

091-158288

For Internal Use Only
Sec File No. 9-

Submit 1 Original and 9 Copies

| |
|--|
| OMB APPROVAL |
| OMB Number: 3235-0504 |
| Expires: August 31, 2010 |
| Estimated average burden hours per response.....3.60 |

SECURITIES AND EXCHANGE COMMISSION
 RECEIVED
 JAN - 7 2013
 DERIVATIVE SECURITIES TRADING & MARKETS

**UNITED STATES
 SECURITIES AND EXCHANGE COMMISSION
 Washington, D.C. 20549**

FORM 19b-4(e)

Information Required of a Self-Regulatory Organization Listing and Trading a New Derivative Securities Product Pursuant to Rule 19b-4(e) Under the Securities Exchange Act of 1934

READ ALL INSTRUCTIONS PRIOR TO COMPLETING FORM



13005082

Part I Initial Listing Report

1. Name of Self-Regulatory Organization Listing New Derivative Securities Product:
NASDAQ OMX PHLX LLC (traded pursuant to unlisted trading privileges)
2. Type of Issuer of New Derivative Securities Product (e.g., clearinghouse, broker-dealer, corporation, etc.):
Open End Management Investment Company
3. Class of New Derivative Securities Product:
Exchange Traded Fund
4. Name of Underlying Instrument:
Actively managed portfolio of equity securities
5. If Underlying Instrument is an Index, State Whether it is Broad-Based or Narrow-Based:
Not Applicable
6. Ticker Symbol(s) of New Derivative Securities Product:
DBIZ
7. Market or Markets Upon Which Securities Comprising Underlying Instrument Trades:
Listed on: NASDAQ Stock Market LLC, NYSE
8. Position Limits of New Derivative Securities Product (if applicable):
Regular way trades settle on T + 3 (cash settled)
9. Position Limits of New Derivative Securities Product (if applicable):
N/A

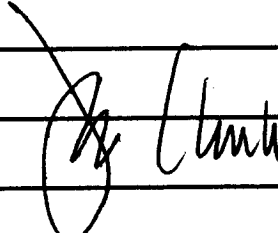
Part II Execution

The undersigned represents that the governing body of the above-referenced Self-Regulatory Organization has duly approved, or has duly delegated its approval to the undersigned for, the listing and trading of the above-referenced new derivative securities product according to its relevant trading rules, procedures, surveillance programs and listing standards.

Name of Official Responsible for Form:
Joan Conley

Title:
Secretary

Telephone Number:
301-978-8735

Manual Signature of Official Responsible for Form: 

Date: **December 21, 2012**

| | |
|---------------------------------|-------------|
| Securities Exchange Act of 1934 | |
| Section | 19b-4 |
| Rule | 19b-4(e) |
| Public Availability: | JAN 07 2013 |