

**SUBMISSION COVER SHEET**

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

Registered Entity Identifier Code (optional): 15-473 (3 of 4)

Organization: New York Mercantile Exchange, Inc. ("NYMEX")

Filing as a:  DCM  SEF  DCO  SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 11/04/2015 Filing Description: Amendments to CME/CBOT/NYMEX/COMEX Rule 853 ("Transfers of Trades and Customer Accounts")

Please note only ONE choice allowed per Submission.

**Organization Rules and Rule Amendments**

- |                                     |                                     |            |
|-------------------------------------|-------------------------------------|------------|
| <input checked="" type="checkbox"/> | Certification                       | § 40.6(a)  |
| <input type="checkbox"/>            | Approval                            | § 40.5(a)  |
| <input type="checkbox"/>            | Notification                        | § 40.6(d)  |
| <input type="checkbox"/>            | Advance Notice of SIDCO Rule Change | § 40.10(a) |
| <input type="checkbox"/>            | SIDCO Emergency Rule Change         | § 40.10(h) |

**Rule Numbers:** 853

**New Product**

Please note only ONE product per Submission.

- |                          |                                       |            |
|--------------------------|---------------------------------------|------------|
| <input type="checkbox"/> | Certification                         | § 40.2(a)  |
| <input type="checkbox"/> | Certification Security Futures        | § 41.23(a) |
| <input type="checkbox"/> | Certification Swap Class              | § 40.2(d)  |
| <input type="checkbox"/> | Approval                              | § 40.3(a)  |
| <input type="checkbox"/> | Approval Security Futures             | § 41.23(b) |
| <input type="checkbox"/> | Novel Derivative Product Notification | § 40.12(a) |
| <input type="checkbox"/> | Swap Submission                       | § 39.5     |

**Official Product Name:**

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

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

**Official Name(s) of Product(s) Affected:**

**Rule Numbers:**

November 4, 2015

**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 Amendments to CME/CBOT/NYMEX/COMEX Rule 853 (“Transfers of Trades and Customer Accounts”).  
NYMEX Submission No. 15-473 (3 of 4)**

Dear Mr. Kirkpatrick:

Chicago Mercantile Exchange Inc. (“CME”), The Board of Trade of the City of Chicago, Inc. (“CBOT”), New York Mercantile Exchange, Inc. (“NYMEX”), and Commodity Exchange, Inc. (“COMEX”) (collectively, the “Exchanges”) hereby notify the Commodity Futures Trading Commission (“CFTC” or “Commission”) that they are self-certifying amendments to CME/CBOT/NYMEX/COMEX Rule 853 (“Transfers of Trades and Customer Accounts”). These amendments shall be effective on Friday, November 20, 2015.

Rule 853.A.5 currently permits transfers of futures at the original trade price or the most recent settlement price, and the transfer of options at the original trade price or a trade price of zero. With the October 12, 2015, launch of the NYMEX Brent Crude Oil Futures-Style Margin Option contract (see NYMEX Submission No. 15-373R dated September 25, 2015), the Exchanges reviewed the the prices at which options may be transferred under Rule 853.A.5. and determined that futures-style options should be permitted to transfer at the original trade price or the most recent settlement price. Additionally, the Exchanges will begin to permit premium-style options to transfer at the most recent settlement price, in addition to the currently permissible original trade price or a trade price of zero. In an effort to harmonize Chapter 8 across all of the rulebooks, the Exchanges are amending Rule 853 for all four (4) designated contract markets.

The Exchanges reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“CEA” or “Act”) and identified that the amendments to Rule 853 may have some bearing on the following Core Principles:

Compliance with Rules: The amendments codify the prices at which certain types of options on futures products may be transferred. As such, the revision remains in compliance with this Core Principle.

Availability of General Information: As required by this Core Principle, the Exchanges are publicly issuing a Special Executive Report to ensure that market participants have updated guidance and information attendant to the amendments. The Special Executive Report will also be available on the CME Group website.

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6(a), the Exchanges hereby certify that the amendments to Rule 853 comply with the Act and regulations thereunder. There were no substantive opposing views to this proposal.

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

If you require any additional information, please e-mail [CMEGSubmissionInquiry@cmegroup.com](mailto:CMEGSubmissionInquiry@cmegroup.com) or contact the undersigned at 212-299-2200.

Sincerely,

/s/Christopher Bowen  
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – CME/CBOT/NYMEX/COMEX Rule 853 (blackline format)

## **Exhibit A**

### **CME/CBOT/NYMEX/COMEX RULEBOOK**

#### **Chapter 8**

#### **Clearing House and Performance Bonds**

(deletions are ~~overstruck~~; additions are underscored)

#### **853. TRANSFERS OF TRADES AND CUSTOMER ACCOUNTS**

##### 853.A. Transfers of Trades

[Subsections A.1. – A.4 are unchanged.]

5. Provided that the transfer is permitted pursuant to Sections 1., 2., 3. or 4. above, transactions in all physically delivered futures contracts except for FX futures contracts must be recorded and carried on the books of the receiving firm at the original trade dates; all other transactions may be recorded and carried at either the original trade date or the transfer date. Futures and futures-style option transactions may be transferred using either the original trade price or the most recent settlement price; premium-style options transactions may be transferred using ~~either~~ the original trade price, the most recent settlement price or a trade price of zero. Trades that have been confirmed at an average price pursuant to the provisions of Rule 553 may alternatively be transferred at the average price.

[The remainder of the Rule is unchanged.]