

NASDAQ OMX System Application

This NASDAQ OMX System Application is for the NASDAQ OMX Global Data Agreement and/or other relevant NASDAQ OMX distributor and/or vendor agreements ("Agreements"). A **"Distributor"** is the organization applying for NASDAQ OMX datafeed. "Information" is defined in the Agreements. **For purposes of these instructions and the NASDAQ OMX Global Subscriber Agreement, "Distributor" shall also mean "Vendor".**

NASDAQ OMX requires that your organization submit a separate System Application for each entitlement system that controls market data.

Date of Application: _____

Distributor Name: _____

All applicable policy details and documents may be accessed at the following link:
<http://www.nasdaqtrader.com/content/AdministrationSupport/AgreementsData/datapolicies.pdf>

Section 1: System Information

What is the name of the system your organization will use to distribute NASDAQ OMX Information?

☐ Proprietary System: _____

☐ Non-Display System: _____

☐ Third Party Display System: _____

How does your organization intend to use NASDAQ OMX Information?

☐ Internally ☐ Externally ☐ Internally and Externally

Section 2: Entitlement System

Provide list of all Entitlement Systems and Software Providers with NASDAQ OMX data both proprietary and/or third party.

Name of Entitlement System Provider	Name of Entitlement System
_____	Name: _____
How will users be entitled? ☐ Unique User ID & Password ☐ Interrogation Device (Non-Display)/IP Address ☐ Per Query (entitling Subscribers for an individual price or quote) Complete Appendix F. ☐ Unique Visitors (entitling number of unique visitors accessing a website) ☐ Cable Television (cable and /or satellite television households accessing the broadcast) ☐ Broadcast Households (broadcast television households access the broadcast)	

How often will data in the Entitlement system be disseminated?

Entitlement Timeframe	
Entitlement Timeframe: ☐ Intraday ☐ End-of-Day ☐ Overnight ☐ Other _____	
Name of Display Software Provider	Name of Display Software/Product
_____	NAME: _____ Version Number: _____

Section 3: Unit of Count [Unit of Count determines pricing.]

Select **ONE** applicable unit of count for this System Application:

Distributor Controlled Products	Applicable Sections
☐ Device/Access/Stand Alone/Internal: Any controlled display product where the Distributor controls both the entitlements and the display of the Information. ☐ Per Query Usage: Information on a single security delivered once to a single device/user id.	(complete Sections 1 through 8, and Appendix A) (Appendix F)
☐ Non-Display: Any controlled product where the Distributor controls the entitlements and there is no display of the Information.	(complete Sections 1 through 8, and Appendix A)
☐ Hosted Solution: A controlled product that contains Information offered by a Distributor on behalf of a Client Organization, where the Distributor provides Information to a Client Organization's External Subscribers by creating and administering a website or other system on behalf of the client, and Distributor substantially controls the system for the purpose of reporting usage or qualification, and the system is labeled, branded, or benefits the Client Organization.	(complete Sections 1 through 8, and Appendix B)
☐ Enhanced Display Solution: A controlled display product containing NASDAQ Depth Information, where the Distributor controls the entitlements and display and allows the Subscriber to access an Application Programming Interface ("API") or similar solution from that display product for utilization by that individual Subscriber only.	(complete Sections 1 through 8, and Appendix C)
Datafeed - Managed	
Managed Data Solution: Any product containing Information whereby a Distributor controls the entitlements, but may not control the display of the Information. ☐ Managed Data Solution: Display ☐ Managed Data Solution: Non-Display	complete Sections 1 through 8, and Appendix D)
Datafeed - Uncontrolled	
Datafeed Provider: Any uncontrolled retransmission of Information. NASDAQ OMX considers the retransmission to be an uncontrolled datafeed if the Distributor does not control both the entitlements and the display of the Information and does not apply for a Managed Data Solution. Any organization receiving a Datafeed, (Recipients) from the Distributor is also recognized as Distributors at NASDAQ OMX.	(complete Section 1 through 8, and Appendix E)

