



July 9, 2020

**Via Federal Express**

Ms. Jeanette Marshall  
Securities and Exchange Commission  
Division of Trading and Markets  
100 F Street, N.E.  
Mail Stop 6628  
Washington, DC 20549-0001

Re: **Cboe BYX Exchange, Inc.  
Form 1 Amendment**

Dear Ms. Marshall:

On behalf of Cboe BYX Exchange, Inc. (the “Exchange”), and in connection with the Cboe Form 1 that is on file with the Securities and Exchange Commission (“Commission”), enclosed please find one original and two copies of the Execution Page to Form 1 as well as the following exhibit<sup>1</sup>:

- Exhibit F (updated to include the most recent, final versions of agreements circulated to Members and other Users of the Exchange)

This amendment is filed in accordance with SEC Rule 6a-2 and is intended to replace Exhibit F currently on file with the Commission. Please do not hesitate to contact me if you have any questions or require anything further.

Sincerely,

A handwritten signature in cursive script that reads 'Kyle Murray'.

Kyle Murray  
VP, Associate General Counsel  
913-815-7121  
Signature executed at 2:00pm on 07/09/21

Enclosure

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<sup>1</sup> See Attachement for a comprehensive list of updates to Exhibit F

## **Attachment**

*Summary of changes made to Exhibit F:*

- See Exhibit F Cover Sheet for additional details regarding changes to our Agreements

**\*Based upon relief from the Commission staff and difficulties arising from COVID-19, we are making this filing without notarization. This document has been signed electronically.**

Form 1 Page 1 Execution Page	<b>U.S. SECURITIES AND EXCHANGE COMMISSION</b> <b>WASHINGTON, D.C. 20549</b>  <b>APPLICATION FOR, AND AMENDMENTS TO APPLICATION</b> <b>FOR, REGISTRATION AS A NATIONAL SECURITIES EXCHANGE</b> <b>OR EXEMPTION FROM REGISTRATION PURSUANT TO</b> <b>SECTION 5 OF THE EXCHANGE ACT</b>	Date filed (MM/DD/YY)  <b>07/09/21</b>	OFFICIAL USE ONLY
<p>WARNING: Failure to keep this form current and to file accurate supplementary information on a timely basis, or the failure to keep accurate books and records or otherwise to comply with the provisions of law applying to the conduct of the applicant would violate the federal securities laws and may result in disciplinary, administrative or criminal action.</p>			
<b>INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACTS</b> <b>MAY CONSTITUTE CRIMINAL VIOLATIONS</b>			
<p><input type="checkbox"/> APPLICATION <span style="margin-left: 200px;"><input checked="" type="checkbox"/> AMENDMENT</span></p>			
<p>1. State the name of the applicant: <u>Cboe BYX Exchange, Inc.</u></p>			
<p>2. Provide the applicant's primary street address (Do not use a P.O. Box):  <u>400 South LaSalle Street</u>  <u>Chicago, Illinois 60605</u></p>			
			 <b>21000545</b>
<p>3. Provide the applicant's mailing address (if different):          _____          _____</p>			
<p>4. Provide the business telephone and facsimile number:  <u>(913) 815-7000</u> <span style="margin-left: 150px;"><u>(913) 815-7119</u></span>          (Telephone) <span style="margin-left: 150px;">(Facsimile)</span></p>			
<p>5. Provide the name, title and telephone number of a contact employee:  <u>Kyle Murray</u> <span style="margin-left: 20px;">VP, Associate General Counsel,</span> <u>Cboe BYX Exchange, Inc.</u> <span style="margin-left: 20px;"><u>(913) 815-7121</u></span>          (Name) <span style="margin-left: 100px;">(Title)</span> <span style="margin-left: 100px;">(Telephone Number)</span></p>			
<p>6. Provide the name and address of counsel for the applicant:  <u>Pat Sexton</u>  <u>400 S. LaSalle Street</u>  <u>Chicago, IL 60605</u></p>			
<p>7. Provide the date that applicant's fiscal year ends: <u>December 31</u></p>			
<p>8. Indicate legal status of the applicant: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Sole Partnership <input type="checkbox"/> Partnership  <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Other (specify): _____</p> <p>If other than a sole proprietor, indicate the date and place where applicant obtained its legal status (e.g. state where incorporated, place where partnership agreement was filed or where applicant entity was formed):          (a) Date (MM/DD/YY): <u>11/01/07</u> (b) State/Country of formation: <u>Delaware/United States of America</u>          (c) Statute under which applicant was organized: <u>General Corporation Law of the State of Delaware</u></p>			
<p><b>EXECUTION:</b>          The applicant consents that service of any civil action brought by, or notice of any proceeding before, the Securities and Exchange Commission in connection with the applicant's activities may be given by registered or certified mail or confirmed telegram to the applicant's contact employee at the main address, or mailing address if different, given in Items 2 and 3. The undersigned, being first duly sworn, deposes and says that he/she has executed this form on behalf of, and with the authority of, said applicant. The undersigned and applicant represent that the information and statement contained herein, including exhibits, schedules, or other documents attached hereto, and other information filed herewith, all of which are made a part hereof, are current, true and complete.</p>			
<p>Date: <u>07/09/21</u> <span style="margin-left: 200px;"><u>Cboe BYX Exchange, Inc.</u></span>          (MM/DD/YY) <span style="margin-left: 200px;">(Name of Applicant)</span></p>			
<p>By: <u>Kyle Murray</u> [signature executed at 2:00pm on 07/09/21] <span style="margin-left: 50px;"><u>Kyle Murray, VP, Associate General Counsel</u></span>          (Signature) <span style="margin-left: 150px;">(Printed Name and Title)</span></p>			
<p>Subscribed and sworn before me this <u>see header</u> day of <u>see header</u>, <u>see header</u> by <u>see header</u>          (Month) <span style="margin-left: 50px;">(Year)</span> <span style="margin-left: 50px;">(Notary Public)</span></p>			
<p>My Commission expires <u>see header</u> County of <u>see header</u> State of <u>see header</u></p>			
<p><b>This page must always be completed in full with original, manual signature and notarization.</b>  <b>Affix notary stamp or seal where applicable.</b></p>			

