

**EXHIBIT 5 TO SR-CBOE-2012-025**

(Changes are indicated by underlining additions and [bracketing deletions]. Only those fees that are affected are shown.)

**CHICAGO BOARD OPTIONS EXCHANGE, INCORPORATED  
FEES SCHEDULE  
MARCH [19]26, 2012**

(1) – (4) Unchanged.

**FOOTNOTES:**

(1) – (19) Unchanged.

(5) – (7) Unchanged.

**8. FACILITY FEES (per month)**

## A) BOOTHS

Standard Booth Rental Fee:

Perimeter	\$195
OEX	\$550
Dow Jones/MNX/VIX	\$550

Non-Standard Booth Rental Fee:

Effective April 1, 2012, a Trading Permit Holder (“TPH”) organization will pay the fees per square foot in the table below on a monthly basis for use of a non-standard booth. The fee per square foot a TPH organization will pay is determined based on the size of the booth and length of the lease the TPH organization enters into with the Exchange. The greater the size of the booth and the longer the term of the lease will result in a reduced fee per square foot. A TPH organization that terminates its lease prior to its expiration date will, on the effective date of such termination, pay to the Exchange an amount equal to twenty five percent (25%) of the balance of the monthly charges remaining in the lease term.

<u>BOOTH SIZE</u>	<u>Per Sq. Ft.</u>	<u>Per Sq. Ft.</u>	<u>Per Sq. Ft.</u>
Extra-Large (1000 sq. ft. or greater)	\$5.50	\$5.34	\$5.23
Large (800-999 sq. ft.)	\$8.00	\$7.76	\$7.60
Medium (401-799 sq. ft.)	\$9.50	\$9.22	\$9.03
Small (400 sq. ft. or less)	\$15.00	\$14.55	\$14.25
<u>LENGTH OF LEASE</u>	<u>1 Year</u>	<u>2 Years (97%)</u>	<u>3 Years (95%)</u>

Booth Pass-Through Fee:

A TPH Organization shall be responsible for all costs associated with any modifications and alterations to any trading floor booths leased by the TPH Organization and shall reimburse CBOE for all costs incurred by CBOE in connection therewith.

A copy of the CBOE Trading Floor Booth Policy is located at [www.cboe.org](http://www.cboe.org).

**Remainder of Fees Schedule:** Unchanged.

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**EXHIBIT 5 TO SR-CBOE-2012-025 (continued)**

(Changes are indicated by underlining additions and [bracketing deletions].)

**Chicago Board Options Exchange, Incorporated  
Trading Floor Booth Policy**

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**I. Booth Allocation Eligibility Requirements**

Booths on the trading floor of [the] CBOE will be allocated to CBOE [member] Trading Permit Holder organizations (“TPH Organizations”) who are in good standing [and who own, lease, or have a membership registered in their behalf and who meet one or more of the following qualifications:

- A. Is a member of the Options Clearing Corporation (“OCC”) and conducts a retail customer business.
- B. Is a member of OCC and clears CBOE Market-Maker and/or Floor Broker trades.
- C. Operates a public customer and/or broker dealer business in options and meets any financial requirements established at any time by the Exchange.
- D. Is a Stock Execution Service firm who has been approved by the Exchange in accordance with CBOE Rule 6.77].

**II. Booth Allocation and Assignment**

The [Facilities Committee] Exchange may establish guidelines from time to time with respect to the allocation and assignment of trading floor booths to [CBOE member firms] TPH Organizations based upon trading volume, business need, product support, and any other reasonable criteria. The Exchange will consider any reasonable request from a TPH Organization with respect to the specifications for building a non-standard booth. The Exchange may deny a request from a TPH Organization to build a non-standard booth if the Exchange determines the request is unreasonable with respect to the specifications for the non-standard booth. A TPH Organization that has been denied a request to build a non-standard booth may appeal the decision to the Appeals Committee under Chapter 19 of the Exchange’s rules.

**III. Booth Usage and Rental Terms**

Every [member firm] TPH Organization who leases one or more booths on the CBOE trading floor shall be required to execute the applicable CBOE[’s] “Trading Floor Booth Rental Agreement” which sets forth the terms, conditions, and restrictions governing the rental and use of such booths. There are separate forms of the agreement for standard booths and non-standard booths (as defined in the CBOE Fees Schedule). A copy of [that] each form agreement is attached to this Policy.

Date