

Required fields are shown with yellow backgrounds and asterisks.

Page 1 of * <input type="text" value="7"/>	SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549 Form 19b-4	File No.* SR - <input type="text" value="2016"/> - * <input type="text" value="080"/> Amendment No. (req. for Amendments *) <input type="text" value="1"/>
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Filing by Chicago Board Options Exchange  
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934

Initial * <input type="checkbox"/>	Amendment * <input checked="" type="checkbox"/>	Withdrawal <input type="checkbox"/>	Section 19(b)(2) * <input checked="" type="checkbox"/>	Section 19(b)(3)(A) * <input type="checkbox"/>	Section 19(b)(3)(B) * <input type="checkbox"/>
Pilot <input type="checkbox"/> Extension of Time Period for Commission Action * <input type="checkbox"/> Date Expires * <input type="text"/>			Rule <input type="checkbox"/> 19b-4(f)(1) <input type="checkbox"/> 19b-4(f)(4) <input type="checkbox"/> 19b-4(f)(2) <input type="checkbox"/> 19b-4(f)(5) <input type="checkbox"/> 19b-4(f)(3) <input type="checkbox"/> 19b-4(f)(6)		

Notice of proposed change pursuant to the Payment, Clearing, and Settlement Act of 2010 Section 806(e)(1) * <input type="checkbox"/> Section 806(e)(2) * <input type="checkbox"/>	Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934 Section 3C(b)(2) * <input type="checkbox"/>
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Exhibit 2 Sent As Paper Document <input type="checkbox"/>	Exhibit 3 Sent As Paper Document <input type="checkbox"/>
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**Description**  
Provide a brief description of the action (limit 250 characters, required when Initial is checked \*).

**Contact Information**  
Provide the name, telephone number, and e-mail address of the person on the staff of the self-regulatory organization prepared to respond to questions and comments on the action.

First Name \*  Last Name \*   
 Title \*   
 E-mail \*   
 Telephone \*  Fax

**Signature**  
Pursuant to the requirements of the Securities Exchange Act of 1934,  
has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.  
(Title \*)

Date  Counsel   
 By    
 (Name \*)

NOTE: Clicking the button at right will digitally sign and lock this form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.

SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

For complete Form 19b-4 instructions please refer to the EFFS website.

**Form 19b-4 Information \***

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The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.

**Exhibit 1 - Notice of Proposed Rule Change \***

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The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

**Exhibit 1A- Notice of Proposed Rule Change, Security-Based Swap Submission, or Advance Notice by Clearing Agencies \***

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The Notice section of this Form 19b-4 must comply with the guidelines for publication in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO]-xx-xx). A material failure to comply with these guidelines will result in the proposed rule change, security-based swap submission, or advance notice being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3)

**Exhibit 2 - Notices, Written Comments, Transcripts, Other Communications**

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Exhibit Sent As Paper Document

Copies of notices, written comments, transcripts, other communications. If such documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G.

**Exhibit 3 - Form, Report, or Questionnaire**

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Exhibit Sent As Paper Document

Copies of any form, report, or questionnaire that the self-regulatory organization proposes to use to help implement or operate the proposed rule change, or that is referred to by the proposed rule change.

**Exhibit 4 - Marked Copies**

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The full text shall be marked, in any convenient manner, to indicate additions to and deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit the staff to identify immediately the changes made from the text of the rule with which it has been working.

**Exhibit 5 - Proposed Rule Text**

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The self-regulatory organization may choose to attach as Exhibit 5 proposed changes to rule text in place of providing it in Item I and which may otherwise be more easily readable if provided separately from Form 19b-4. Exhibit 5 shall be considered part of the proposed rule change.

**Partial Amendment**

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If the self-regulatory organization is amending only part of the text of a lengthy proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e. partial amendment) is clearly understandable on its face. Such partial amendment shall be clearly identified and marked to show deletions and additions.