**Exhibit F**

**Exhibit Request:**

A complete set of all forms pertaining to:

1. Application for membership, participation or subscription to the entity,
2. Application for approval as a person associated with a member, participant or subscriber of the entity, and
3. Any other similar materials.

**Response:**

Attached please find the following documents which have recently been added or updated:

1. Member/TPH Modification Form: original document
2. The Exchange intends to use Form U-4, the Uniform Application for Securities Industry Registration or Transfer, for persons applying to be associated persons of a Member.

## Member/TPH Modification Form

**MODIFICATION DOCUMENT** – This form is to be completed by a current Member and/or Trading Permit/Privilege Holder (“TPH”) for the types of changes described below. Additional documentation may need to be submitted depending on the change. An executed version of this Form can be delivered via email to [MembershipServices@cboe.com](mailto:MembershipServices@cboe.com)

### GENERAL INFORMATION

Firm Name:	
CRD Number:	NFA Number:
CONTACT	
Name:	Email:
Title:	Phone:

### CBOE EXCHANGE, INC. (CBOE (C1) OPTIONS)

#### BUSINESS ACTIVITY(IES)

Add  Remove **Floor Access:**     Associated with Floor Broker     Market Maker

#### ELECTRONIC ACCESS

Add  Remove     Electronic Execution     Market Maker     Proprietary Trading     Order Service Firm  
 Transact Business w/the Public     Other-Specify: \_\_\_\_\_  
 Clearing Firm:     RTH and/or     GTH

Add  Remove     Electronic Execution     Market Maker     Proprietary Trading     Order Service Firm  
 Transact Business w/the Public     Other-Specify: \_\_\_\_\_  
 Clearing Firm:     RTH and/or     GTH

#### RESPONSIBLE PERSON(S)

The Responsible Person must be a United States based officer, director or management-level employee of the TPH, who is responsible for the direct supervision and control of Associated Persons of the TPH. Each Responsible Person must sign an [Cboe Individual Consent to Jurisdiction](#) and hold the appropriate qualification examinations and registrations [e.g., TP (Series 24)] on WebCRD. A Responsible Person for a Foreign TPH does not need to be U.S.-based but must be an individual registered in WebCRD.

