

EXHIBIT 5 TO SR-CBOE-2010-116(Changes are indicated by underlining additions and [bracketing deletions].)**CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED
FEES SCHEDULE****[DECEMBER 6, 2010] JANUARY 3, 2011**

1.	OPTIONS TRANSACTION FEES (1)(3)(4)(7)(15):	PER CONTRACT
EQUITY OPTIONS (13):		
I.	CUSTOMER	\$.00
II.	VOLUNTARY PROFESSIONAL	\$.20
III.	PROFESSIONAL	\$.20
IV.	CBOE MARKET-MAKER/DPM/E-DPM (standard rate, subject to sliding scale) (10)	\$.20
V.	CLEARING TRADING PERMIT HOLDER PROPRIETARY: (11)	\$.20
VI.	BROKER-DEALER (16)	
	• MANUAL	\$.25
	• ELECTRONIC	\$.45
	• [AIM EXECUTIONS	\$.20]
VII.	CFLEX SURCHARGE FEE (17)	\$.10
VIII.	AIM EXECUTION FEE (18)	\$.05
QQQQ and [SPDR]SPY OPTIONS:		
I.	CUSTOMER (9)	
	• QQQQ	\$.00
	• [SPDR]SPY (8)	\$.18
II.	VOLUNTARY PROFESSIONAL	\$.20
III.	PROFESSIONAL	\$.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)	
	• MANUAL	\$.25
	• ELECTRONIC	\$.45
	• [AIM EXECUTIONS	\$.20]
VII.	CFLEX SURCHARGE FEE (17)	\$.10
VIII.	AIM EXECUTION FEE (18)	\$.05
INDEX OPTIONS (includes ETF, ETN 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, ETNs and HOLDRs (9)	\$.18
II.	VOLUNTARY PROFESSIONAL:	
	• [DXL,] OEX, XEO, SPX Options Trading on Hybrid, S&P 500 Dividend Index and VOLATILITY INDEXES	\$.40
	• OTHER INDEXES, ETFs, ETNs AND HOLDRs	\$.20
III.	PROFESSIONAL:	
	• [DXL,] OEX, XEO, SPX Options Trading on Hybrid, S&P 500 Dividend Index and VOLATILITY INDEXES	\$.40
	• OTHER INDEXES, ETFs, ETNs AND HOLDRs	\$.20

IV.	CBOE MARKET-MAKER/DPM (standard rate, subject to sliding scale) (10).....	\$.20
V.	CLEARING TRADING PERMIT HOLDER PROPRIETARY: (11) [.....	\$.20]
	▪ <u>OEX, XEO, SPX and VOLATILITY INDEXES</u>	\$.25
	▪ <u>OTHER INDEXES, ETFs, ETNs AND HOLDRS</u>	\$.20
VI.	BROKER-DEALER (16)	
	▪ OEX, XEO, SPX, S&P 500 Dividend Index and VOLATILITY INDEXES	\$.40
	▪ OTHER INDEXES, ETFs, ETNs and HOLDRS - MANUAL	\$.25
	▪ OTHER INDEXES, ETFs, ETNs 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] <u>VOLATILITY INDEXES</u>	\$.10
	▪ MNX, NDX and RUT	\$.15
VIII.	CFLEX SURCHARGE FEE (17).....	\$.10
IX.	AIM EXECUTION FEE (18)	\$.05

CREDIT DEFAULT OPTIONS AND CREDIT DEFAULT BASKET OPTIONS:

I.	CUSTOMER	\$.85
II.	VOLUNTARY PROFESSIONAL	\$.85
III.	PROFESSIONAL	\$.85
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)	
	▪ MANUAL.....	\$.25
	▪ ELECTRONIC.....	\$.45
	▪ [AIM EXECUTIONS.....	\$.20]
VII.	AIM EXECUTION FEE (18).....	\$.05

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

MULTIPLY-LISTED OPTION FEE CAP AND CBOE PROPRIETARY PRODUCTS SLIDING SCALE FOR CLEARING TRADING PERMIT HOLDER PROPRIETARY [SLIDING SCALE] ORDERS (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]

MULTIPLY-LISTED OPTIONS FEE CAP: Clearing Trading Permit Holder Proprietary transaction fees in all products except OEX, XEO, SPX and volatility indexes, in the aggregate, are capped at \$75,000 per month per

Clearing Trading Permit Holder, except that any AIM Execution Fees will not count towards the cap. A Clearing Trading Permit Holder will continue to pay any AIM Execution Fees after reaching the cap in a month.

