

Exhibit 5 - Text of the Proposed Rule Change  
Underlining indicates additions; [Brackets] indicate deletion

\* \* \*

**V. Market Data**

**A. ISE Gemini Order Feed<sup>1</sup>**

Internal Use Only.

\$[500]750 per month per distributor.\* There are no controlled device fees for internal use.

External Redistribution.

\$[500]750 per month per distributor. \$5 per month per external controlled device.\*\* Each distributor's combined maximum fee for external redistribution is capped at \$[625]1,000 per month.

Internal and External Redistribution.

\$[500]750 per month per distributor. \$5 per month per external controlled device. Each distributor's combined maximum fee for both internal and external redistribution is capped at \$[625]1,000 per month.

\* A distributor is any firm that receives the ISE Gemini Order Feed directly from ISE Gemini or indirectly through a redistributor and then distributes it either internally or externally. A redistributor includes market data vendors and connectivity providers such as extranets and private network providers.

\*\* An external controlled device is any device that a distributor of the ISE Gemini Order Feed permits an external user to access the information in the ISE Gemini Order Feed.

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