$\label{lem:red} \textit{Required fields are shown with yellow backgrounds and asterisks}.$ 

OMB APPROVAL

OMB Number: 3235-0045
Estimated average burden hours per response......38

Page 1 o	f * 14		EXCHANGE ( TON, D.C. 2 orm 19b-4	0549		File No.* 9	SR - 2020 - * 01 mendments *)
Filing by Investors' Exchange LLC							
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934							
Initial * ☑	Amendment *	Withdrawal	Section 19(		Sectio	on 19(b)(3)(A) * Rule	Section 19(b)(3)(B) *
Pilot	Extension of Time Period for Commission Action *	Date Expires *		19	9b-4(f) 9b-4(f) 9b-4(f)	)(2)	
	of proposed change pursuant 806(e)(1) *	to the Payment, Cleari  Section 806(e)(2) *	ng, and Settle	ment Act of 20	10	Security-Based Swap to the Securities Exch Section 3C(b)(2)	-
Exhibit 2 Sent As Paper Document  Exhibit 3 Sent As Paper Document  Exhibit 3 Sent As Paper Document							
Provide a brief description of the action (limit 250 characters, required when Initial is checked *).  Proposed Rule Change to Correct Three Typographical Errors in IEX Rules 11.190(e) and 11.220(a)(7).							
Contact Information  Provide the name, telephone number, and e-mail address of the person on the staff of the self-regulatory organization prepared to respond to questions and comments on the action.							
First Na	ame * Nathaniel		Last Name *	Kolodny			
Title *							
E-mail	E-mail * nathaniel.kolodny@iextrading.com						
Telepho	one * (646) 343-2034	Fax					
Signature							
Pursuant to the requirements of the Securities Exchange Act of 1934,							
has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.							
(Title *)  Date 01/03/2020 Chief Regulatory Officer							
l l	01/03/2020		oniei Neguial	ory Officer			
Ву	Claudia Crowley (Name *)						
NOTE: Clicking the button at right will digitally sign and lock this form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.							

#### SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549 For complete Form 19b-4 instructions please refer to the EFFS website. The self-regulatory organization must provide all required information, presented in a Form 19b-4 Information \* clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal Remove is consistent with the Act and applicable rules and regulations under the Act. The Notice section of this Form 19b-4 must comply with the guidelines for publication Exhibit 1 - Notice of Proposed Rule Change \* in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to Add Remove View the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3) The Notice section of this Form 19b-4 must comply with the guidelines for publication **Exhibit 1A- Notice of Proposed Rule** in the Federal Register as well as any requirements for electronic filing as published Change, Security-Based Swap Submission, by the Commission (if applicable). The Office of the Federal Register (OFR) offers or Advance Notice by Clearing Agencies \* guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change, security-based swap submission, or advance notice being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3) Exhibit 2 - Notices, Written Comments, Copies of notices, written comments, transcripts, other communications. If such Transcripts, Other Communications documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G. Add Remove View Exhibit Sent As Paper Document П Exhibit 3 - Form, Report, or Questionnaire Copies of any form, report, or questionnaire that the self-regulatory organization proposes to use to help implement or operate the proposed rule change, or that is Add Remove View referred to by the proposed rule change. Exhibit Sent As Paper Document The full text shall be marked, in any convenient manner, to indicate additions to and **Exhibit 4 - Marked Copies** deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit Add View Remove the staff to identify immediately the changes made from the text of the rule with which it has been working. **Exhibit 5 - Proposed Rule Text** The self-regulatory organization may choose to attach as Exhibit 5 proposed changes to rule text in place of providing it in Item I and which may otherwise be more easily readable if provided separately from Form 19b-4. Exhibit 5 shall be considered part Add Remove View of the proposed rule change. If the self-regulatory organization is amending only part of the text of a lengthy Partial Amendment proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e. partial amendment) is clearly understandable on its face. Such partial

amendment shall be clearly identified and marked to show deletions and additions.

## 1. <u>Text of Proposed Rule Change</u>

(a) Pursuant to the provisions of Section 19(b)(1) under the Securities

Exchange Act of 1934 ("Act"), 1 and Rule 19b-4 thereunder, 2 Investors Exchange LLC

("IEX" or "Exchange") is filing with the Securities and Exchange Commission

("Commission") a proposed rule change to correct three typographical errors in IEX

Rules 11.190(e) and 11.220(a)(7). The Exchange has designated this rule change as

"non-controversial" under Section 19(b)(3)(A) of the Act3 and provided the Commission

with the notice required by Rule 19b-4(f)(6) thereunder.4

A notice of the proposed rule change for publication in the Federal Register is attached hereto as Exhibit 1. The text of the proposed rule change is attached as Exhibit 5.

