

EXHIBIT 5

Note: Proposed new language is underlined. Proposed deletions are enclosed in [brackets].

BATS Exchange, Inc.

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CHAPTER XI. TRADING RULES

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Rule 11.17. Clearly Erroneous Executions

The provisions of paragraphs (c), (e)(2), (f), and (g) of this Rule, as amended on September 10, 2010, and the provisions of paragraph (h), shall be in effect during a pilot period [set to end on April 8, 2014]to coincide with the pilot period for the Limit Up-Limit Down Plan, including any extensions to the pilot period for the Plan. If the [pilot]Plan is not either extended, replaced or approved as permanent [by April 8, 2014], the prior versions of paragraphs (c), (e)(2), (f), and (g) shall be in effect, and the provisions of paragraph (h) shall be null and void.

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