Required fields are shown with yellow backgrounds and asterisks.

OMB APPROVAL

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hours per response.......38

Page 1 of * 13		SECURITIES AND EXCHANGE COMMISSION File No.* SR - 2019 - * 063  WASHINGTON, D.C. 20549 Form 19b-4 Amendment No. (req. for Amendments *)						
Filing by The Nasdaq Stock Market LLC  Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934								
Initial * ✓	Amendment *	Withdrawal	Section 19(b		Section	n 19(b)(3)(A) *	Section 19(b)(3)(B) *	
1 1101	tension of Time Period Commission Action *	Date Expires *		19	9b-4(f) 9b-4(f) 9b-4(f)	(2) 19b-4(f)(5)		
Notice of pr		to the Payment, Clearing, and Settlement Act of Section 806(e)(2) *				Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934  Section 3C(b)(2) *		
Exhibit 2 Sent As Paper Document  Exhibit 3 Sent As Paper Document  Exhibit 3 Sent As Paper Document								
Provide a brief description of the action (limit 250 characters, required when Initial is checked *).  A proposal to correct an inadvertent error in a recent filing and amend The Nasdaq Options Market LLC								
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	* Jonathan		Last Name *	Cavne				
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.								
	vard S. Knight		Global Chief L		le *) ' Office	er		
(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. The self-regulatory organization must provide all required information, presented in a Form 19b-4 Information \* clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal Remove is consistent with the Act and applicable rules and regulations under the Act. The Notice section of this Form 19b-4 must comply with the guidelines for publication Exhibit 1 - Notice of Proposed Rule Change \* 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 Add Remove View 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) The Notice section of this Form 19b-4 must comply with the guidelines for publication **Exhibit 1A- Notice of Proposed Rule** in the Federal Register as well as any requirements for electronic filing as published Change, Security-Based Swap Submission, by the Commission (if applicable). The Office of the Federal Register (OFR) offers or Advance Notice by Clearing Agencies \* 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, Copies of notices, written comments, transcripts, other communications. If such Transcripts, Other Communications documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G. Add Remove View Exhibit Sent As Paper Document П Exhibit 3 - Form, Report, or Questionnaire 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 Add Remove View referred to by the proposed rule change. Exhibit Sent As Paper Document The full text shall be marked, in any convenient manner, to indicate additions to and **Exhibit 4 - Marked Copies** deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit Add Remove View 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** 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 Add Remove View of the proposed rule change. If the self-regulatory organization is amending only part of the text of a lengthy Partial Amendment 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.

#### 1. Text of the Proposed Rule Change

(a) The Nasdaq Stock Market, LLC ("Nasdaq" or the "Exchange"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> is filing with the Securities and Exchange Commission ("SEC" or "Commission") a proposal to correct an inadvertent error in a recent filing and amend The Nasdaq Options Market LLC ("NOM") Rules at Chapter 1, Section 1 Definitions.<sup>3</sup>

The Exchange requests that the Commission waive the 30-day operative delay period contained in Exchange Act Rule 19b-4(f)(6)(iii).<sup>4</sup>

A notice of the proposed rule change for publication in the <u>Federal Register</u> is attached as <u>Exhibit 1</u>. The text of the proposed rule change is attached as <u>Exhibit 5</u>.

- (b) Not applicable.
- (c) Not applicable.

#### 2. Procedures of the Self-Regulatory Organization

The proposed rule change was approved by senior management of the Exchange pursuant to authority delegated by the Board of Directors of the Exchange (the "Board") on September 26, 2018. Exchange staff will advise the Board of any action taken pursuant to delegated authority. No other action is necessary for the filing of the rule change.

Questions and comments on the proposed rule change may be directed to:

<sup>&</sup>lt;sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>&</sup>lt;sup>2</sup> 17 CFR 240.19b-4.

See Securities Exchange Act Release No. 86022 (June 4, 2019), 84 FR 26912 (June 10, 2019) (SR-NASDAQ-2019-047).

<sup>&</sup>lt;sup>4</sup> 17 CFR 240.19b-4(f)(6)(iii).

