

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-88863; File No. SR-NYSE-2019-54)

May 13, 2020

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Withdrawal of a Proposed Rule Change to Permit the Exchange to List and Trade Exchange Traded Products

On October 3, 2019, New York Stock Exchange LLC (“Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b-4 thereunder,² a proposed rule change to list and trade Exchange Traded Products that have a component NMS Stock listed on the Exchange or that are based on, or represent an interest in, an underlying index or reference asset that includes an NMS Stock listed on the Exchange. The proposed rule change was published for comment in the Federal Register on October 23, 2019.³

On December 5, 2019, pursuant to Section 19(b)(2) of the Act,⁴ the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.⁵ On January 17, 2020, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act⁶ to determine whether to approve or disapprove the proposed rule change.⁷ On April 17, 2020, the Commission designated a longer period for Commission action

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 87329 (Oct. 17, 2019), 84 FR 56864.

⁴ 15 U.S.C. 78s(b)(2).

⁵ See Securities Exchange Act Release No. 87671, 84 FR 67763 (Dec. 11, 2019).

⁶ 15 U.S.C. 78s(b)(2)(B).

⁷ See Securities Exchange Act Release No. 88003, 85 FR 4051 (Jan. 23, 2020).

on proceedings to determine whether to approve or disapprove the proposed rule change.⁸ On May 13, 2020, the Exchange withdrew the proposed rule change (SR-NYSE-2019-54).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

J. Matthew DeLesDernier
Assistant Secretary

⁸ See Securities Exchange Act Release No. 88677, 85 FR 22767 (Apr. 23, 2020).

⁹ 17 CFR 200.30-3(a)(12).