. If in any month the Excess Pool balance were to exceed \$100,000, the funds in excess of \$100,000 would be refunded on a pro rata basis based upon contributions made by the Market-Makers, DPMs, and e-DPMs in that month. In addition, in any month, a DPM or a Preferred Market-Maker can elect to have any funds in its Excess Pool refunded on a pro rata basis based upon contributions made by the Market-Makers, DPMs, and e-DPMs in that month.

Each month, the Exchange assesses an administrative fee of .45% on the total amount of the funds collected each month; provided, however, that beginning on October 1, 2007, no Market-Maker, e-DPM or DPM would contribute more than 15% of the total amount of funds raised by the .45% administrative fee.

(7) - (8) No change.

(9) Effective May 1, 2009, transaction fees are waived for customer orders of 99 contracts or less in ETF, ETN and HOLDRs options. The Exchange will charge any leg of a complex order in ETF, ETN and HOLDRs options that exceeds 99 contracts, even if the leg is only partially executed below the 99 contract threshold.

(10) – (17) No change.

5. – 17. No change.

18. CUSTOMER LARGE TRADE DISCOUNT

A customer large trade discount program in the form of a cap on customer (“C” origin code) transaction fees is in effect for the options set forth below. Floor brokerage fees are not subject to the cap on fees. Qualification of an order for the fee cap is based on the trade date and order ID on each trade record. For complex orders, the total contracts of an order (all legs) are counted for purposes of calculating the fee cap.

Regular customer transaction fees will only be charged up to the following quantity of contracts per order, for the following options:

- SPX – charge only the first 10,000 contracts
- Other index options – charge only the first 5,000 contracts
- ETF, ETN and HOLDRs options – charge only the first 3,000 contracts

Remainder of Fees Schedule – No change.