

2016 ANNUAL NON-DISPLAY DECLARATION

This declaration is required annually for all Data Feed recipients (“Vendors”) that receive real time UTP Level 1 Information. Your organization has been identified as a UTP Level 1 Vendor. For clarification regarding UTP Level 1 Non-Display usage, please see our Vendor Alerts: [UTP Vendor Alert #2014-5](#) and [UTP Vendor Alert #2015-3](#) or contact admin@utpplan.com or +1301-978-8080.

1. VENDOR DETAILS

Date:	Invoice Account Number:
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Vendor Name:

2. DECLARATION OF UTP LEVEL 1 USAGE

Please check one of the following checkboxes:

- UTP Level 1 Information is used for non display-use and/or other purposes.....
- UTP Level 1 Information is **not** used for non-display use.....

3. DECLARATION OF UTP LEVEL 1 NON-DISPLAY USE

Vendors are to identify and annually declare their Non-Display use of real time UTP Level 1 Information. A Vendor's Non-Display Uses of data may subject the Vendor to the Non-Display Use fee for each of the three categories.

Category 1: Non-Display Trading Platform used for UTP Level 1 Data Yes No

Date Usage began: _____

Fees are applicable when a data recipient's Non-Display Use of UTP Level 1 Information is, in whole or in part, for the purpose of internally matching buy and sell orders within an organization. Matching buy and sell orders includes matching customer orders on a data recipient's own behalf and/or on behalf of its clients. This category includes, but is not restricted to, use in trading platform(s), such as exchanges, alternative trading systems (ATs), broker crossing networks, broker crossing systems not filed as ATs, dark pools, multilateral trading facilities, and systematic internalization systems.

If you selected Category 1- Non-Display Trading Platform, please list your firm's Trading Platforms below:

Platform Name:

Platform Name:

Platform Name:

Platform Name:

Platform Name:

Platform Name:

Category 2: Non-Display Internal Usage on Firm's Behalf

Does your firm use UTP Level 1 Information in Non-Display on its own behalf? Yes No **Date Usage began:** _____

Category 3: Non-Display External Usage on Customer's Behalf

Does your firm use UTP Level 1 Information in Non-Display on behalf of its customers? Yes No Date Usage began: _____

4. DECLARATION ACCEPTANCE

Submission of this declaration certifies that the information provided by your firm is correct and in accordance with The Nasdaq Stock Market LLC Vendor Agreement for UTP Services. Nasdaq, as the UTP Administrator is authorized to bill the applicable fees in accordance to selections made above. Your company is to promptly inform Nasdaq of any changes to the information given above within 15 days of the end of the month of the change.

Signature: _____

Print Name: _____

Title: _____

Email Address: _____

For your reference, examples of Non-Display Use under the three categories are, without limitation:

- Any trading in any asset class
- Automated order or quote generation and/or order pegging
- Price referencing for algorithmic trading
- Price referencing for smart order routing
- Operations control programs
- Investment analysis
- Order verification
- Surveillance programs
- Compliance and Risk Management
- Portfolio Valuation