CBOE PROPRIETARY PRODUCTS SLIDING SCALE: Clearing Trading Permit Holder Proprietary transaction fees in OEX, XEO, SPX and volatility indexes ("CBOE Proprietary Products") in a month will be reduced provided a Clearing Trading Permit Holder reaches certain volume thresholds in multiply-listed options on the Exchange in a month as described below.

- The standard Clearing Trading Permit Holder Proprietary transaction fee in CBOE Proprietary Products will be reduced to the fees shown in the following table for Clearing Trading Permit Holders that execute at least 375,000 contracts but less than 1,500,000 contracts in multiply-listed options on the Exchange in a month, excluding contracts executed in AIM that incurred the AIM Execution Fee:

<u>Tiers</u>	<u>CBOE Proprietary Product Contracts per Month</u>	<u>Rate</u>
<u>First</u>	<u>First 750,000</u>	<u>18 cents</u>
<u>Second</u>	<u>Next 250,000</u>	<u>5 cents</u>
<u>Third</u>	<u>Above 1,000,000</u>	<u>2 cents</u>

- The standard Clearing Trading Permit Holder Proprietary transaction fee in CBOE Proprietary Products will be reduced to the fees shown in the following table for Clearing Trading Permit Holders that execute 1,500,000 or more contracts in multiply-listed options on the Exchange in a month, excluding contracts executed in AIM that incurred the AIM Execution Fee:

<u>Tiers</u>	<u>CBOE Proprietary Product Contracts per Month</u>	<u>Rate</u>
<u>First</u>	<u>First 750,000</u>	<u>15 cents</u>
<u>Second</u>	<u>Above 750,000</u>	<u>1 cent</u>

2. No Change.

3. **FLOOR BROKERAGE AND PAR OFFICIAL FEES (1)(5)(15):**

FLOOR BROKERAGE FEES:

• [DXL,] OEX and SPX INDEX OPTIONS.....	<u>\$.04</u>
• [DXL,] OEX and SPX CROSSED ORDERS.....	<u>\$.02</u>
• VOLATILITY INDEX OPTIONS	<u>\$.021.03</u>
• VOLATILITY INDEX CROSSED ORDERS.....	<u>\$.015</u>
• PAR OFFICIAL FEE	<u>\$.02</u>
• PAR OFFICIAL FEE CROSSED ORDERS	<u>\$.01</u>

4. No change.

FOOTNOTES:

- (1) Per contract side, including FLEX and binary options.
- (2) Please see item 18 for details of Customer Large Trade Discounts.
- (3) Trading Permit Holder transaction fee policies and rebate programs are described in the last section.
- (4) Transaction fees are charged to the CBOE executing firm on the input record.
- (5) Floor brokerage fees are [C]charged to the executing broker. If a market-maker executes an order for an account in which the market-maker is not a registered participant as reflected in the TPH Department records,

the market-maker will be assessed a floor brokerage fee. To be eligible for the discounted "crossed" rate, the executing broker acronym and executing firm number must be the same on both the buy and sell side of an order. PAR Official Fees apply to all orders executed by a PAR Official except for customer orders ("C" origin) that are not directly routed to the trading floor. PAR Official Fees are charged to the order originating firm unless the originating firm cannot be identified, in which case the fees are charged to the executing firm on the trade record.

- (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, 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); transactions in Flexible Exchange Options; 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) After three months, all fees as assessed by the Exchange are considered final by the Exchange.
- (8) [Effective September 7, 2010 t] Through March 31, 2011, the Exchange will waive the transaction fee for public customer ("C" origin code) orders in [SPDR]SPY options that are executed in open outcry or in the Automated Improvement Mechanism.
- (9) [Effective May 1, 2009, t] 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) The Liquidity Provider Sliding Scale applies to Liquidity Provider (CBOE Market-Maker, DPM, e-DPM and LMM) transaction fees in all products. A Liquidity Provider's standard per contract transaction fee shall be reduced to the fees shown on the sliding scale as the Liquidity Provider reaches the volume thresholds shown on the sliding scale in a month. The Exchange will aggregate the trading activity of separate Liquidity Provider firms for purposes of the sliding scale if there is at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A. A Liquidity Provider shall be required to prepay annual fees for the first two tiers of the sliding scale (\$2,936,400) in order to be eligible for the fees in the sliding scale above 1.35 million contracts per month. If a Liquidity Provider prepays annual fees for the first four tiers of the sliding scale, the Liquidity Provider will receive a \$685,000 prepayment discount (total amount of the prepayment will be \$8,446,400). Contract volume resulting from dividend, merger and short stock interest strategies as defined in Footnote 13 will not apply towards reaching the sliding scale volume thresholds.
- (11) The Multiply-Listed Options Fee Cap and CBOE Proprietary Products Sliding Scale for Clearing Trading Permit Holder Proprietary [Sliding Scale] Orders applies to Clearing Trading Permit Holder proprietary orders ("F" origin code) [in all products], except for orders of joint back-office ("JBO") participants. [The standard Clearing Trading Permit Holder proprietary per contract transaction fee shall be reduced to the fees shown on the sliding scale as the Clearing Trading Permit Holder reaches the volume thresholds shown on the sliding scale in a month.] Each Clearing Trading Permit Holder is responsible for notifying the TPH Department of all of its affiliations so that fees and contracts of the Clearing Trading Permit Holder and its affiliates may be aggregated