# Jonathan Cayne Principal Associate General Counsel Nasdaq, Inc. 301-978-8493

### 3. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change

#### a. <u>Purpose</u>

The Exchange proposes to correct an inadvertent error to a recent filing.<sup>5</sup> The filing it is correcting was designed to align the NOM Rules with those of the Nasdaq ISE, LLC rulebook. The Exchange added several definitions to Section1 of Chapter I, but did not delete the legacy definitions located in Sections 1(a)(7), (57), and (64). The legacy definitions are being deleted because they are already covered in Sections 1(a)(72) – (74). The proposed change is of a non-substantive nature and will simply delete the legacy definitions to avoid potential confusion.

### b. <u>Statutory Basis</u>

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,<sup>6</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act,<sup>7</sup> in particular, in that it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

The Exchange believes that by removing the legacy definitions for the terms "class of options", "series of options", and "underlying security" from the NOM rulebook

Supra note 3.

<sup>6 15</sup> U.S.C. 78f(b).

<sup>&</sup>lt;sup>7</sup> 15 U.S.C. 78f(b)(5).

will help remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest through lessening potential confusion and adding clarity for market participants.

#### 4. <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes is to correct an inadvertent error and intended to lessen potential confusion with the Exchange's Rulebook, and therefore does not unduly burden competition.

- 5. <u>Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others</u>
  - No written comments were either solicited or received.
- Extension of Time Period for Commission Action
   Not applicable.
- 7. <u>Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for Accelerated</u> Effectiveness Pursuant to Section 19(b)(2)

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii)<sup>8</sup> of the Act and Rule 19b-4(f)(6) thereunder<sup>9</sup> in that it effects a change that: (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public

<sup>&</sup>lt;sup>8</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>&</sup>lt;sup>9</sup> 17 CFR 240.19b-4(f)(6).

interest.

The Exchange does not believe that proposed rule change will significantly affect the protection of investors or the public interest because it would remove definitions that have been replaced in a recent filing. <sup>10</sup> Moreover, the Exchange does not believe that this proposal will impose any significant burden on competition because, as explained, the change is non-substantive and is intended to lessen potential confusion with the Exchange's Rulebook, and therefore does not unduly burden competition. Additionally, the Exchange believes that by removing the legacy definitions discussed above from the NOM rulebook will help remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest through lessening potential confusion and adding clarity for market participants.

Furthermore, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file a proposed rule change under that subsection at least five business days prior to the date of filing, or such shorter time as designated by the Commission. The Exchange has provided such notice.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

Supra note 3.

A proposed rule change filed under Rule 19b-4(f)(6) normally does not become operative prior to 30 days after the date of filing. Rule 19b-4(f)(6)(iii), however, permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange requests that the Commission waive the 30-day operative delay contained in Rule 19b-4(f)(6)(iii) so that it may correct the inadvertent error and remove the legacy definitions. The Exchange believes that granting the waiver will further the protection of investors and the public interest because its will lessen potential confusion and add clarity for market participants.

8. <u>Proposed Rule Change Based on Rules of Another Self-Regulatory Organization</u> or of the Commission

The proposed rule change is not based on the rules of another self-regulatory organization or of the Commission.

- Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act
   Not applicable.
- 10. <u>Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act</u>

Not applicable.

#### 11. Exhibits

- 1. Notice of Proposed Rule Change for publication in the Federal Register.
- 5. Text of the proposed rule change.

**EXHIBIT 1** 

SECURITIES AND EXCHANGE COMMISSION (Release No. ; File No. SR-NASDAQ-2019-063)

August\_\_\_, 2019

Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Correct an Inadvertent Error in a Recent Filing

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), <sup>1</sup> and Rule 19b-4 thereunder, <sup>2</sup> notice is hereby given that on August 2, 2019, The Nasdaq Stock Market LLC ("Nasdaq" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. <u>Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change</u>

The Exchange proposes to correct an inadvertent error in a recent filing and amend The Nasdaq Options Market LLC ("NOM") Rules at Chapter 1, Section 1 Definitions.<sup>3</sup>

The text of the proposed rule change is available on the Exchange's Website at <a href="http://nasdaq.cchwallstreet.com">http://nasdaq.cchwallstreet.com</a>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

<sup>2</sup> 17 CFR 240.19b-4.