PARTIAL AMENDMENT

Chicago Board Options Exchange, Incorporated (“CBOE” or the “Exchange”) submits this Amendment, constituting Amendment No. 1, to rule filing SR-CBOE-2016-080 in which the Exchange proposes to amend Rule 6.53C. The purpose of this Amendment No. 1 is to amend Form 19b-4 and Exhibit 1 to provide additional information regarding the auctioning of complex orders comprised of both SPX and SPXW options series (hereinafter an “SPX/SPXW order”).

Paragraphs (c)-(e) of current Rule 6.53C.10 determines when a complex order in a Hybrid 3.0 class will be subject to a complex order auction (“COA”).<sup>1</sup> As proposed in SR-CBOE-2016-080, paragraphs (c)-(e) of Rule 6.53C.10 will also be applicable to SPX/SPXW orders.<sup>2</sup> However, unlike complex orders comprised entirely of SPX options series, which are eligible to automatically execute against individual orders residing in the EBook for the legs, marketable SPX/SPXW orders will not be eligible to automatically execute against individual orders residing in the EBook for the legs.<sup>3</sup>

An SPX/SPXW order resting in the complex order book (“COB”) that becomes marketable against individual orders residing in the EBook for the legs is a complex order that cannot automatically execute in full (or in a permissible ratio); thus, pursuant to paragraph (d) of Rule 6.53C.10, in both regular trading hours and extended trading hours, an SPX/SPXW order resting in the COB that becomes marketable will be subject to a

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<sup>1</sup> See Rule 6.53C.10 (c)-(e).

<sup>2</sup> See Proposed Rule 6.53C.10 (stating that if the Exchange authorizes a group of series of a Hybrid 3.0 class for trading on the Hybrid Trading System pursuant to Rule 8.14.01, this Interpretation and Policy .10 applies to a complex order with at least one leg in a series from the group authorized for trading on the Hybrid 3.0 Platform, including if the order has another leg(s) in a series from the group authorized for trading on the Hybrid Trading System.).

<sup>3</sup> See Proposed Rule 6.53C.10(a).

COA. Pursuant to paragraph (c) of Rule 6.53C.10, in both regular trading hours and extended trading hours, any portion of the SPX/SPXW order that cannot be executed via COA will route via the order handling system pursuant to Rule 6.12. During regular trading hours, routing an SPX/SPXW order via the order handling system pursuant to Rule 6.12 allows for a potential execution in open outcry on the trading floor. During extended trading hours, routing an SPX/SPXW order via the order handling system pursuant to Rule 6.12 allows the order to be returned to the order entry firm—as any order during extended trading hours that would normally be routed for manual handling during regular trading hours will instead be returned to the order entry firm during extended trading hours because open outcry trading is unavailable during extended trading hours.<sup>4</sup>

During regular trading hours, SPX/SPXW orders from non-customers (which in this context refers to any participant other than a “C” or “W” origin code—for example, non-customers include CBOE market-makers, non-CBOE market-makers, and proprietary firms) may not rest in the COB and will instead route for manual handling. During extended trading hours, SPX/SPXW orders from non-customers may rest in the COB. A non-customer SPX/SPXW order resting in the COB during extended trading hours that becomes marketable will be subject to a COA, and any portion of the order that remains unexecuted at the conclusion of the COA will be cancelled.

Additionally, pursuant to paragraph (e) of Rule 6.53C.10, the Exchange will submit incoming customer SPX/SPXW orders to a COA if they are otherwise COA-

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<sup>4</sup> See Rule 6.1(A)(b) (providing in extended trading hours if in accordance with the Rules an order would route to PAR, the order entry firm’s booth or otherwise for manual

eligible, which means a complex order that, as determined by the Exchange on a class-by-class basis, is eligible for a COA considering the order's size, complex order type and complex order origin type.<sup>5</sup> During regular trading hours and extended trading hours, non-customer SPX/SPXW orders that are marketable upon receipt will not be COA-eligible. During regular trading hours, a non-customer SPX/SPXW order that is marketable upon receipt will be routed for manual handling. During extended trading hours, a non-customer SPX/SPXW order that is marketable upon receipt will be cancelled.