for purposes of the fee cap and sliding scale. The Exchange will aggregate the fees and trading activity of separate Clearing Trading Permit Holders for the purposes of the fee cap and sliding scale if there is at least 75% common ownership between the Clearing Trading Permit Holders as reflected on each Clearing Trading Permit Holder's Form BD, Schedule A. A Clearing Trading Permit Holder's fees and contracts executed pursuant to a CMTA agreement (i.e., executed by another clearing firm and then transferred to the Clearing Trading Permit Holder's account at the OCC) are aggregated with the Clearing Trading Permit Holder's non-CMTA fees and contracts for purposes of the fee cap and sliding scale.

- (12) Reserved.
- (13) Market-maker, Clearing Trading Permit Holder and broker-dealer transaction fees are capped at \$1,000 for all (i) dividend strategies, (ii) merger strategies and (iii) short stock interest strategies executed on the same trading day in the same options class. In addition, market-maker and broker-dealer transaction fees are capped at \$1,000 for all reversals, conversions and jelly roll strategies executed on the same trading day in the same FLEX option class, excluding any option class on which the Exchange charges the Surcharge Fee under footnote 14 of this Fees Schedule. Such transaction fees for these strategies are further capped at \$25,000 per month per initiating Trading Permit Holder or Clearing Trading Permit Holder. Surcharge Fees associated with dividend, merger and short stock interest strategies will be passed through to trading participants on these strategies on a pro-rata basis. Surcharge Fees will not be included in the calculation of the \$1,000 per day per class fee cap or the \$25,000 per month fee cap for dividend, merger and short stock interest strategies. Floor brokerage fees assessed on any of these strategies are eligible for a full rebate (see below). A dividend strategy is defined as transactions done to achieve a dividend arbitrage involving the purchase, sale and exercise of in-the-money options of the same class, executed prior to the date on which the underlying stock goes ex-dividend. A merger strategy is defined as transactions done to achieve a merger arbitrage involving the purchase, sale and exercise of options of the same class and expiration date, each executed prior to the date on which shareholders of record are required to elect their respective form of consideration, i.e., cash or stock. A short stock interest strategy is defined as transactions done to achieve a short stock interest arbitrage involving the purchase, sale and exercise of in-the-money options of the same class. To qualify transactions for the cap and floor brokerage fees rebate, a rebate request with supporting documentation must be submitted to the Exchange within 3 business days of the transactions.
- (14) The Surcharge Fee applies to all non-public customer transactions (i.e. CBOE and non-Trading Permit Holder market-maker, Clearing Trading Permit Holder and broker-dealer), including voluntary professionals, and professionals.
- (15) If CBOE exclusively listed options are traded at CBOE's facility on a Back-up Exchange pursuant to CBOE Rule 6.16, the Back-up Exchange has agreed to apply the per contract and per contract side fees in this fee schedule to such transactions. If any other CBOE listed options are traded on the Back-up Exchange (such as CBOE singly listed options that are listed by the Back-up Exchange) pursuant to CBOE Rule 6.16, the fee schedule of the Back-up Exchange shall apply to such trades.

If the exclusively listed options of a Disabled Exchange are traded on the Disabled Exchange's facility at CBOE pursuant to CBOE Rule 6.16, CBOE will apply the per contract and per contract side fees in the fee schedule of the Disabled Exchange to such transactions. If any other options classes of the Disabled Exchange are traded on CBOE (such as singly listed options of the Disabled Exchange) pursuant to CBOE Rule 6.16, the fees set forth in the CBOE fee schedule shall apply to such trades.