Section 4: Contact Information

Primary/ Business Contact	Technical Contact
Mr./Ms./Mrs.	Mr./Ms./Mrs.
_____ First Name Last Name	_____ First Name Last Name
_____ Phone Number	_____ Phone Number
_____ E-mail Address	_____ E-mail Address
_____ Group E-mail Address [optional]	_____ Group E-mail Address [optional]
☐ Same as Primary/Business Contact Address	☐ Same as Primary/Business Contact Address
Address: _____ _____	Address: _____ _____
Administrative /Reporting Contact	Billing Contact
Mr./Ms./Mrs.	Mr./Ms./Mrs.
_____ First Name Last Name	_____ First Name Last Name
_____ Phone Number	_____ Phone Number
_____ E-mail Address	_____ E-mail Address
_____ Group E-mail Address [optional]	_____ Group E-mail Address [optional]
☐ Same as Primary/Business Contact Address	☐ Same as Primary/Business Contact Address
Address: _____ _____	Address: _____ _____

Section 5a: Billing Information – All Distributors

Will your organization offer data services to affiliated companies?

☐ No ☐ Yes, then complete the below or [List of Affiliates Form](#) if additional space is required.

Affiliated Company Names*	Registered Address	Distributor's Group Holding

NASDAQ OMX Account Info	Invoice Format	Datafeed Billing Address
Existing Customer Number from Invoice: _____ or ☐ New Invoice Email address for Invoices: _____	☐ email only ☐ email and paper ☐ paper only	_____ Street Address [P.O. Box Numbers Not Accepted] _____ Street Address 2 _____ City, State, Province, Postal Code Country

Section 5b: Billing Information – Nordic & Baltic Data

Please check here if your organization does NOT receive NASDAQ OMX Nordic data. ☐

Please check here if this system qualifies for waiver of fees per the Nordic Member Rules. ☐

VAT/Company Number:	_____ [required for Nordic and/or Baltic only]
Members of NASDAQ OMX Nordic and Baltic	☐ Nordic Cash Equity Markets Membership ☐ Derivatives Market Membership ☐ Derivatives Market Maker/ Liquidity Provider ☐ Fixed Income Market Membership / ☐ Baltic Cash Equity Markets / ☐ Commodities Markets /

Section 6: Usage Reporting Administration

Distributors are required to submit monthly market data usage reports indicating number and location of terminals or user IDs or other measure of usage as specified below. Indicate submission method.

Monthly Summary Reporting [required for ALL Internal and External Distributors]	☐ NASDAQ OMX Reporting Application [NORA] (https://nora.nasdaqomx.com/) NORA registration takes place in 3 steps. (SEEFAQ)
PLUS Monthly Detailed Reporting Formats [required for datafeed Distributors, external Distributors and extranet providers]	☐ VRCSV /Comma Delimited ☐ VRXLS /Spreadsheet ☐ TCB Data - http://www.tcbdata.com

Section 7: Distribution Services - General

How will your organization submit units of count and/or reportable units? See [NASDAQ OMX Global Data Policies](#) for definitions.

Submission of Information		Internal within Distributor' s Group		External Subscribers [Attach screenshots]	
Distribution Method	IP address	Real-time	Delayed	Real-time	Delayed
User Terminal - Trading		☐	☐	☐	☐
User Terminal - Research		☐	☐	☐	☐
Mobile Device		☐	☐	☐	☐
Wallboard		☐	☐	☐	☐
Television		☐	☐	☐	☐
Website, Internet, Intranet		☐	☐	☐	☐
Text Messaging		☐	☐	☐	☐
Sponsored Access		☐	☐	☐	☐
Direct Market Access/DMA		☐	☐	☐	☐
Risk Management		☐	☐	☐	☐
Back or Middle Office		☐	☐	☐	☐
Clearing and Settlement		☐	☐	☐	☐
Other [specify]		☐	☐	☐	☐
a) _____		☐	☐	☐	☐
b) _____		☐	☐	☐	☐

