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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

Part I

Initial Listing Report

1. Name of Self-Regulatory Organization Listing New Derivative Securities Product:
BATS Exchange, Inc.
2. Type of Issuer of New Derivative Securities Product (e.g., clearinghouse, broker-dealer, corporation, etc.):
Corporation.
3. Class of New Derivative Securities Product:
See attached.
4. Name of Underlying Instrument:
See attached.
5. If Underlying Instrument is an Index, State Whether it is Broad-Based or Narrow-Based:
See attached.
6. Ticker Symbol(s) of New Derivative Securities Product:
See attached.
7. Market or Markets Upon Which Securities Comprising Underlying Instrument Trades:
See attached.
8. Settlement Methodology of New Derivative Securities Product:
Trades locked in at Exchange and settled at NSCC.
9. Position Limits of New Derivative Securities Product (if applicable):
Not applicable.

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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: Tamara Schademann

Title: Chief Regulatory Officer

Telephone Number: (913) 815-7113

Manual Signature of Official Responsible for Form:

Tamara Schademann

Date: February 12, 2009

Act	Securities Exchange Act of 1934
Section	19b-4
Rule	19b-4(e)
Public Availability:	FEB 18 2009

ATTACHMENT TO FORM 19b-4(e)
FOR NEW DERIVATIVE SECURITIES PRODUCTS ("NDSPs") TRADED ON BATS EXCHANGE, INC.
PURSUANT TO UNLISTED TRADING PRIVILEGES COMMENCING ON FEBRUARY 12, 2009

<u>(6) Ticker Symbol</u>	<u>(3) Class of NDSP</u>	<u>(4) Name of Underlying Instrument</u>	<u>(7) Market(s) upon Which Securities Comprising Underlying Instrument Trades</u>	<u>(5) Broad or Narrow Based</u>
ADJ	Exchange-traded notes; equity linked security.	Common Stock of Intel Corporation	Various U.S. markets.	N/A
BZZ	Exchange-traded notes; fund linked security.	Financial Select Sector SPDR Fund	Various U.S. markets.	N/A
DEV	Exchange-traded notes; equity index linked security.	Dow Jones Industrial Average	Various U.S. markets.	Broad
DVK	Exchange-traded notes; equity index linked security.	Dow Jones Industrial Average	Various U.S. markets.	Broad
EAP	Exchange-traded notes; equity linked security.	Common Stock of Schlumberger Inc.	Various U.S. markets.	N/A
ECB	Exchange-traded notes; equity linked security.	Common Stock of Deere & Co.	Various U.S. markets.	N/A
EGK	Exchange-traded notes; equity linked security.	Common Stock of Research in Motion Ltd.	Various U.S. markets.	N/A
EHC	Exchange-traded notes; equity linked security.	Common Stock of Celgene Corporation	Various U.S. markets.	N/A
EHP	Exchange-traded notes; equity linked security.	Common Stock of Intel Corporation	Various U.S. markets.	N/A
EKJ	Exchange traded notes; equity linked security.	Common Stock of NYSE Euronext	Various U.S. markets.	N/A
ELJ	Exchange traded notes; equity linked security.	Common Stock of Valero Energy Corp.	Various U.S. markets.	N/A
EYJ	Exchange traded notes; equity linked security.	Common Stock of Apple Inc.	Various U.S. markets.	N/A
EYW	Exchange traded notes; equity linked security.	Common Stock of Time Warner Inc.	Various U.S. markets.	N/A
SLZ	Exchange traded notes; equity index linked security.	S&P 500 Index	Various U.S. markets.	Broad
SPU	Exchange traded notes; equity index linked security.	MSCI EAFE Index	Various foreign markets.	Broad

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TQK	Exchange traded notes; equity linked security.	Common Stock of AT&T Inc.	Various U.S. markets.	N/A
XUF	Exchange traded notes; equity index linked security.	PHLX Gold and Silver Index	Various U.S. markets.	Broad



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February 12, 2009

Ms. Florence E. Harmon
Deputy Secretary
Securities and Exchange Commission
100 F Street, N.E.
Washington, DC 20549



RE: Form 19b-4(e) – BATS Exchange, Inc.

Ms. Harmon,

On behalf of BATS Exchange, Inc., enclosed please find an executed Form 19b-4(e) and 9 copies. The enclosed Form 19b-4(e) contains information regarding seventeen (17) derivative securities products that commenced trading on BATS Exchange on February 12, 2009. Please contact me or Anders Franzon (913.815.7154) if you have any questions in connection with this matter.

Sincerely,

Tamara Schademann
Chief Regulatory Officer

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