- (b) The Exchange does not believe that the proposed rule change will have any direct effect, or any significant indirect effect, on any other Exchange rule in effect at the time of this filing.
  - (c) Not applicable.

#### 2. Procedures of the Self-Regulatory Organization

Senior management has approved the proposed rule change pursuant to authority delegated to it by the Board of the Exchange. No further action is required under the Exchange's governing documents. Therefore, the Exchange's internal procedures with respect to the proposed rule change are complete.

The persons on the Exchange staff prepared to respond to questions and

<sup>2</sup> 17 CFR 240.19b-4.

<sup>&</sup>lt;sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>&</sup>lt;sup>3</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>&</sup>lt;sup>4</sup> 17 CFR 240.19b-4.

comments on the proposed rule change are:

Claudia Crowley Chief Regulatory Officer Investors Exchange LLC 646-343-2041 Nathaniel Kolodny Lead Regulation Counsel Investors Exchange LLC 646-343-2034

- 3. <u>Self-Regulatory Organization's Statement on the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change
  - a. <u>Purpose</u>

The Exchange recently filed a proposed rule change to amend, in part, IEX Rules 11.190(e) and Rule 11.220(a)(7) related to the Exchange's anti-internalization functionality (the "Original Filing").<sup>5</sup> The Original Filing introduced two typographical errors in IEX Rule 11.190(e) and one typographical error in IEX Rule 11.220(a)(7), which the Exchange proposes to correct as described below.

First, the Exchange proposes to add the number "2" in IEX Rule 11.190(e) to denote a numbered subparagraph between subparagraphs (1) and (3). The Original Filing inadvertently deleted the number "2" to denote the applicable subparagraph.

Second, the Exchange proposes to delete the word "modifier" from the first sentence of IEX Rule 11.190(e)(3). The Original Filing inadvertently did not mark the word for deletion as intended.

Third, the Exchange proposes to modify the first sentence of Rule 11.220(a)(7), in which a deletion bracket and the preceding letter were inadvertently underlined in the Original Filing. The Exchange thus proposes to delete the deletion bracket and preceding letter as intended.

### b. <u>Statutory Basis</u>

<sup>&</sup>lt;sup>5</sup> <u>See</u> Securities Exchange Act Release No. 87798 (December 18, 2019), 84 FR 71053 (December 26, 2019) (SR-IEX-2019-14).

IEX believes that the proposed rule change is consistent with the provisions of Section 6(b)<sup>6</sup> of the Act in general, and furthers the objectives of Section 6(b)(5) of the Act<sup>7</sup> in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

Specifically, IEX believes that the proposed rule change is consistent with Section 6(b)(5) of the Act<sup>8</sup> because it will eliminate any confusion regarding IEX rules by correcting inadvertent typographical errors introduced by the Original Filing in IEX Rules 11.190(e)(2) and 11.220(a)(7) without changing the substance of such rule provisions.

## 4. <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

IEX does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not designed to address any competitive issues but rather to correct inadvertent typographical errors, thereby eliminating any potential confusion regarding such rule provisions without changing their substance.

5. <u>Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others</u>

Extension of Time Period for Commission Action

Written comments were neither solicited nor received.

Extension of Time Period for Commission Action
 Not applicable.

<sup>7</sup> 15 U.S.C. 78f(b)(5).

<sup>&</sup>lt;sup>6</sup> 15 U.S.C. 78f.

<sup>&</sup>lt;sup>8</sup> 15 U.S.C. 78f(b)(5).

# 7. <u>Basis for Summary Effectiveness Pursuant to Section 19(b)(3) or for Accelerated Effectiveness Pursuant to Section 19(b)(2)</u>

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act<sup>9</sup> and paragraph (f)(6) of Rule 19b-4 thereunder. <sup>10</sup> The Exchange asserts that the proposed rule change: (1) will not significantly affect the protection of investors or the public interest, (2) will not impose any significant burden on competition, (3) and will not become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate. In addition, the Exchange provided the Commission with written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing, or such shorter time as the Commission may designate. <sup>11</sup>

The Exchange believes that the proposed rule change meets the criteria of subparagraph (f)(6) of Rule 19b-4<sup>12</sup> because it would not significantly affect the protection of investors or the public interest. Rather, the proposed rule change neither significantly affects the protection of investors or the public interest, nor does it impose any burden on competition because it merely corrects inadvertent typographical errors in existing rule provisions without substantively changing such provisions. Accordingly, the Exchange believes that the proposed rule change is noncontroversial and satisfies the requirements of Rule 19b-4(f)(6).<sup>13</sup>

The Exchange respectfully requests that the Commission waive the 30-day operative delay period after which a proposed rule change under Rule 19b-4(f)(6)

<sup>&</sup>lt;sup>9</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>&</sup>lt;sup>10</sup> 17 CFR 240.19b-4.

