

**SUBMISSION COVER SHEET**

**IMPORTANT:** Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 18-345 (2 of 2)

Organization: Commodity Exchange, Inc. ("COMEX")

Filing as a:  DCM  SEF  DCO  SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 09/05/18 Filing Description: Adoption of New NYMEX/COMEX Chapter iv. ("Disclaimers")

**SPECIFY FILING TYPE**

Please note only ONE choice allowed per Submission.

**Organization Rules and Rule Amendments**

- Certification § 40.6(a)
- Approval § 40.5(a)
- Notification § 40.6(d)
- Advance Notice of SIDCO Rule Change § 40.10(a)
- SIDCO Emergency Rule Change § 40.10(h)

Rule Numbers: See filing.

**New Product**

Please note only ONE product per Submission.

- Certification § 40.2(a)
- Certification Security Futures § 41.23(a)
- Certification Swap Class § 40.2(d)
- Approval § 40.3(a)
- Approval Security Futures § 41.23(b)
- Novel Derivative Product Notification § 40.12(a)
- Swap Submission § 39.5

**Product Terms and Conditions (product related Rules and Rule Amendments)**

- Certification § 40.6(a)
- Certification Made Available to Trade Determination § 40.6(a)
- Certification Security Futures § 41.24(a)
- Delisting (No Open Interest) § 40.6(a)
- Approval § 40.5(a)
- Approval Made Available to Trade Determination § 40.5(a)
- Approval Security Futures § 41.24(c)
- Approval Amendments to enumerated agricultural products § 40.4(a), § 40.5(a)
- "Non-Material Agricultural Rule Change" § 40.4(b)(5)
- Notification § 40.6(d)

Official Name(s) of Product(s) Affected: See filing.

Rule Numbers:

September 5, 2018

**VIA ELECTRONIC PORTAL**

Mr. Christopher J. Kirkpatrick  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, DC 20581

**Re: CFTC Regulation 40.6(a) Certification. Notification Regarding Adoption of  
New NYMEX/COMEX Chapter iv. (“Disclaimers”).  
COMEX Submission No. 18-345 (2 of 2)**

Dear Mr. Kirkpatrick:

New York Mercantile Exchange, Inc. (“NYMEX”) and Commodity Exchange, Inc. (“COMEX”) (collectively, the “Exchanges”) are notifying the Commodity Futures Trading Commission (“CFTC” or the “Commission”) that they are self-certifying the adoption of new NYMEX/COMEX Chapter iv. (“Disclaimers”) effective on September 19, 2018.

Specifically, the Exchanges are adopting Chapter iv. to streamline and house all of the Exchanges’ Price Reporting Agency’s (“PRA”) required disclaimers in one single location. This will eliminate the need for required disclaimers to appear in the product chapter for affected products. The Exchanges will include a hyperlink in each relevant product chapter to Chapter iv. New NYMEX/COMEX Chapter iv. is provided in Exhibit A.

The Exchanges will commence this transition beginning with two (2) PRAs: Argus Media and S&P Global Platts. Upon the effective date of this submission, the Exchanges will commence replacing disclaimer rules from the relevant Argus Media and S&P Global Platts product chapters with hyperlinks to Chapter iv.

The Exchanges reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“Act”) and identified that the adoption of Chapter iv. may have some bearing on the following Core Principle:

- **Availability of General Information**: The Exchanges will make Chapter iv. publicly available on CME Group’s website.

The Exchanges hereby certify that this submission has been concurrently posted on the Exchanges’ website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2200 or via e-mail at [CMEGSubmissionInquiry@cmegroup.com](mailto:CMEGSubmissionInquiry@cmegroup.com)

Sincerely,

/s/Christopher Bowen  
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – NYMEX/COMEX Rulebook Chapter iv. (“Disclaimers”)