- (16) Broker-Dealer transaction fees apply to broker-dealer orders (orders with "B" origin code), non-Trading Permit Holder market-maker orders (orders with "N" origin code), orders from specialists in the underlying security (orders with "Y" origin code) and certain orders with "F" origin code (orders from OCC members that are not CBOE Trading Permit Holders).
- (17) The CFLEX Surcharge Fee applies to all orders (all origin codes) executed electronically on the FLEX Hybrid Trading System (CFLEX). The CFLEX Surcharge Fee will only be charged up to the first 2,500 contracts per trade for public customers.
- (18) The AIM Execution Fee applies to all orders in all products, except OEX, XEO, SPX and volatility indexes, executed in the Automated Improvement Mechanism ("AIM") that were initially entered into AIM as the contra party to an Agency Order. This fee will apply to such executions instead of the applicable standard transaction fee except if the applicable standard transaction fee is lower than \$.05 per contract, in which case the applicable standard transaction fee will apply. Applicable standard transaction fees will apply to AIM executions in OEX, XEO, SPX and volatility indexes.

5. – 7. No change.

8. **FACILITY FEES (per month):**

A) BOOTHS

	Perimeter							
	OEX							
	[Designated in the OEX book area							
	Dow Jones/MNX/VIX							
B)	SPX ARBITRAGE PHONE POSITIONS							
C)	FORMS AND FORMS STORAGE							
	5-Part and 2-Part Paper							
	Forms Storage							
D)	ACCESS BADGES:							
	TYPE							
	Floor Manager							
	Clerks							
	CHARGES PER OCCURRENCE:							
	Badge Issuance							
	Replacement Badge – Access, Picture, ID or Acronym							
	Unreturned Security Access Badge							
	Temporary Badge – Non-Trading Permit Holder (per day)							
	Temporary Badge – Trading Permit Holder (1 st 3 free per year)							
	Unreturned Temporary Badge							
E)	COAT ROOM SERVICES							
	Coat Room Checking							
	CHARGES PER OCCURRENCE							
	Lost or Damaged Jacket							
F)	COMMUNICATIONS	MONTHLY FEE	INSTALLATION	RELOCATION	REMOVAL			
	1. EXCHANGEFONE:							
	a) Maintenance							
	b) With Recorder Coupler							
	Between Booths							
	c) Within Booth							
	2. SINGLE LINE:							
	a) Maintenance							
	3. IN-CROWD TELEPHONES (plus usage fee):							
	a) Subscription Fee							
	4. PHONEMAIL (plus usage fee):							
	a) Basic Service							
	b) PhoneMail with Outcall							
	c) PhoneMail with Outcall & Pager							
	5. WIRELESS PHONE RENTALS (plus usage fee):							
	a) Monthly Fee							
	b) Replacement/Repairs							
	6. LINES							
	a) Intra-Floor							
	b) Voice Circuits							
	c) Appearances:							
	i) New Circuits							

- First		120.00		50.00
- @ Additional		18.00		18.00
ii) Existing Line Appearance				
- First		50.00	\$50.00	25.00
- @ Additional		18.00	18.00	18.00
d) Data Circuits at Local Carrier (entrance)	[14.40]16.00	52.50		36.75
e) Data Circuits at In-House Frame:				
i) Lines Between Local Carrier and Communications Center (CC)	[11.60]12.75	[200.00]550.00		[100.00]
ii) Lines Direct From Local Carrier to Trading Floor	[11.60]12.75	[350.00]725.00	[425.00]625.00	[200.00]
iii) Lines Between CC and Trading Floor	[11.60]12.75	[350.00]725.00	[425.00]625.00	[200.00]

7. VENDOR SERVICES:

a) Shelf for Equipment	\$100.00
b) Data Circuits from Local Carrier to Equipment Shelf	50.00
c) Lines From Equipment to Floor	50.00
d) Technical Support Outside Normal Hours (\$100/hour, 4 hr. min.)	