<sup>&</sup>lt;sup>1</sup> 15 U.S.C. 78s(b)(1).

See Securities Exchange Act Release No. 86022 (June 4, 2019), 84 FR 26912 (June 10, 2019) (SR-NASDAQ-2019-047).

## II. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

### A. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory</u> Basis for, the Proposed Rule Change

#### 1. <u>Purpose</u>

The Exchange proposes to correct an inadvertent error to a recent filing.<sup>4</sup> The filing it is correcting was designed to align the NOM Rules with those of the Nasdaq ISE, LLC rulebook. The Exchange added several definitions to Section1 of Chapter I, but did not delete the legacy definitions located in Sections 1(a)(7), (57), and (64). The legacy definitions are being deleted because they are already covered in Sections 1(a)(72) – (74). The proposed change is of a non-substantive nature and will simply delete the legacy definitions to avoid potential confusion.

#### 2. <u>Statutory Basis</u>

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,<sup>5</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act,<sup>6</sup> in particular, in that it is designed to promote just and equitable principles of trade, to remove

Supra note 3.

<sup>&</sup>lt;sup>5</sup> 15 U.S.C. 78f(b).

<sup>&</sup>lt;sup>6</sup> 15 U.S.C. 78f(b)(5).

impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest.

The Exchange believes that by removing the legacy definitions for the terms "class of options", "series of options", and "underlying security" from the NOM rulebook will help remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general to protect investors and the public interest through lessening potential confusion and adding clarity for market participants.

#### B. <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

The Exchange does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes is to correct an inadvertent error and intended to lessen potential confusion with the Exchange's Rulebook, and therefore does not unduly burden competition.

C. <u>Self-Regulatory Organization's Statement on Comments on the Proposed</u> Rule Change Received from Members, Participants, or Others

No written comments were either solicited or received.

### III. <u>Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action</u>

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act<sup>7</sup> and subparagraph (f)(6) of Rule 19b-4 thereunder.<sup>8</sup>

<sup>&</sup>lt;sup>7</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### Electronic comments:

- Use the Commission's Internet comment form (http://www.sec.gov/rules/sro.shtml); or
- Send an e-mail to <u>rule-comments@sec.gov</u>. Please include File Number SR-NASDAQ-2019-063 on the subject line.

#### Paper comments:

Send paper comments in triplicate to Secretary, Securities and Exchange
 Commission, 100 F Street, NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-NASDAQ-2019-063. This file number should be included on the subject line if e-mail is used. To help the Commission

<sup>17</sup> CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (http://www.sec.gov/rules/sro.shtml).

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File Number SR-NASDAQ-2019-063 and should be submitted on or before [insert date 21 days from publication in the <u>Federal Register</u>].

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

Eduardo A. Aleman Assistant Secretary

<sup>9 17</sup> CFR 200.30-3(a)(12).

#### **EXHIBIT 5**

Deleted text is [bracketed]. New text is <u>underlined</u>.

#### The Nasdaq Stock Market Rules

\* \* \* \* \*

#### **Options Rules**

#### **Chapter I General Provisions**

#### Sec. 1 Definitions

(a) With respect to these Exchange Rules, the following terms shall have the meanings specified in this Section 1. A term defined elsewhere in the Rules of the Exchange shall have the same meaning with respect to this Chapter I, unless otherwise defined below.

\* \* \* \* \*

(7) <u>Reserved</u>[The term "class of options" means all options contracts of the same type and style covering the same underlying security].

\* \* \* \* \*

(57) <u>Reserved</u>[The term "series of options" means all options contracts of the same class of options having the same exercise price and expiration date].

\* \* \* \* \*

(64) <u>Reserved</u>[The term "underlying security" means the security that the Clearing Corporation shall be obligated to sell (in the case of a call option) or purchase (in the case of a put option) upon the valid exercise of an options contract].

\* \* \* \* \*