Furthermore, as with SPX orders in extended trading hours, customers and non-customers submitting SPX/SPXW orders in extended trading hours may use the contingency OPG to book orders pre-open in order for them to participate in the regular trading hours open. Any portion of an SPX/SPXW order marked OPG that is not executed during the opening will be cancelled. In addition, customers may use a non-OPG contingency to allow their SPX/SPXW orders to remain on the COB after the open.

Additionally, as is the case with all products that trade in both regular trading hours and extended trading hours, no SPX/SPXW order on the COB at the end of regular trading hours will interact with, or be transferred to, the COB for extended trading hours or vice versa.<sup>6</sup>

Finally, although the Exchange plans to implement this rule filing in the first Quarter of 2016, the Exchange will announce the implementation date of this rule filing via Regulatory Circular at least 7 days prior to the implementation date. The

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handling the System will return the order the Trading Permit Holder during extended trading hours).

<sup>5</sup> See Rule 6.53C(d)(i)(2).

implementation date will be within 120 days of the approval date of this filing. Additionally, the Regulatory Circular that announces the implementation date of this rule filing will describe the changes made by this rule filing.

Page 10 of the 19b-4 and page 24 of Exhibit 1 currently provide:

Marketable SPX/SPXW orders will not be eligible to automatically execute against individual orders residing in the EBook for the legs. Although SPX complex orders are eligible to automatically execute against individual orders residing in the EBook for the legs, not allowing SPX/SPXW orders to automatically execute against individual orders residing in the EBook for the legs effectively means that the Exchange is not changing how these particular SPX/SPXW orders will be treated by the Exchange. These particular SPX/SPXW orders will be routed to a PAR workstation during regular trading hours, which is consistent with how all SPX/SPXW orders are treated during regular trading hours.

The Exchange seeks to replace the above paragraph with the following:

Marketable SPX/SPXW orders will not be eligible to automatically execute against individual orders residing in the EBook for the legs. Although SPX complex orders are eligible to automatically execute against individual orders residing in the EBook for the legs, certain SPX/SPXW orders that are marketable against individual orders residing in the EBook for the legs will be subject to COA, and any portion of the SPX/SPXW order that cannot be executed via COA will route via the order handling system pursuant to Rule 6.12, which effectively means that other than allowing these orders to COA, the Exchange is not changing how these particular SPX/SPXW orders will be treated by the Exchange. Thus, any portion of a marketable SPX/SPXW order that does not execute in a COA will be routed to a PAR workstation pursuant to CBOE Rule 6.12(a)(1) during regular trading hours, which is consistent with how all SPX/SPXW orders are currently treated during regular trading hours.

Additionally, page 13 of the 19b-4 and pages 27-28 of Exhibit 1 currently provide:

The proposed rule change merely provides that these orders will be eligible for electronic processing (including electronic execution) in the same manner as complex orders consisting solely of SPX options series, except SPX/SPXW orders will not automatically execute against

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<sup>6</sup> See Rule 6.1A(g)

individual orders in the EBook for the legs, which will result in those specific SPX/SPXW orders being treated in exactly the same manner in which they are treated currently (i.e., routed for manual handling during regular trading hours and rejected back to the order entry firm during extended trading hours). Since routing all SPX/SPXW orders for manual handling during regular trading hours and rejecting all SPX/SPXW orders during extended hours is currently consistent with the Act it is consistent with the Act to allow a subset of SPX/SPXW orders to continue to be treated in such a manner.

The Exchange seeks to replace the above paragraph with the following:

The proposed rule change merely provides that these orders will be eligible for electronic processing (including electronic execution) in the same manner as complex orders consisting solely of SPX options series, except SPX/SPXW orders will not automatically execute against individual orders in the EBook for the legs, which will result in those specific SPX/SPXW orders being treated in much the same manner in which they are treated currently (i.e., routed for manual handling during regular trading hours and rejected back to the order entry firm during extended trading hours)—although as proposed those specific SPX/SPXW orders will have the opportunity to execute via a COA. Since routing all SPX/SPXW orders for manual handling during regular trading hours and rejecting all SPX/SPXW orders during extended hours is currently consistent with the Act it is consistent with the Act to allow a subset of SPX/SPXW orders to continue to be treated in such a manner.