MONTHLY FEE INSTALLATION RELOCATION REMOVAL

8. IN-HOUSE PAGERS:

a) Purchase	\$275
With Trade-In of Old System Pager	75
b) Annual Maintenance	80
c) Abusive Damage Repair Fee	cost to repair

9. MISCELLANEOUS:

a) Handsets	\$79		
b) Headset Jack	131	\$58	\$28
c) Recorder Coupler	\$150 new/50 existing	25	25
d) IPC (vendor) Time & Material (per hour)	cost		
e) IPC (vendor) Time & Material Overtime (per hour)	cost		
f) After Hours Technician Service (per hour, 4 hr. min.)	100		
g) Mrkt. Maker Handheld Terminal Tethering Services	[350]450	200	
h) <u>Mrkt. Maker Handheld Terminal Tethering Services For Indexes</u>		900	200

10. TRADING FLOOR TERMINAL RENTALS:

a) Thomson/Other (Basic Service)	\$425
b) Floor Broker Workstation (FBW)	[200]225 (per login ID)
c) Satellite TV	[35]50
d) PAR Workstation	[100]125

G) CO-LOCATION Per Month

Co-location of Equipment Fee (per "U" – 1.75 inches)	\$[10]20
Co-location of Equipment Fee (per "U" – 1.75 inches)/Sponsored User	\$[20]40

* Above fees are charged in increments of 4 "U" (7 inches).

H) Unchanged.

9. – 11. Unchanged.

12. REGULATORY FEES:

- A) Unchanged.
- B) DPM's & Firm Designated Examining Authority Fee \$[.40].50 per \$1,000 of gross revenue
(subject to a monthly minimum fee of \$1,000 for clearing firms and \$275 for non-clearing firms)
– As reported on quarterly FOCUS Report, Form X-17A-5. Excludes commodity commission revenue.
- C) - E) Unchanged.

13. - 14. Unchanged.

15. MISCELLANEOUS:

Trading Floor Printer Maintenance (Per Month)	\$75
Late Payment Penalty (Assessed to balances over 30 days old, per month, compounded)	prime rate
Market Maker Failure to Change Appointment or Failure to meet in-person Trading Requirements (allowed 1 warning letter before fee)	\$250 per quarter
ABIL Brokerage Billing	\$.005 per contract, minimum \$50, maximum \$200 per month
ORS Analysis, Floor Efficiency Project or Market Penetration Reports	\$100 per month
Ad Hoc Information Services Requests	Production Costs
DPM requests for post modifications/equipment	CBOE costs passed-through
Crowd Space Dispute Resolution Hearing Fee (per hearing, per Trading Permit Holder)*	\$1,000
Manual appointment change request	\$50
Market Data Infrastructure Fee**	CBOE costs passed-through

* The Crowd Space Dispute Resolution Hearing Fee is \$1,000 per hearing for each party to the dispute and will escalate under certain circumstances pursuant to CBOE Rule 24.21(e). After the hearing is held and all rights of appeal are exhausted, the prevailing party in dispute shall obtain a refund of the Hearing Fee from the Exchange.

** The Market Data Infrastructure Fee is charged monthly to Trading Permit Holders who receive market data from a third party market data vendor through CBOE's market data infrastructure. The Exchange will pass-through to Trading Permit Holders receiving the data the total costs incurred by the Exchange to provide the market data infrastructure. The amount of the fee is equal to the Exchange's total costs divided by the number of Trading Permit Holders receiving the data. [Due to certain fixed costs incurred by the Exchange, each Trading Permit Holder receiving the data as of February 15, 2010 will be obligated to pay the fee through June 30, 2010, even if such Trading Permit Holder terminates its receipt of the data prior to June 30, 2010.]

16. CBOE *direct* CONNECTIVITY CHARGES:

- Network Access Port..... \$[40]80/month
- Network Access Port/Sponsored User \$[80]160/month
- CMI Client Application Server \$[40]80/month
- CMI Client Application Server/Sponsored User \$[80]160/month
- FIX Port..... \$[40]80/month
- FIX Port/Sponsored User \$[80]160/month

17. HYBRID FEES:

- | | |
|--|------------|
| Quoting Infrastructure User Fee | \$[150]200 |
| TickerXpress (TX) User Fee [(effective April 1, 2007)] | |
| • TX Software Fee | 100 |
| • Enhanced TX User Fee | [300]350 |

18. – 19. Unchanged.

20. LINKAGE FEES

For each customer order with an original size of [1,000] 500 or more contracts that routed, in whole or in part, to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 6.80, CBOE shall assess a \$0.35 per contract routing fee in addition to the customary CBOE execution charges.

For each non-customer order, including voluntary professionals and professionals, routed to one or more exchanges in connection with the Options Order Protection and Locked/Crossed Market Plan referenced in Rule 6.80, CBOE shall assess a \$0.50 per contract routing fee in addition to the customary CBOE execution charges.

Remainder of Fees Schedule – Unchanged.