Section 8: Other Distribution Services

Non-Display Usage

1. Will your organization offer Non-Display services? ☐ No ☐ Yes	Direct Access	Internal Distribution	External Distribution
a. Automated Trading	☐	☐	☐
b. Automated Trading with Manual Intervention	☐	☐	☐
c. Order Routing	☐	☐	☐
d. Program Trading and High Frequency Trading	☐	☐	☐
e. Order Verification	☐	☐	☐
f. Automated Surveillance Programs	☐	☐	☐
g. Risk management	☐	☐	☐
h. Clearing and settlement activities	☐	☐	☐
i. Account Maintenance (e.g. controlling margin for a customer account)	☐	☐	☐
j. Hot disaster recovery	☐	☐	☐
k. Trading Platform (operated by a registered Exchange, ATS, or ECN)	☐	☐	☐
l. Other Non-Display Use a) _____ b) _____	☐		

Derived Data Usage

2. Will your organization offer Derived Data ? ☐ Yes ☐ No	Co-Location	Internal Distribution	External Distribution
a. Creation Indices			
b. Single Security Symbol Data			
c. Multiple Security Symbol Data			
2b. Describe how your firm intends to use Derived Data: _____			

Section 9: Subscriber Agreement Information

[External Distribution Only] To skip this question, please check here if your organization does **NOT** distribute market data to external Subscribers. ☐

As an external Distributor, your organization must administer the **NASDAQ OMX Global Subscriber Agreement or equivalent to Subscribers**. How will your organization administer the NASDAQ OMX Subscriber Agreement?

NASDAQ OMX Subscriber Agreement Administration Requirements are detailed in the <u>Agreements</u> .	
☐ Vendor Indemnification	Distributor does not offer the NASDAQ OMX Subscriber Agreement to Subscriber but instead offers the Distributor's own agreement.
☐ Online	Distributor offers the NASDAQ OMX Subscriber Agreement via the internet.
☐ Incorporation by Reference	Distributor adds specific language into the Distributor's own agreement with the Subscriber.
☐ Hard Copy/Paper	Distributor provides Subscriber with a paper copy of a NASDAQ OMX Subscriber Agreement. Distributor retains executed originals , but does not submit documents to NASDAQ OMX.

Section 10: Application Signature

I certify that the information provided on this System Application and all Appendices is accurate.

Signature:	
Print Name:	
Title:	
Date:	

Appendix A: Device/Access/Stand Alone/Non-Display

Describe how your organization intends to use the market data on a separate sheet. [System diagram required]

Please provide the following information:

Internal Redistribution

☐ Data will be distributed internally to employees and affiliated companies' employees only. Data will not be redistributed to organizations outside of the company and company affiliates.

a. Indicate total number of user ids/devices presently on the network. [Include all devices that receive real-time data].	_____ Total Devices:	_____/_____ Month/ Year
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External Redistribution

☐ Data will be distributed externally to non-employees and non-affiliated companies' employees only. Data will be redistributed to organizations outside of the company.

a. Will data from a service be redistributed to additional servers, which in turn, can redistribute data to various users, servers and/or devices?	☐ No	☐ Yes
If yes, please explain:		

b. Will your firm offer an API (Application Programming Interface) or DDE (Dynamic Data Exchange) as part of your display service?	☐ No	☐ Yes
If yes, please explain:		

c. Will your display service be compatible with third party software (i.e. Order Management System, EMS, Charting Portfolio, etc.)?	☐ No	☐ Yes
If yes, please explain:		

d. Indicate type of external Subscriber receiving data.	☐ External Professional ☐ External Non-Professional	
e. Indicate total number of user ids/devices presently on the network. [Include all devices that receive real-time data].	_____ Total Devices	_____/_____ Month/ Year

Appendix B: Hosted Solution

Describe how your organization intends to use the market data on a separate sheet. **[System diagram required]**

Hosted Solution is a delivery option for a controlled data product that contains NASDAQ OMX information offered by a Distributor on behalf of a client organization, where the Distributor can substantially control the information for the purpose of reporting usage or qualification. Controlled data products include systems where the Distributor monitors and controls the entitlement and access to the market data.

☐ **Yes**, I understand this contractual requirement.

1. Will your organization technically display the data, and/or will a third party provide the hosted solution? ☐ Yes ☐ No ☐ Yes ☐ No

Third Party Name: _____

a. Indicate total number of user ids/devices presently on the network.

