



Christopher Bowen  
Managing Director and Chief Regulatory Counsel  
Legal Department

December 13, 2012

**VIA E-MAIL**

Ms. Sauntia Warfield  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

**RE: Nikkei 225 Index Yen Futures Volume Incentive Program  
CME Submission No. 12-455**

Dear Ms. Warfield:

Chicago Mercantile Exchange Inc. ("CME," or the "Exchange,") hereby notifies the Commodity Futures Trading Commission ("Commission") that it plans to implement an incentive program in support of certain Nikkei 225 Index Yen futures contracts that are traded on CME Globex ("Program"). The proposed Program will become effective on January 2, 2013.

Exhibit 1 sets forth the terms of this Program.

CME business staff responsible for the Program and the CME legal department collectively reviewed the designated contract market core principles (the "Core Principles") as set forth in the Commodities Exchange Act ("CEA"). During the review, CME staff identified the following Core Principles as potentially being impacted: Prevention of Market Disruption, Execution of Transactions, Protection of Market Participants, Compliance with Rules and Recordkeeping.

The Program will not impact the Exchange's ability to perform its trade practice and market surveillance obligations under the CEA and CME market regulation staff will continue to monitor trading in the Program's products to prevent manipulative trading and market abuse. Additionally, CME has implemented systems to track Program participants' volume to ensure proper distribution of earned incentives. The Program does not impact the Exchange's order execution. Participants in the Program will be selected by CME staff using criteria as further stated in Exhibit 1. Chapter 4 of the CME rules includes prohibitions against fraudulent, non-competitive, unfair or abusive practices. The Program will be subject to these rules.

CME certifies that the Program complies with the CEA and the regulations thereunder. There were no substantive opposing views to this Program.

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

If you require any additional information regarding this submission, please contact Robert Lev at 312-930-3019 or via e-mail at [robert.lev@cmegroup.com](mailto:robert.lev@cmegroup.com), or contact me at 212-299-2200. Please reference our CME Submission No. 12-455 in any related correspondence.

Sincerely,

/s/ Christopher Bowen  
Managing Director, Chief Regulatory Counsel

Attachment: Exhibit 1

# **EXHIBIT 1**

## **Nikkei 225 Index Yen Futures Volume Incentive Program**

### **Program Purpose**

The purpose of this Program is to encourage trading firms to increase their Globex® volume, enhancing market liquidity for the products listed below. A more liquid contract on the central limit order book benefits all participants in the marketplace.

### **Product Scope**

Nikkei 225 Index Yen Futures contracts traded on Globex® (“Products”)

### **Eligible Participants**

There is no limit to the number of participants that can participate in the Program. The Program is open to all participants that register with the Exchange.

### **Program Term**

Start date is January 2, 2013. End date is December 31, 2013.

### **Hours**

N/A

### **Incentives**

For each calendar month that a participant maintains a pre-determined combined average daily volume in the Products, the applicable participant shall be eligible for a predetermined fee discount in the Products. Participants may also qualify for additional predetermined discounts for executed transactions during overnight trading hours.

### **Monitoring and Termination of Status**

The Exchange shall monitor trading activity and participants’ performance and shall retain the right to revoke Program participant status if it concludes from review that a Program participant no longer meets the eligibility requirements of the Program.