<sup>&</sup>lt;sup>11</sup> 17 CFR 240.19b-4(f)(6)(iii).

<sup>&</sup>lt;sup>12</sup> 17 CFR 240.19b-4(f)(6).

<sup>&</sup>lt;sup>13</sup> 17 CFR 240.19b-4(f)(6).

becomes effective to the extent necessary to enable this proposed rule change to be implemented on the same schedule as the Original Filing. Waiving the 30-day operative delay would permit the Exchange to avoid any potential confusion on the part of its Members and their associated persons.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

- 8. Proposed Rule Change Based on the Rules of Another Self-Regulatory
   Organization or of the Commission
   Not applicable.
- Security-Based Swap Submissions Filed Pursuant to Section3 C of the Act
   Not applicable.
- 10. Advance Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act
   Not applicable.
- 11. Exhibits

Exhibit 1 – Form of Notice of the Proposed Rule Change for Publication in the Federal Register.

Exhibit 5 – Text of Proposed Rule Change.

SECURITIES AND EXCHANGE COMMISSION (Release No. 34 - ); File No. SR-IEX-2020-01)

Self-Regulatory Organizations: Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Correct Three Typographical Errors in IEX Rules 11.190(e) and 11.220(a)(7).

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the "Act")<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on (date), the Investors Exchange LLC ("IEX" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. <u>Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change</u>

Pursuant to the provisions of Section 19(b)(1) under the Act,<sup>4</sup> and Rule 19b-4 thereunder,<sup>5</sup> IEX is filing with the Commission a proposed rule change to correct three typographical errors in IEX Rules 11.190(e) and 11.220(a)(7). The Exchange has designated this rule change as "non-controversial" under Section 19(b)(3)(A) of the Act<sup>6</sup> and provided the Commission with the notice required by Rule 19b-4(f)(6) thereunder.<sup>7</sup>

<sup>&</sup>lt;sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>&</sup>lt;sup>2</sup> 15 U.S.C. 78a.

<sup>&</sup>lt;sup>3</sup> 17 CFR 240.19b-4.

<sup>&</sup>lt;sup>4</sup> 15 U.S.C. 78s(b)(1).

<sup>&</sup>lt;sup>5</sup> 17 CFR 240.19b-4.

<sup>&</sup>lt;sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>&</sup>lt;sup>7</sup> 17 CFR 240.19b-4.

The text of the proposed rule change is available at the Exchange's website at www.iextrading.com, at the principal office of the Exchange, and at the Commission's Public Reference Room.

## II. <u>Self-Regulatory Organization's Statement of the Purpose of, and the Statutory</u> <u>Basis for, the Proposed Rule Change</u>

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statement may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

## A. <u>Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change</u>

### 1. Purpose

The Exchange recently filed a proposed rule change to amend, in part, IEX Rules 11.190(e) and Rule 11.220(a)(7) related to the Exchange's anti-internalization functionality (the "Original Filing").<sup>8</sup> The Original Filing introduced two typographical errors in IEX Rule 11.190(e) and one typographical error in IEX Rule 11.220(a)(7), which the Exchange proposes to correct as described below.

First, the Exchange proposes to add the number "2" in IEX Rule 11.190(e) to denote a numbered subparagraph between subparagraphs (1) and (3). The Original Filing inadvertently deleted the number "2" to denote the applicable subparagraph.

Second, the Exchange proposes to delete the word "modifier" from the first

<sup>&</sup>lt;sup>8</sup> <u>See</u> Securities Exchange Act Release No. 87798 (December 18, 2019), 84 FR 71053 (December 26, 2019) (SR-IEX-2019-14).

sentence of IEX Rule 11.190(e)(3). The Original Filing inadvertently did not mark the word for deletion as intended.

Third, the Exchange proposes to modify the first sentence of Rule 11.220(a)(7), in which a deletion bracket and the preceding letter were inadvertently underlined in the Original Filing. The Exchange thus proposes to delete the deletion bracket and preceding letter as intended.