Total Devices

_____/_____
Month/ Year

[Include all devices that receive real-time data].

b. Products that are part of the hosted solution US and Nordic:

US Hosted Solutions Products	Nordic Hosted Solutions Products
Service level	Service level
Global Index Data Service (GIDS)–Hosted Solution	Nordic Delayed Datafeed Recipient Hosted Solution
Mutual Fund Dissemination Service (MFDS)- Hosted Solution	Nordic Hosted Delayed Issuer Per Isin
	Nordic Hosted Real-time Issuer Per Isin
	Nordic Hosted Delayed Data Issuer Per Peer Group of ISIN
	Nordic Hosted Real-time Issuer Per Peer Group of ISIN
	Nordic Equity Last Sale Hosted Solution
	Nordic Equity Level 1 and Level 2 Private Hosted Solution
	Nordic Equity Level 1 and Level 2 Business Hosted Solution

A list of Client Organizations must be submitted with the application. (Use [VRCSV](#) format only. (Additional information can be found in [GDP Data Polices](#) - Usage Reporting Policy: Submission of Reports for business requirements.)

Appendix C: Enhanced Display Solution

Describe how your organization intends to use the market data on a separate sheet. **[System diagram required]**

Your organization will offer NASDAQ OMX Depth Information in its own messaging formats (rather than its raw NASDAQ OMX message formats) by reformatting, redisplaying and/or altering the Nasdaq Depth Information prior to retransmission, but **not** to affect the integrity of the NASDAQ Depth Information and **not** to render it inaccurate, unfair, uninformative, fictitious, misleading or discriminatory.

☐ Yes, I understand the Enhanced Display Solution option.

a. Indicate which NASDAQ Depth Information will be utilized on this system.	☐ NASDAQ TotalView /OpenView ☐ NASDAQ Level 2/ OpenView	
b. Explain how the Subscriber accesses the data, or causes your system to access the data?		
If yes, please explain:		
c. How will your system monitor Subscribers for any non-display or excessive use?		
If yes, please explain:		
d. Will your organization offer a service that includes an API [Application Programming Interface] or similar solution for clients or Subscribers?	☐ No	☐ Yes
If yes, please explain:		
e. Indicate type of Subscriber receiving data.	☐ Professional	☐ Non-Professional
f. Indicate total number of user ids/devices presently on the network. [Include all devices that receive real-time data].	_____ Total Devices	_____/_____ Month/ Year
g. If no user ids/devices are presently on the network, provide approximate start date of first Subscriber.	_____/_____ Month/ Year	

Appendix D: Datafeed - Managed Data Solution

Managed Data Solutions fee structure, Distributors may now provide datafeeds, Application Programming Interfaces (APIs) or similar automated delivery solutions to client organizations whereby the Distributor controls the entitlements, but may **not** control the display (if any) of the Information. . The recipient of a Managed Data Solution may use the information **for internal purposes only** and may not distribute the information to other internal Subscribers within their firm or to any Subscribers outside of their organization. -

☐ • Yes, I understand this contractual requirement.

a. Indicate which NASDAQ Depth and/or Nordic Information will be received on this system.	☐ NASDAQ TotalView /OpenView ☐ NASDAQ Level 2/OpenView ☐ NASDAQ TotalView – ITCH FPGA ☐ NASDAQ OMX Nordic Equity ITCH –TotalView (Non-display only) ☐ NASDAQ OMX Nordic Derivatives ITCH – TotalView (Non-display only) ☐ PHLX Orders ☐ Top Of PHLX Options (TOPO) ☐ BX TotalView ☐ PSX TotalView	
b. Indicate total number of user ids/devices and/or Sponsored Access firms presently on the network. [Include all devices that receive real-time data].	Total Devices	/ Month/ Year
c. If no user ids/devices or Sponsored Access firms are presently on the network, provide approximate startdate of first Subscriber.	/ Month/ Year	
d. Describe how your firm will normalize the datafeed.		
Please explain: 		

Will your organization offer the following services?

e. Will data from a service be redistributed to additional servers, which in turn, can redistribute data to various users, servers and/or non-display devices?	☐ No	☐ Yes
If yes, please explain: 		
f. Will your organization offer a service that includes an API [Application Programming Interface] or DDE [Dynamic Data Exchange] as part of your display service?	☐ No	☐ Yes
If yes, please explain: 		

Appendix E: Datafeed (Uncontrolled):

Retransmission Datafeed is defined as any uncontrolled retransmission of NASDAQ OMX data where the Distributor does not control either the entitlements or the display of the market data.