## **EXHIBIT A**

### **NYMEX/COMEX Rulebook Chapter iv.**

#### **DISCLAIMERS**

##### **ARGUS MEDIA**

ARGUS, ARGUS MEDIA and the ARGUS logo are trademarks and are used under license from Argus Media Limited. All copyrights and database rights in any ARGUS index belong to or are exclusively licensed by the Argus Media group. The products made available by Chicago Mercantile Exchange Inc. and New York Mercantile Exchange, Inc., (together "CME") which reference Argus' indexes (the "Products") are not sponsored, endorsed, sold or promoted by Argus. Argus makes no representation or warranty, express or implied, to the owners of the Product(s) or any member of the public regarding the advisability of trading in the Product(s). Argus' only relationship to CME is the licensing of certain trademarks and trade names of Argus and of indexes which are determined, composed and calculated by Argus without regard to CME or the Product(s). Argus has no obligation to take the needs of CME or the owners of the Product(s) into consideration in determining, composing or calculating its indexes. Argus is not responsible for and has not participated in the determination of the timing of, prices at, or quantities of the Product(s) to be listed or in the determination or calculation of the equation by which the Product(s) are to be converted into cash. Argus has no obligation or liability in connection with the administration, marketing or trading of the Product(s).

ARGUS DOES NOT GUARANTEE THE ACCURACY AND/OR THE COMPLETENESS OF ITS INDEXES OR ANY DATA RELATED THERETO AND HAS NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INTERRUPTIONS THEREIN. ARGUS MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO RESULTS TO BE OBTAINED BY CME, OWNERS OF THE PRODUCT(S), OR ANY OTHER PERSON OR ENTITY FROM THE USE OF THE PRODUCTS, ARGUS' INDEXES OR ANY DATA RELATED THERETO. ARGUS MAKES NO EXPRESS OR IMPLIED WARRANTIES, AND EXPRESSLY DISCLAIMS ALL WARRANTIES, OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE WITH RESPECT TO THE PRODUCTS, ITS INDEXES OR ANY DATA RELATED THERETO. WITHOUT LIMITING ANY OF THE FOREGOING, IN NO EVENT SHALL ARGUS HAVE ANY LIABILITY FOR ANY DAMAGES WHATSOEVER, WHETHER DIRECT OR INDIRECT, INCLUDING WITHOUT LIMITATION, LOST PROFITS OR INDIRECT, PUNITIVE, SPECIAL OR CONSEQUENTIAL DAMAGES (INCLUDING LOST PROFITS), EVEN IF NOTIFIED OF THE POSSIBILITY OF SUCH DAMAGES.

##### **S&P GLOBAL PLATTS**

NEITHER NEW YORK MERCANTILE EXCHANGE, INC. ("NYMEX"), ITS AFFILIATES, NOR S&P GLOBAL PLATTS GUARANTEES THE ACCURACY AND/OR COMPLETENESS OF THE INDEX OR ANY OF THE DATA INCLUDED THEREIN.

NYMEX, ITS AFFILIATES AND S&P GLOBAL PLATTS MAKE NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE RESULTS TO BE OBTAINED BY ANY PERSON OR ENTITY FROM USE OF THE INDEX, TRADING BASED ON THE INDEX, OR ANY DATA INCLUDED THEREIN IN CONNECTION WITH THE TRADING OF THE CONTRACTS, OR, FOR ANY OTHER USE. NYMEX, ITS AFFILIATES AND S&P GLOBAL PLATTS MAKE NO WARRANTIES, EXPRESS OR IMPLIED, AND HEREBY DISCLAIM ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE WITH RESPECT TO THE INDEX OR ANY DATA INCLUDED THEREIN, WITHOUT LIMITING ANY OF THE FOREGOING, IN NO EVENT SHALL NYMEX, ITS AFFILIATES OR S&P GLOBAL PLATTS HAVE ANY LIABILITY FOR ANY LOST PROFITS OR INDIRECT, PUNITIVE, SPECIAL, OR CONSEQUENTIAL DAMAGES (INCLUDING LOST PROFITS), EVEN IF NOTIFIED OF THE POSSIBILITY OF SUCH DAMAGES.

"Platts" and "S&P Global Platts" are trademarks of S&P Global Inc. and have been licensed for use by NYMEX. S&P Global Platts does not sponsor, endorse, sell or promote the contracts and S&P Global Platts makes no recommendations concerning the advisability of investing in the contracts.