## 2. <u>Statutory Basis</u>

IEX believes that the proposed rule change is consistent with the provisions of Section 6(b)<sup>9</sup> of the Act in general, and furthers the objectives of Section 6(b)(5) of the Act<sup>10</sup> in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

Specifically, IEX believes that the proposed rule change is consistent with Section 6(b)(5) of the Act<sup>11</sup> because it will eliminate any confusion regarding IEX rules by correcting inadvertent typographical errors introduced by the Original Filing in IEX Rules 11.190(e)(2) and 11.220(a)(7) without changing the substance of such rule provisions.

## B. <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

IEX does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

The proposed rule change is not designed to address any competitive issues but rather to

<sup>&</sup>lt;sup>9</sup> 15 U.S.C. 78f.

<sup>&</sup>lt;sup>10</sup> 15 U.S.C. 78f(b)(5).

<sup>&</sup>lt;sup>11</sup> 15 U.S.C. 78f(b)(5).

correct inadvertent typographical errors, thereby eliminating any potential confusion regarding such rule provisions without changing their substance.

C. <u>Self-Regulatory Organization's Statement on Comments on the Proposed</u> <u>Rule Change Received from Members, Participants, or Others</u>

Written comments were neither solicited nor received.

III. <u>Date of Effectiveness of the Proposed Rule Change and Timing for Commission</u>
Action

The Exchange has designated this rule filing as non-controversial under Section  $19(b)(3)(A)^{12}$  of the Act and Rule  $19b-4(f)(6)^{13}$  thereunder. Because the proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6) thereunder.

A proposed rule change filed under Rule  $19b-4(f)(6)^{14}$  normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),  $^{15}$  the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay.

The Exchange respectfully requests that the Commission waive the 30-day operative delay period after which a proposed rule change under Rule 19b-4(f)(6) becomes effective to the extent necessary to enable this proposed rule change to be

<sup>&</sup>lt;sup>12</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>&</sup>lt;sup>13</sup> 17 CFR 240.19b-4(f)(6).

<sup>&</sup>lt;sup>14</sup> 17 CFR 240.19b-4(f)(6).

<sup>&</sup>lt;sup>15</sup> 17 CFR 240.19b-4(f)(6)(iii).

implemented on the same schedule as the Original Filing. Waiving the 30-day operative delay would permit the Exchange to avoid any potential confusion on the part of its Members and their associated persons.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings under Section  $19(b)(2)(B)^{16}$  of the Act to determine whether the proposed rule change should be approved or disapproved.

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

## **Electronic Comments:**

- Use the Commission's Internet comment form (<a href="http://www.sec.gov/rules/sro.shtml">http://www.sec.gov/rules/sro.shtml</a>); or
- Send an email to <u>rule-comments@sec.gov</u>. Please include File Number SR-IEX-2020-01 on the subject line.

#### Paper Comments:

 Send paper comments in triplicate to Vanessa Countryman, Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090.

\_

<sup>&</sup>lt;sup>16</sup> 15 U.S.C. 78s(b)(2)(B).

All submissions should refer to File Number SR-IEX-2020-01. This file number should be included in the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet website (http://www.sec.gov/rules/sro.shtml). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Section, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing will also be available for inspection and copying at the IEX's principal office and on its Internet website at www.iextrading.com. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-IEX-2020-01 and should be submitted on or before [insert date 21 days from publication in the Federal Register]. For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>17</sup>

<sup>&</sup>lt;sup>17</sup> 17 CFR 200.30-3(a)(12).

## Exhibit 5 – Text of Proposed Rule Change

Proposed new language is underlined; proposed deletions are in brackets.

### **CHAPTER 11. TRADING RULES**

\*\*\*\*

Rule 11.190. Orders and Modifiers

- (a)-(d) No changes.
- (e) No changes.
  - (1) No changes.
  - (2) AIQ Modifiers.
    - (A)-(E) No changes.
  - (3) Default Order Marking. Based on User instruction, the Exchange may mark orders with a default AIQ identifier[modifier] by FIX session, i.e., order entry port. Principal and Agency/Riskless Principal orders may have different default settings.
  - (4)-(8) No changes.

\*\*\*\*

## Rule 11.220. Priority of Orders

- (a) (1)-(6) No changes.
  - (7) Anti-Internalization. Pursuant to IEX Rule 11.190(e), Users may direct that orders entered into the System not execute against orders [s]] that are part of the same AIQ group. In such a case, as set forth in IEX Rule 11.190(e), the System will not permit such orders to execute against one another, regardless of priority ranking.
  - (8) No changes.

\*\*\*\*