1. Confirm your understanding that a datafeed may not be provided for real-time and delayed, snapshot and streaming data until your firm receives written permission (via fax, hard copy or e-mail) from NASDAQ OMX Global Data Products for the approval of each datafeed. It is the datafeed provider's obligation to ensure the necessary application information is provided to its datafeed customers.

☐ Yes, I understand this contractual requirement.

2. Which type of NASDAQ OMX datafeeds will your organization provide?

Datafeed Service	Real Time Datafeed	Datafeed Service	Real Time Data Feed
NASDAQ U.S. Equities	☐ Yes ☐ No	NASDAQ OMX PSX	☐ Yes ☐ No
NASDAQ OMX Nordic	☐ Yes ☐ No	NASDAQ OMX Global Index Data	☐ Yes ☐ No
NASDAQ OMX Baltic	☐ Yes ☐ No	NASDAQ OMX Commodities	☐ Yes ☐ No
NASDAQ OMX PHLX	☐ Yes ☐ No	NASDAQ Options Market (NOM)	☐ Yes ☐ No
NASDAQ OMX BX	☐ Yes ☐ No	UTP Level 1	☐ Yes ☐ No

3. Will your organization redistribute uncontrolled data within the NASDAQ Co-Location facility?

☐Yes ☐No

Note: NASDAQ OMX requires each datafeed Distributor to provide a list of all active datafeeds to NASDAQ OMX on a monthly basis. Datafeed Distributors are permitted to provide a total inventory and update the base inventory with adds and deletes each month. Such reporting requires the following information:

- Datafeed Subscriber Name and Billing Address.
- Customer Type [MDS, EDS, etc.]
- Datafeed Location or Installation Address.
- Level of Service - NASDAQ Level 1 Service, Level 2, GIDS (External), BX TotalView, OMX TotalView etc.
- Timing of Datafeed - Real-time, Delayed or Real-Time Index
- Number of Datafeeds at each location
- Installation/Termination Date

(Use [VRCSV](#) format only. (Additional information can be found in [GDP Data Policies](#) - Usage Reporting Policy: Submission of Reports for business requirements.)

Appendix F: Per Query Usage

Distributors offering Per Query services must comply with the following requirements for providing queries. **A QUERY is defined as Information on a single security delivered once to a single device/user id.** It may be required that each Distributor provide a demonstration of the query counting system **prior** to implementation. **NOTE: Distributors are not permitted to offer NASDAQ proprietary products such as NASDAQ index, NASDAQ TotalView on a per query basis.**

1. Distributors must count and report all real-time queries distributed during the below listed timeframes. Indicate the time period(s) your system distributes and your system counts queries.

Timeframe	Yes/No
pre-market session: 4:00 a.m. to 9:45 a.m., Eastern Time (ET)	☐ Yes ☐ No
regular market session: 9:30 a.m. to 4:15 p.m., ET	☐ Yes ☐ No
post-market session: 4:00 p.m. to 8:15 p.m., ET	☐ Yes ☐ No

2. Provide the values (code script) that your firm utilizes to differentiate between the 5 markets:

Security Type	Value Shown
NASDAQ Global Select Market SM	
NASDAQ Global Market SM	
NASDAQ Capital Market [®]	
OTC Bulletin Board	
Other OTC Securities	

3. Distributors must ensure the meter counts queries distributed on all screens including: portfolio screens; charts; pre-trade and post trade confirmations; and real-time queries provided to delayed subscribers at the time of the trade. Indicate pages your system offers real-time queries.

Page Display	Yes/No
Single Security Information	☐ Yes ☐ No
Portfolio	☐ Yes ☐ No
Charts/Graphs	☐ Yes ☐ No
Pre-trade confirmation	☐ Yes ☐ No
Post trade confirmation	☐ Yes ☐ No
Others: _____	Yes No