<input type="checkbox"/> Add	Name:	CRD #:
	Title:	NFA ID:
<input type="checkbox"/> Remove	Phone:	Email:
<input type="checkbox"/> Add	Name:	CRD #:
	Title:	NFA ID:
<input type="checkbox"/> Remove	Phone:	Email:

### CBOE C2 EXCHANGE, INC. (C2 OPTIONS)

#### BUSINESS CAPACITY(IES)

Add  Remove     Proprietary Trader     Broker     Clearing Participant     Market Maker  
 Transact Business w/the Public

<input type="checkbox"/> Add <input type="checkbox"/> Remove	<input type="checkbox"/> Proprietary Trader <input type="checkbox"/> Broker <input type="checkbox"/> Clearing Participant <input type="checkbox"/> Market Maker <input type="checkbox"/> Transact Business w/the Public
<b>RESPONSIBLE PERSON(S)</b>	
The Responsible Person must be a United States based officer, director or management-level employee of the TPH, who is responsible for the direct supervision and control of Associated Persons of the TPH. Each Responsible Person must sign an <a href="#">C2 Individual Consent to Jurisdiction</a> and hold the appropriate qualification examinations and registrations [e.g., TP (Series 24)] on WebCRD.	
<input type="checkbox"/> Add	Name: _____ CRD #: _____
<input type="checkbox"/> Remove	Title: _____ NFA ID: _____
	Phone: _____ Email: _____
<input type="checkbox"/> Add	Name: _____ CRD #: _____
<input type="checkbox"/> Remove	Title: _____ NFA ID: _____
	Phone: _____ Email: _____

<b>CBOE FUTURES EXCHANGE, LLC (CFE)</b>	
<b>BUSINESS ACTIVITY(IES)</b>	
<input type="checkbox"/> Add <input type="checkbox"/> Remove	<input type="checkbox"/> Proprietary Trading Firm <input type="checkbox"/> Brokerage Firm <input type="checkbox"/> Clearing Firm <input type="checkbox"/> Pool Manager
<input type="checkbox"/> Add <input type="checkbox"/> Remove	<input type="checkbox"/> Proprietary Trading Firm <input type="checkbox"/> Brokerage Firm <input type="checkbox"/> Clearing Firm <input type="checkbox"/> Pool Manager
<b>POOL MANAGER CHANGE</b>	
<b>Applicable to a Pooled Investment Vehicle</b> - Identify the Pool Manager(s) - operator(s), investment manager(s) or investment advisor(s) of the Pool requiring an update.	
<input type="checkbox"/> Add <input type="checkbox"/> Remove	Name: _____ NFA #: _____
<input type="checkbox"/> Add <input type="checkbox"/> Remove	Name: _____ NFA #: _____
<b>CHANGE TO EXECUTIVE OFFICER(S)</b>	
Identify any changes to Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Chief Compliance Officer, or any equivalent position. Each new officer must complete pages 9-12 of the <a href="#">Organization TPH Application</a> .	
<input type="checkbox"/> Add	Name: _____ CRD #: _____ NFA #: _____
<input type="checkbox"/> Remove	Title: _____
	Phone: _____ Email: _____
<input type="checkbox"/> Add	Name: _____ CRD #: _____ NFA #: _____
<input type="checkbox"/> Remove	Title: _____
	Phone: _____ Email: _____
<input type="checkbox"/> Add	Name: _____ CRD #: _____ NFA #: _____
<input type="checkbox"/> Remove	Title: _____
	Phone: _____ Email: _____

<input type="checkbox"/> Add	Name:	CRD #:	NFA #:
	Title:		
<input type="checkbox"/> Remove	Phone:	Email:	

**CLEARING CHANGE(S)**

BZX    BYX    EDGA    EDGX    BZX OPTIONS    EDGX OPTIONS    CBOE OPTIONS    C2    CFE

MPID/EFID	CURRENT CLEARING #	CHANGE TO CLEARING #	NEW CLEARING GUARANTEE ON FILE?	EFFECTIVE DATE (FIRST TRADE)
			<input type="checkbox"/> YES <input type="checkbox"/> NO*	
			<input type="checkbox"/> YES <input type="checkbox"/> NO*	
			<input type="checkbox"/> YES <input type="checkbox"/> NO*	
			<input type="checkbox"/> YES <input type="checkbox"/> NO*	
			<input type="checkbox"/> YES <input type="checkbox"/> NO*	

\*= a current clearing guarantee is required for all applicable exchanges before a clearing change can be processed

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Signature of Authorized Officer, Partner or Managing Member

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Printed Name

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Title

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Date